



IN THE PARLIAMENT OF UGANDA

Official Report of the Proceedings of Parliament

THIRD SESSION - 20TH SITTING - SECOND MEETING

Tuesday, 5 December 2023

*Parliament met at 2.00 p.m. in Parliament House, Kampala.*

PRAYERS

*(The Speaker, Ms Anita Among, in the Chair.)*

*The House was called to order.*

COMMUNICATION FROM THE CHAIR

**THE SPEAKER:** Honourable members, I welcome you to this afternoon sitting. As we approach the close of the calendar year and as we prepare to go for the Christmas recess, I request committees to ensure that they finish all the work before them, so that we go for recess when you have nothing pending. Therefore, committee chairpersons, ensure that everything is processed and presented to the House.

As you are aware, in January 2024, we will be handling the Budget Framework Paper, hence, we need to offset the pending business, as we go into the Budget Framework Paper.

Honourable members, I want to draw your attention to the Code of Conduct for Members of Parliament as detailed in Appendix F of the Rules of Procedure. It has come to our notice that some Members continue to breach the provisions of the code of conduct, amongst them engaging in financial decisions that impede objectivity in the discharge of their duty.

I was surprised when a managing director called me and said, "There is a Member of Parliament who has come; that you have sent him for something for you." I want to implore the public that we put a suggestion box in the Clerk's office on that floor and have all those messages put in that suggestion box. We must protect the integrity of this institution. *(Applause)*

I have always told you that we should leave this institution better than we found it. When you hear people say, "Parliament is corrupt - cooperatives..." The money of cooperatives was not passed in the 11<sup>th</sup> Parliament; it was passed in the Ninth and 10<sup>th</sup> Parliaments. You are clean people. *(Applause)* They ate the money of cooperatives and now they are blaming the 11<sup>th</sup> Parliament. Let us protect this institution. Let us get out of that.

Sometimes, when you conduct yourself in a polite way, people think you are just - but I want us to stand firm, ensure that we do what is right for the institution and leave the rest to God. Let us do what we have been sent to do and we will be able to handle this institution.

As leaders, we ought to conduct ourselves in a manner that aids unity and cohesion. We have had scenarios in this House where we get a lot of hot debates. I have told you several times that however hot a debate is, it will only bother me - when I reach that door, it stops there. I get out there and live another life. *(Applause)* You did not start this country and you will not

be the one to end it, but let us work for our people without putting in personal feelings and emotions. Let us have intellectual debates. I wish you nice deliberations.

2.07

**MS NORAH BIGIRWA (NRM, Woman Representative, Buliisa):** Thank you, Madam Speaker, for your communication. I would like to respond to the issue of unity and cohesion.

Madam Speaker and Members, you are aware that each year we celebrate World Fisheries Day, which is supposed to take place every 21<sup>st</sup> of November. This year, the venue that was chosen by the Ministry of Agriculture, Animal Industry and Fisheries was Buliisa District. The letter to that effect was written on the 25<sup>th</sup> of September to the CAO confirming that date but later, it was changed to the 6<sup>th</sup> of December, which is tomorrow. This Parliament has not been able to receive any statement from the Executive.

Secondly, the district of Buliisa, which is the host district, has not been able to get any funding or response coming from the Centre showing that this day is supposed to take place tomorrow. However, communication is being sent to the accounting offices from other districts, inviting them to come and celebrate this day and support the event.

I would like to know from you, Madam Speaker, where is the unity and cohesion in celebrating these international days or world days? Thank you.

**THE SPEAKER:** Thank you. Government? Maybe, before the Government comes in, somebody will ask what kind of code of conduct we are talking about. It includes:

1. Engaging in financial decisions that embed the objectivity in discharge of their duties; or
2. Sometimes conducting themselves in a manner that erodes public trust and confidence in the institution of the Legislature.

Those are the codes of conduct that I want you to know.

2.09

**THE THIRD DEPUTY PRIME MINISTER AND MINISTER WITHOUT PORTFOLIO**

**(Ms Rukia Nakadama):** Madam Speaker, I thank my colleague for the concern about World Fisheries Day. I am going to consult the Ministry of Agriculture, Animal Industry and Fisheries. We shall give a brief to the Member to know what exactly is going on in regard to that day.

**THE SPEAKER:** Government, the function is tomorrow. When have we ever received a report after the function? We need a statement.

**MS NAKADAMA:** Madam Speaker, I was saying that I am going to consult during the course of the sitting.

**THE SPEAKER:** There is a procedural matter.

**MR SSEWUNGU:** Madam Speaker, I want the Prime Minister to be confident of herself because she is the Prime Minister here. The issue is, there is a statement required. Let her direct the minister in charge of fisheries to bring a statement and we put it on the Order Paper with your discretion, Madam Speaker.

**THE SPEAKER:** We will amend the Order Paper; so, please get the statement. You need to fund the district that is hosting -

**MR SSEWUNGU:** If she does not have one, Madam Speaker, I can help them. *(Laughter)*

2.11

**MR EDDIE KWIZERA (NRM, Bukimbiri County, Kisoro):** Madam Speaker, you have alluded to the fact that the institution of Parliament must be protected and it is through the conduct of Members and what we put out that we are respected.

Honourable members, the Anti-Homosexuality Act was passed by this House and it was brought in good faith by the Opposition. However, I have been looking at the international press,

we are being bashed and that we could have been bought yet what we exercised was by the Constitution.

Article 1 of the Constitution of the Republic of Uganda stipulates the sovereignty of the people and the elected Members of Parliament exercised it on their behalf under Article 79.

Madam Speaker and Members, we have a foreign policy. When any Member of Parliament or a Ugandan has travelled, he must look at the national interest as provided for in part XXVIII of the National Objectives and Directive Principles of State Policy, in the Constitution.

Wouldn't it be proper that foreign policy is adhered to so that when you are a Member of Parliament, a Ugandan and you have travelled, you work in accordance with the Constitution on the national policy or position?

In this case, the national position is in accordance with the Act that was passed by this Parliament. Therefore, when someone goes out and he is the president of a party, and he thinks that even his own party did not do good; how do we protect our colleagues in the House who brought it and were exercising the powers in accordance with the law? That is a very bad practice. Thank you.

**THE SPEAKER:** Thank you. Honourable members – (*Mr Oboth rose*)- on the same. Yes -

2.13

**THE MINISTER OF STATE FOR DEFENCE AND VETERAN AFFAIRS (DEFENCE) (Mr Jacob Oboth):** Madam Speaker, thank you for referring us to Appendix F of the Code of Conduct. This House is only protected by us and how we conduct ourselves.

I join my brother from Kisoro, Hon. Eddie Kwizera, to share the pain; we need guidance on how we shall conduct ourselves. If this House takes a decision on any matter and then a political leader of any colour or right says that a particular group of people were either compromised, it leaves us - even after this

Parliament, Madam Speaker, you can be the Chief Justice, you can be anything, the LOP here can be a UN Director, you can get into international organisations.

Madam Speaker, are you presiding over a House which is being compromised? Are you presiding over a House where when laws are passed, they have partisan faces?

The Anti-Homosexuality Bill which became law was brought by Hon. Asuman. Did the NRM MPs commit suicide and a mistake in supporting that bipartisan law? Should we be castigated or trade off the integrity of this country because somebody wanted to access a visa?

Is it fair for political leaders from Uganda to speak recklessly, and carelessly about the image of this Parliament? Can it make us proud to be Members of Parliament where we are compromised? I sympathise with those who call themselves on the other side. This is very painful. I feel like crying.

**THE SPEAKER:** Honourable members, I want you to be on record that the Bill was brought by an Opposition Member and is even a president of a political party; JEEMA.

It was also seconded by the Opposition and then the whole House supported it for the good of this country, in the name of protecting the family and it was supported. The aspect of having cheap politics and trading the decision of a country which is the national position cannot be accepted by this country.

I am not going to ask – first of all the Members of the Opposition that are led by Hon. Mpuuga were not compromised by anybody. They do not work for President Museveni. They are Opposition Members and you cannot go there and claim that these Members are working for President Museveni. They acted on their own will for the good of the people of Uganda, not for small envelopes.

The only person who did not support us is known; Hon Fox Odoi, but the rest supported

this Bill and the Opposition is not compromised. If he is compromised, that is his business. Our Members have integrity to protect. I am not going to ask the LOP to make a statement on that because he is not party to it.

2.17

**MR ISAAC OTIMGIW (NRM, Padyere County, Nebbi):** Thank you, Madam Speaker. Over the weekend we watched with horror on our television sets. Once again, China is coping with a new viral infection which is now affecting children and I think they have again gone back to masks. We want to find out from the Ministry of Health whether we are prepared for this.

**THE SPEAKER:** Is it on the communication?

**MR OTIMGIW:** It is a bit of an important matter.

**THE SPEAKER:** Is it related to what I talked about?

**MR OTIMGIW:** Thank you.

**THE SPEAKER:** Yes, Hon. Silwany – President of JEEMA, do you want to talk about homosexuality?

2.18

**MR SOLOMON SILWANY (NRM, Bukooli County Central, Bugiri):** Madam Speaker and honourable members, I want to remind ourselves of the day we passed the Anti-Homosexuality Act –

**THE SPEAKER:** I thought we had made a ruling on that? Commissioner, we have made a ruling on that. That is a very small thing. We cannot discuss what somebody was discussing in the corridors of London because somebody wants to get handouts.

**MR SILWANY:** Much obliged, Madam Speaker.

**THE SPEAKER:** Yes, JEEMA –

2.19

**MR ASUMAN BASALIRWA (JEEMA, Bugiri Municipality, Bugiri):** Thank you, Madam Speaker. I rise on a matter of national importance regarding the impending sale of Muslim properties including the Gadaffi National Mosque at Old Kampala.

**THE SPEAKER:** So, you have gone to national importance?

**MR BASALIRWA:** Yes, Madam Speaker. I was very clear that it is a matter of national importance, with your indulgence. As we are all aware, there is an impending sale of Muslim properties including the Gaddafi National Mosque. This matter has political and security ramifications.

**THE SPEAKER:** Isn't that matter in court?

**MR BASALIRWA:** Madam Speaker, it is in court and I am not discussing the court aspect because I am seized with knowledge on sub judice. I am trying to ask –

**THE SPEAKER:** Can I hear from my former lecturer?

**MR BASALIRWA:** Madam Speaker, can you allow me to land? Maybe you –

**THE SPEAKER:** He will help you to land.

2.20

**MR YUSUF NSIBAMBI (FDC, Mawokota County South, Mpigi):** Thank you, Madam Speaker. I believe this matter is really sub judice and it can only be brought in your office for consideration because it may invoke even partisan and sentimental issues in the House which cannot be clearly discussed and resolved here.

We all are at pain for what is happening, but I think the proper forum to discuss this matter is not this House at this stage.

**THE SPEAKER:** Daddy, can I hear from you?

2.20

**MR MEDARD LUBEGA-SSEGGONA (NUP, Busiro County East, Wakiso):** Well, it presents a tremendous difficulty on my part, but I can say, Madam Speaker, one, the rules require that only you have the power to decide whether a matter is sub judice or not.

Number two, you can only make that decision after hearing the contents of what the Member is presenting. *(Laughter)*

**THE SPEAKER:** I suspected you would say that. *(Laughter)* Hon. Asuman Basalirwa, you had asked me for permission to bring the two parties to my office. I am still waiting for the two parties so that we can have a discussion to see how we can learn from this matter.

**MR BASALIRWA:** Madam Speaker, I would like to thank you and my brother, Hon. Ssegona, for putting proper context.

**THE SPEAKER:** You should also thank Hon. Nsibambi.

**MR BASALIRWA:** No. I respectfully disagree with the opinion of my teacher, Hon. Yusuf Nsibambi. Actually, the opinion of my teacher is not what the rules state. It is the position of Hon. Lubega-Ssegona that captures the rules.

I would like to find out from Government whether this is a matter they have interested themselves in or that concerns them. Gaddafi National Mosque, which is a national treasure, is not only the headquarters of Muslims in this country; it is also one of the biggest mosques and a tourist site. For those of you who have been there, people travel from across the world on a daily basis to visit that treasure.

In light of what is happening, I would like to find out whether this is a matter that the Government has taken interest in and the possible political, spiritual and security ramifications that may arise out of the sale of Muslim property.

**THE SPEAKER:** Government -

2.23

**THE THIRD DEPUTY PRIME MINISTER AND MINISTER WITHOUT PORTFOLIO (Ms Rukia Nakadama):** Madam Speaker, this is a matter which concerns all of us, in particular, the Government. I am saying this because right now, the Ministry of Gender, Labour and Social Development is looking for Shs 2 billion to renovate that mosque.

As the learned Hon. Nsibambi said, this is a matter in court; there is no way we can start discussing it here. However, we are aware and it concerns us.

**THE SPEAKER:** There is a procedural matter.

**MR ENOS ASIIMWE:** Thank you, Madam Speaker. My simple point of guidance from you is that the honourable member has brought a matter that needs this House to be understood or discussed.

Now that he has brought it up, isn't it prudent that we give the Government time to bring a proper statement to give us facts of both sides before we even open the matter up for discussion?

**THE SPEAKER:** Honourable members, I am happy that Hon. Asuman Basalirwa has let us know what is happening with the Muslim property. The issue is before the court and the Government is now aware. We will wait to hear from the court and the Government.

However, if there is a way we can handle it without going into his conclusive position in court, then we should. Government, take interest in this.

## BILLS FIRST READING

THE SUGAR (AMENDMENT) BILL, 2023

**THE SPEAKER:** Yes, procedure.

**MS OPENDI:** Thank you, Madam Speaker –

**THE SPEAKER:** Members, when business is flowing and we have very important things coming up, you start “procedure”, “order” and “information”.

**MS OPENDI:** Business is flowing, Madam Speaker. *(Laughter)* Thank you, Madam Speaker, for the opportunity. I am wearing this orange scarf. As you are aware, we are within the 16 days of activism and specifically, trying to see how to end violence against women.

Last week, the minister presented a statement on the Floor of this House. Yesterday, as the Uganda Women’s Parliamentary Association, the National Association of Women Organisations of Uganda and OXFAM, held a meeting in the conference hall.

In that meeting, we had girls brought from Karamoja. I am raising this because one testimony from a 12-year-old girl was that there were 300 girls in school and most of them escaped because their parents wanted to marry them off at an early age –

**THE SPEAKER:** What procedural matter is that?

**MS OPENDI:** The procedural issue that I am raising is that you suspended debate on the minister’s statement and indicated that we shall be able to debate that statement.

Would it not be procedurally right for you to inform us of the date when we shall be able to discuss this statement from the minister because the issue of shelters is an important aspect?

**THE SPEAKER:** Honourable member, I do not work like a robot; that it will be on Monday and that is it. No, we will look at what is on the Order Paper and then assess it because the period ends on the 10<sup>th</sup>. We shall discuss it. The violence against women is also happening to men. *(Applause)*

## BILLS FIRST READING

### THE SUGAR (AMENDMENT) BILL, 2023

**THE SPEAKER:** Honourable members, the Government seeks to amend the Sugar Act, 2020 to establish the Uganda Sugar Industry Stakeholders Council. However, I also note that four years after the enactment of the Sugar Act, the Sugar Board, which was a creature of Section 13 of the Act, has never been established.

The matter will be interrogated in the committee. We will allow the minister to bring the Bill for the first reading and the rest will be interrogated in the committee. Honourable minister –

2.29

**THE MINISTER OF STATE FOR TRADE, INDUSTRY AND COOPERATIVES (INDUSTRY) (Mr David Bahati):** Madam Speaker, I beg to move the Bill entitled “The Sugar (Amendment) Bill, 2023” be read the first time. Attached is the Certificate of Financial Implications.

**THE SPEAKER:** Honourable members, pursuant to Rule 129(1) of the Rules of Procedure, the Bill stands referred to the Committee on Tourism, Trade and Industry, and the 45 days provided in Rule 129(2) applies. Thank you.

### RESPONSE BY THE LEADER OF THE OPPOSITION TO THE MINISTERIAL STATEMENT ON ALLEGED ENFORCED DISAPPEARANCES OF PERSONS

**THE SPEAKER:** Honourable members, you remember that the Leader of the Opposition brought a report to this House, laid it on the Table and Government was given 30 days. Government came back with a report and the Opposition deemed it fit to come up with a rejoinder on what the Government presented. We are now getting a rejoinder on what Government presented.

There is nothing new that is coming. It is basically a rejoinder on what was presented and what they feel was not correct. We must conclude this item today. *(Applause)* It is uploaded.

2.31

**THE LEADER OF THE OPPOSITION (Mr Mathias Mpuuga):** Much obliged, Madam Speaker. I will join you in the argument that this matter should have ended in earnest; it should have ended yesterday. In fact, if the Minister of Internal Affairs tells me that the missing 18 are in the Parliamentary compound, I will cede ground, go meet them and we end it there and then.

**THE SPEAKER:** Unfortunately, our Parliamentary compound is not a detention centre; it is for parking our cars.

**MR MPUUGA:** Definitely, I am alive to that but as a matter of surrender, if he did so, I would go and embrace them and cede this ground. I thank you for the patience and everyone enjoined in this.

I understand the fact that the House is stressed over this matter but the nation is even more stressed; this House of Parliament should find every reason to end this matter in a manner that the public does expect us to.

Madam Speaker, before I delve into my response to the minister's statement, I wish to state and remind ourselves of the role and duty of the legislature in situations like these.

Parliament, through its legislative mandate, moulds the legal framework and shields the rights of every citizen, ensuring that the most vulnerable among us are protected and nurtured. Parliament, as the embodiment of the collective will of the people, brings human rights to reality.

We must make it clear to everyone that our walkout and break from plenary activities was triggered by the continued indolence of Government to address the most pressing and transgressing issues that affect our people and undermine their worth and dignity.

That is something we could not withstand in an environment where our people's concerns are not prioritised. We demand answers, accountability, action taken and redress for the violations.

Government should take full responsibility for its citizens as espoused in the international and national legal frameworks to which we subscribe.

Like the previous statements on the issue, Government has again taken a defensive approach to matters in which it is supposed to take a lead role in investigating and finding redress to the public outcry. It is not right and proper for the Government to merely dismiss issues summarily, without giving due regard to the overwhelming evidence presented at various fora.

Besides the condescending style and language used in the minister's speech, we have found his statement to be extremely disparaging, detached and frosty to the victims and their respective families; it should stand rejected in its inadequate stance.

With a view to keeping our focus on the substantive issues, I will not respond to the assertions that are apparently intended to divert us. On another day, we shall indulge in the figures and rankings of our country on an international scale as far as human rights are concerned - that is not for today.

As for now, let us first discuss the issues of disappearances and arbitrary killings, in which the Government is not only implicated but has also failed to conduct and present to the public comprehensive findings. I hope in that regard, the minister will be proud that the 18 missing persons are isolated incidents, not warranting state intervention.

I am sure that most of us were here at the return of multiparty politics in Uganda. I can certainly state that it was never the decision of the ruling Government to reverse the movement system. It was a decision of the people and this did not come on a silver platter.

Most of us are not strangers to these processes. I know for a fact, like most of us do, that this has never dawned on the ruling party that other political parties and actors deserve space or even a right to advance their ideas and philosophies.

Back to the human rights concerns we raised vis-a-vis the minister's statement; I must state at the earliest that no response was made to the issues we raised. The minister's statement was purely a political narrative, instead of giving the country a detailed and specific account of missing persons and remedy to their families. I will particularise the issues with their attendant titles:

#### Failure to conduct investigations

Throughout the web of denials in the minister's response, the most evident and striking attribute painted thereon is that no investigations were conducted at all.

We are saddened by Government's inaction in the face of these gross violations yet time is fast running, the victims continue reeling and harrowing in pain, despair, agony and anguish. Clearly, if we continue with this lethargic approach, we will not get any answer from this numb and unresponsive Government.

I will demonstrate subsequently *—(Hon. Otimgiw rose)*

**THE SPEAKER:** Order for what?

**MR OTINGIW:** Madam Speaker, in your communication, you made it clear about the conduct of Members. Is the Leader of the Opposition right to say that the Government is numb and unresponsive? I do not think that we are numb, yet he is responding.

Government presented a statement and he is responding to the same. How is that being numb? We are not numb; is the Leader of Opposition in order to call this Government numb, and unresponsive? Thank you.

**THE SPEAKER:** Honourable Members, I wonder why you are raising your voices. We have agreed to use parliamentary language and my brother, Hon. Mpuuga - by the way, he is one of the most disciplined persons and I know you will use parliamentary language.

Please, use the parliamentary language for us to achieve what we want. However, as far as I know, this team is not numb. Use another word.

**MR MPUUGA:** Madam Speaker, I do concede to the fact that English is a second language to all of us but I am not numb to the feelings of Members when I use a word they are not accustomed to. The other meaning-

**THE SPEAKER:** Hon. Mpuuga, in the interest of peace - I know you are a peace-loving person. Get that word - it costs you nothing. These are your colleagues and best friends. I do not want you people to pretend like you are not friends.

**MR MPUUGA:** Madam Speaker, I want to assure the honourable member that the word "numb" is not an insult -

**THE SPEAKER:** Please, I am not telling you to defend -

**MR MPUUGA:** It is descriptive of situations and I want to request members to be calm and they will be free to respond to my statement because -

**THE SPEAKER:** Hon. Mpuuga Mathias, you are addressing one of your best friends, 'OO'. You are addressing your in-law, Muhoozi and you are telling your in-law, "You are numb".

**MR MPUUGA:** Madam Speaker, I will recollect the phrase and paragraph where I used the word and try to hazard an alternative *-(Interjections)-* clearly, if we continue with this lethargic approach, we will not get an answer from this Government that is insensitive and unresponsive to the needs of the people.

Under the law, states not only have -



**THE SPEAKER:** There is a procedural matter –

**MR MACHO:** With due respect to the LOP and history says – Madam Speaker, I need protection from the Member of Parliament for Nansana.

**THE SPEAKER:** It is okay. You did not carry that seat from Nansana. Free sitting -

**MR MACHO:** Madam Speaker, the history of this country, in all Leaders of the Opposition, has ranked Hon. Mpuuga Mathias as the best LOP in Parliament of Uganda since independence.

Basing on that, I do not know whether we are proceeding well by Hon. Mpuuga using English words in jargons to disorganise us by not using the English Language but the “English - English” so that he calls the Government a failure of the day.

Madam Speaker, I do not know whether we are proceeding well.

**THE SPEAKER:** Hon. Macho, I am aware that you have not worked with any Leader of the Opposition since independence or whichever. I know you have only worked with the two Leaders of the Opposition - two or three. Anyway, Hon. Mpuuga Mathias, address the House and address it with dignity, Parliamentary language and with respect for your colleagues, and respect for everybody.

**MR MPUUGA:** Madam Speaker, I want to assure the House of my utmost considered respect and I should not in any way, or in any terms be deemed to be disrespectful of colleagues. I desire that that assurance rests with everybody’s spirit.

Under the law, states not only have to refrain from intentional and unlawful deprivation of life but must also take appropriate steps to safeguard the lives of those within their jurisdiction. In respect of the right to life, Uganda as a party is duty-bound to respect and ensure the protection of individual rights.

It is imperative to note that it is an obligation of states to establish effective facilities and procedures to investigate killings and cases of missing or disappeared persons in circumstances that may involve violation of the right to life.

Madam Speaker, I am going to lay out a series of attachments after my presentation and one of them is a reference to Article 2 of the International Covenant on the Civil and Political Rights, and the African Charter on Human and People’s Rights, to which Uganda is a party and therefore bound.

The responsibility of the state to proceed with an effective investigation is engaged even when there is no evidence that agents of the State have been implicated in the killing or disappearance, and even if, members of the victim’s family or others have not lodged a formal complaint about the killing with the authorities. This duty is more stringent when the disappeared person was last held in state custody. In such circumstances, it is incumbent upon the state to provide a plausible explanation as to the detainees’ fate as well as to ensure that some form of independent monitoring was undertaken.

During the time we have been away from the Plenary, we have managed to reach out to the families of the missing persons. Their revelations are quite touching and detail very well the state offices that they have approached and how they reacted to their approach. I am going to lay video evidence of this for your consideration and become House property, should there be a need to make a reference.

I will highlight some of –

**THE SPEAKER:** You will lay the video evidence after I have looked at it personally as the presiding officer, in my office.

**MR MPUUGA:** Much obliged, Madam Speaker.

**THE SPEAKER:** Then you will bring it.

**MR MPUUGA:** That is why I have not made a prayer to play it, but I will make it available as House property for your consideration.

I will highlight some of the cases that clearly indicate glaring contradictions in the statement presented by the minister *vis-à-vis* the statements obtained from the police, witnesses, and other state departments. I will make a few highlights, not the entire 18. Let me sample for the House to make a judgment.

Case 1 is that of Ddamulira John

The minister has presented a report indicating that Ddamulira John is not among the people in Government custody.

Contrary to what the minister stated in his report, Ddamulira's disappearance was reported to the police and an SD Reference was obtained to that effect. I have indicated it, Madam Speaker.

Contrary to what the minister stated, Ddamulira's data is well captured with NIRA the number that is in report. He had a national ID and voter allocation slip.

Madam Speaker, we should also note, at this stage, that the case of Ddamulira John, just like many other cases of enforced disappearances was reported to the police and the police is on record admitting his arrest and detention.

On 22 November 2020, Mr Patrick Onyango, the Spokesperson of Kampala Metropolitan Police, confirmed Mr Ddamulira's arrest and several others on allegations of participating in protests around the Kampala Metropolitan Area but denied torturing the suspects. I quote him - "It is true, he (Ddamulira John) is one of the people we arrested but I cannot tell you where he and others are detained now. We did not torture any person. As an institution, torture is prohibited as a form of interrogation". The *Daily Monitor* of 22 November quoted Mr Onyango confirming detaining Mr Ddamulira John.

Madam Speaker, Ddamulira John's matter has been investigated by the Uganda Human Rights Commission, the Central Regional Office, and in a letter referenced, quoted, and dated 9 December 2020, addressed to the Chief of Military Intelligence (CMI) indicated that the commission carried out an investigation at Central Police Station Kampala and it was established that the victim, Ddamulira John, is being detained at CMI Kampala.

Madam Speaker, that corresponds between the Human Rights Commission and the Uganda Police.

For your information, Members, the relatives of Ddamulira John on 11 January 2021 reported this matter to State House as well; who in turn forwarded the same to the Uganda Human Rights Commission for further management. I have attached correspondence between the police and the Uganda Human Rights Commission on the arrest of Ddamulira.

Madam Speaker, invariably, this is a matter in dispute and we have situated Ddamulira at CMI.

John Bosco Kibalama

The minister denies knowledge of the holding point of John Bosco Kibalama, which contravenes what the Prime Minister, Rt Hon. Nabbanja asserted during a press interview in the corridors of Parliament that, "We are fortunate that Kibalama was traced. He was arrested recently in October in a place called Kakiri. He is one of those claimed to have killed police officers in Kiboga, Wakiso and other places."

Madam Speaker, a missing person case for Kibalama was reported at Nakanyonyi Police Station under that reference a day after his abduction on 3 June 2019, discrediting the minister's narrative that the family did not contact police for any remedy.

The Deputy Attorney-General, Hon. Jackson Kafuuzi, was featured on NBS Television talk show, "The Frontline," and tried to spin the

Prime Minister Hon. Nabbanja's narrative, by insinuating that the Kibalama she referred to is the founding member of NUP Party, who is Moses Nkongwe Kibalama. When Hon. Kafuuzi was challenged by the show host, who replayed Hon. Nabbanja's bite, he rephrased the statement and said, she misspoke. I do not know what that means.

Madam Speaker, these ping-pong games by Government officials should concern every right-thinking person. The attempt at this spin clearly shows how sections of the ruling party hold Ugandans in contempt and do not stop at anything to show disdain for them.

The Prime Minister is on record of Parliament over her total knowledge as to the arrests and whereabouts of Kibalama and we took her for her statement on record. Mr Kibalama was fully situated, and top Government officials are aware of his whereabouts and how they handled his arrest.

The case of Mr Wangolo Dennis - I am sampling a few for the attention of the House. Mr Wangolo was picked up from his workplace at Kyebando Taxi Stage and bundled into a drone alongside five others, namely Nuwagaba, Katende Bernard, Sambwa Silas, Kasato and Zimula Dennis. The abductees were taken to Kakiri Army Barracks where they were tortured and the four released save for Zimula and Wangolo.

This abduction was witnessed –(*Guests in the public gallery rose*) –

**THE SPEAKER:** Excuse me, young people, first come back, please. I did not want the leaders of Uganda to leave without being recognised. In the public gallery, this afternoon are pupils and teachers of Albert Cook Memorial School from Kassanda District, represented by Hon. Patrick Nsamba Oshabe. Please stand up. Your Member of Parliament is around. He is always very busy but he is a good Member. They are also represented by Hon. Nabagabe Kalule Flavia. Thank you very much for coming and come again. Join me in welcoming them. (*Applause*)

**MR MPUUGA:** Madam Speaker, allow me to correct the record here in the names I read out. The names were Nuwagaba –

**THE SPEAKER:** Sorry for the interruption. I know these children are going very far. In the public gallery this afternoon, we have teachers and pupils of Aiden Nursery and Primary School from Nakifuma County, Mukono. They are represented by Hon. Ssimbwa and Hon. Nabukeera Hanifa. Hon. Nabukeera, you are welcome. Thank you for coming. Come again –(*Applause*) - you have very good Members.

**MR MPUUGA:** Madam Speaker, I was praying to correct the record I have put on the *Hansard*, that the names were: Nuwagaba, Katende Bernard, Sambwa Silas Kasato and Zimula Dennis. Sambwa Silas Kasato is one person.

The abductees were taken to Kakiri Army Barracks where they were tortured and the four released save for Zimula and Wangolo. This abduction was witnessed by the area residents and an authoritative source, the LCI Chairperson, Mr Mwanje Richard. National Identification and Registration Authority (NIRA) records have proved the existence of Mr Wangolo, contrary to the minister's claim that he is fictitious; that he has never existed.

Lastly, Mr Ssemuddu Michael Jackson. The kidnap case of Mr Ssemuddu was reported by his relative, Mr Kafeero Michael at Old Kampala Police Station under that reference on 26 November 2020. His credentials at NIRA show that he was registered under that number.

Madam Speaker, I sampled this to settle the matter that the victims of disappearance were fictitious. The prayer we shall make to this House subsequently, will be to eventually have occasion to situate and locate the others and confirm their existence, including the video clips I will submit for the attention of the House.

Officials of Government claiming responsibility for missing persons

Madam Speaker, I also bring to your attention and that of the House that some Government leaders, including Cabinet ministers, such as Hon. Judith Nabakooba are on record claiming responsibility for some of the missing persons.

During a church service at St Andrew's Cathedral, Namukozi in Mityana, in the presence of the Archbishop of the Church of Uganda, Hon. Nabakooba said she was aware of some opposition supporters who were abducted during the elections. When the families of these people approached her at her home in Kalangaalo, she was able to secure the freedom of the victims from Kireka SIU. She comes as a very useful witness in establishing the security layers involved in committing these heinous crimes. I will submit her video and voice record on that matter. *(Applause)*

In Nansana, a one Yusuf Mugaga, an NRM leader, is implicated by the community in several abduction cases. He offered to secure Mustafa Luwemba's freedom in exchange for a fee from his relatives. He went on to produce Luwemba's national ID to demonstrate that he knew where he was being held. Mr Yusuf Mugaga has accomplices at Room 18 at CPS Kampala building where they coordinated ransom and abduction conspiracies.

The other officials implicated in the conspiracies are:

1. Kyampisi Subcounty GISO, Mr Swaib;
2. Mr Kafumwa Twaha, Chairperson of Kabembe;
3. The former minister Ronald Kibuule; and
4. Former RDC, Fred Bamwine, among others.

Madam Speaker, the House should use this information to interrogate the activities of these individuals and come to a conclusion as to their role, whether they were being helpful or conspirators.

On claims that security forces use reasonable force during operations, on countless occasions, security forces have been captured on camera torturing and beating up subdued non-combatants.

On 6 November 2022, heavily armed security operatives cruising a numberless Toyota Hiace minivan famously known as "a drone" sealed off Gladiator Paradise in Masanafu, Rubaga Division, where they indiscriminately beat up revellers who were watching a Premier League football match.

In the scuffle, Kavuma Jamshid, a member of the security detail of the Opposition National Unity Platform (NUP) party president was subdued, handcuffed and shot as he inquired about the basis of his arrest. I refer the House to the BBC documentary entitled "*Drones' the vans that take people away*" dated 13 February 2023. I have attached that record.

On 18 November 2021, Sheikh Kirevu, a Muslim cleric was subdued, as recounted by his wives; Amina Nabadda and Sofia Nakacwa, handcuffed and shot dead in sight of his children, despite peacefully submitting to the arresting officers to take him for prosecution. I refer the House to the URN report titled "*Family disputes police narrative on killed Sheikh Kirevu.*" The evidence of his killing and circumstance was all over the place.

On 8 May 2023, Hamid Muyoodi, an NUP supporter was shot in the thigh inside a Toyota Hiace Minivan that contained JAT officers who had come to arrest him for unsubstantiated allegations. The security officer who shot Muyoodi was neither charged nor court-martialled, as demanded by the law. The Kampala Metropolitan Police Spokesperson, Luke Owoyesigire described the tragedy as "an accident." Madam Speaker, we are waiting for the report of the occurrence of that accident inside the van.

Not forgetting the March 2019 extrajudicial murder of Ronald Ssebulime who was handcuffed and shot while in the custody of police in a police patrol vehicle, alongside

several security-inspired terror against members of the Fourth Estate (media) and peaceful protesting medical interns and doctors that have occupied a fair share of this year.

The excess brutality meted out on minors found at the Kawempe residence of Sheikh Yunus Kamoga is still fresh in our minds. Relying on some of these cited incidents, therefore, I strongly reject the position of the Government that security forces use “reasonable force” when conducting operations.

Therefore, I insist that our report highlighting the security excesses was factual and premised on precedents, accounts of witnesses and other credible sources who preferred anonymity for fear of reprisal.

On the issue of compensation mentioned in the report, it is on record that Gen. Museveni pledged to compensate the bereaved families of some of the victims of the November 2020 riots, especially those he had categorised as non-rioters.

Three years later, nothing in that regard has been effected. He listed three names of the then missing 177 persons and directed his intelligence to publish the full lists, a directive that has since been defied and downplayed. The report on the November 2020 killings remains concealed from the public, to whom the Government should be accountable.

I have attached the record of 18 November 2021 Human Rights Watch report entitled, “*One Year Later, No Justice for Victims of Uganda’s Lethal Clampdowns.*” I have also attached video evidence of the Commander-in-Chief directing the publication of that list, which has never appeared up to now.

At the November 2022 UN Geneva Convention, the Attorney-General of Uganda Hon. Kiryowa Kiwanuka, a man I hold in very high regard, lied before the delegates that they had compensated some victims of the protests. He went on to cite Hon. Zaake Francis and exiled NUP journalist Ashraf Kasirye as beneficiaries of the compensation scheme.

On the contrary, the duo has publicly denied ever getting any penny from the Government as compensation for the bodily harm they suffered at the hands of security.

Madam Speaker, I want to confirm on the record that I was the attorney for Kasirye, and therefore, his matter has never been compensated. His matter was handled by Justice Ssekaana and the State has been playing games since. It has never been conclusive and therefore no compensation.

It is only through relentless efforts that some families of the deceased 15-year-old, Amos Ssegawa, have been awarded meagre compensation. Ms Nakitto, the mother, was awarded by Justice Musa Ssekaana Shs 50 million, which she complained to be too small for the life of her son, whose right to life was denied by the two-day November 2020 shooting spree. I have attached the ruling Miscellaneous Case No. 0122 of 2021 Hajara Nakitto vs. the Attorney-General.

The claims that the Government has compensated the victims of the November 2020 protests are delusional and a naked lie that even the families of the victims can attest to. Therefore, it should not be kept on the Parliament record. Those who come after us will never understand how we had that on record.

Detecting registration number plates of vehicles with security missions I find it totally impractical that the Government, as per its statement, expects people to take records of registration number plates in tense circumstances when masked gunmen in drones have their fingers ready on the trigger.

In July this year, security personnel of the Chieftaincy of Military Intelligence (CMI), travelling in a drone, shot dead a 34-year-old Jackeline Nalwanga, a resident of Nakabugo Village in Wakiso District. The deceased was on her way to the garden when she found herself entangled in a security operation and was killed just because she was about to witness an abduction operation. This implies that even if

she had taken a record of the security vehicle, she would be unable to live to tell the story as a witness. I refer the House to the 25 July 2023 *Daily Monitor* report which I have attached entitled, “Army stray bullet kills woman going to her garden.”

Besides, security is fond of switching registration number plates upon accomplishing their missions. This was evident in the tenure of Maj. Gen. Sabiiti Muzeyi, as the Deputy Inspector General of Police, when his vehicle number plate was switched to a Toyota Hiace drone for an operation; this is a deputy IGP switching number plates.

The police spokesperson, Fred Enanga, came out in defence of the saga and stated that it is their tendency, as security, to switch number plates, depending on the magnitude of the operation they intend to conduct.

I also reflect on the various by-elections like Omoro, Soroti, Bukedea, among others, where security forces concealed their vehicle number plates with cow dung to evade detection. *(Laughter)*

**THE SPEAKER:** Were you in Bukedea to see that? Remove Bukedea from your list. *(Laughter)*

**MR MPUUGA:** Madam Speaker, the House receives records for their processing and it will take occasion to consider what they drop and what they keep, with your indulgence.

**THE SPEAKER:** Much as I am not supposed to defend my district, I am defending it; Bukedea was not involved.

**MR MPUUGA:** Madam Speaker, the House will take record and make a determination – *(Interruption)*

**MR OBOOTH:** Madam Speaker, this is a House of record in Parliament. I rarely interrupt very decent men like Hon. Mpuuga.

However, listening to him and reading through, I am wondering whether it is a rejoinder or a

new statement. Because - and some of the people whom I do not want to put on record, like now Bukedea, can he refer to which page the Minister indicated that? Because in a rejoinder, you do not bring new things. But there are a number of new things that have been brought.

Now, like on this one of cow dung and- when a dung is on the number plate, you may not even know whether it is a human dung or a cow dung. Going into the specific –

**THE SPEAKER:** Honourable Leader of the Opposition, you are making a rejoinder on what the minister responded to, and in the report of the minister, I did not see my district and I am the Woman Member of Parliament for that district; I will defend it to the latter.

Let us talk about abducted people because there is nobody abducted from Bukedea.

**MR MPUUGA:** Madam Speaker, the beauty is that I went to the same law school you went to and we all understand the concept rejoinders. He is just trying to divert me from presenting this and I know his game. He is serious at what he is doing, but I want to assure him that I am equally serious.

**THE SPEAKER:** Honourable, Bukedea was not included. *(Laughter)* You can withdraw Bukedea.

**MR MPUUGA:** Madam Speaker, the whole idea –

**THE SPEAKER:** Leader of the Opposition, listen to your attorney. Bukedea was not involved; let us not go into something.

**MR MPUUGA:** Madam Speaker, for the sake of tranquillity and peace and to avoid interruption by Hon. Oboth, who is deliberate on disrupting my presentation, we shall use other examples and drop Bukedea.

**THE SPEAKER:** So you withdraw Bukedea?

**MR MPUUGA:** Yes.

**THE SPEAKER:** No, he has withdrawn Bukedea. Honourable members –

**MR PETER OGWANG:** No, Madam Speaker, I also want to go on record.

**THE SPEAKER:** Honourable members, Hon. Ogwang, first sit. All of you, sit. I am reminding you this; if I see you standing more than twice, I will get you out.

Honourable Leader of the Opposition, as we have agreed, do not bring in some things that will anger some people. Let us talk about the 18 people, the shrinking space, all those kinds of things; read your statement?

**MR MPUUGA:** Madam Speaker. I want to assure the House that I am very methodical.

**THE SPEAKER:** Members, I will give you time to debate.

**MR MPUUGA:** I want to assure the House that I am very methodical, and if it does please you, Madam Speaker, I will play video evidence of everything I am talking about. Otherwise-

**THE SPEAKER:** Can you go to your report?

**MR MPUUGA:** Thank you, Madam Speaker. I can understand the discomfort this rejoinder is bringing, Madam Speaker.

**THE SPEAKER:** There is a procedural matter.

**MR ATWIJUKIRE:** Thank you, Madam Speaker. Hon. Oboth raised a pertinent issue on the rejoinder. Isn't it procedurally right that you give your ruling on how rejoinders are done, so that this Parliament takes a precedent, even for the future, on how we can manage reports and counter-reports?

**THE SPEAKER:** Yes, another one.

3.16

**THE MINISTER OF INFORMATION, COMMUNICATIONS TECHNOLOGY AND NATIONAL GUIDANCE (Dr Chris Baryomunsi):** Thank you, Madam Speaker- (*Interjection*)- she has allowed me to speak. We

all have senior six equivalents that allow us to be in this House, and therefore we understand English.

What we expect as a House is that the Leader of the Opposition should respond to what the Minister presented on the Floor of this House; that is what a rejoinder is- (*Interjection*)- Yes, all of us have been to school and nobody should attempt to take us back to school.

Therefore, could you guide, Madam Speaker, that the Leader of the Opposition restricts himself to what the Minister of Internal Affairs presented on this Floor?

When he starts saying that the Attorney-General was in Geneva and so forth, you are on a fishing expedition. We want your guidance over that matter because we are keenly listening and we are going to respond. We shall respond to what he has brought, but do not bring new issues.

**THE SPEAKER:** Honourable members - now you, you just came and your children were here looking for you - first wait.

Honourable members, the Leader of the Opposition brought a report to this House and the Government was asked to respond item by item. Now, after the Government responded item by item, they felt they were not satisfied with Government's response - strictly on what was brought on the Floor.

A rejoinder is a response to the response that was given. So, the rejoinder that you are giving is responding to what Gen. Muhoozi gave, and strictly, it should be to what Gen. Muhoozi gave not bringing in the issues of Bukedea, cow dung-

**MR MEDARD LUBEGA-SSEGGONA:** Guidance, Madam Speaker.

**THE SPEAKER:** Yes. You are conflicted.

**MR LUBEGA-SSEGGONA:** Me?

**THE SPEAKER:** Yes. First sit. You are making a guidance on my ruling. Okay, let me give Hon. Niwagaba to speak, not you.

3.19

**MR WILFRED NIWAGABA (Independent, Ndoorwa County East, Kabale):** Thank you, Madam Speaker, I thank you for your ruling.

In a rejoinder like the Leader of the Opposition is making, you are not limited to responding strictly to the response by the other party. But you can, in responding to that response, expound and what the Leader of the Opposition is doing is just expounding when he is re-joining.

**THE SPEAKER:** Can I have Hon. Okiror?

3.19

**MR BOSCO OKIROR (NRM, Usuk County, Katakwi):** Thank you, Madam Speaker. I would like to really - you know when we go to law school, we should not apply the understanding of the law selectively.

If we choose to do –

**THE SPEAKER:** To what benefits one-

**MR OKIROR:** To what benefits you; that would be very mean of us - (*Interjection*)- you can be a senior, but you have not read the law and understood it. You get it? Madam Speaker, let us apply the rejoinder in the strict sense. We have chosen to use the word rejoinder.

If an application has been filed, and somebody has done a reply to that application, and the court gives you the latitude to do a rejoinder, not to open a Pandora's box. No. You rejoin to certain specific issues which have been raised in the response, which you want to clarify on, but not to broaden it. Those are the rules.

**THE SPEAKER:** Can I have silence in the House?

3.20

**MR FOX ODOI-OYWELowo (NRM, West Budama North East County, Tororo):** Thank you, Madam Speaker. Matters of human rights should never divide us. We should all speak with one voice when it comes to matters of human rights. We should be candid, honest and truthful.

Hon. Niwagaba was one year behind me at Makerere University School of Law and I have known him for a very long time. He knows that a rejoinder is restricted to matters that were already canvassed. The matters must have been dealt with and you only rejoin to matters that were raised.

The law –

**THE SPEAKER:** Hon. Odoi-Oywelowo, is there a difference between a reply and a rejoinder?

**MR ODOI-OYWELowo:** Yes, Madam Speaker.

**THE SPEAKER:** What he is talking about is a reply.

**MR ODOI-OYWELowo:** Madam Speaker, you are absolutely right. What we are dealing with this afternoon is a rejoinder. The Leader of the Opposition - whom I respect immensely - should do us a favour and restrict himself to the matters that the Minister of Internal Affairs raised. I thank you.

**THE SPEAKER:** Honourable members, when you are making a reply, you often suggest and make a thorough response for one to believe whatever you are saying. You can even go beyond what was mentioned. That is a reply.

However, when you look at a rejoinder, it is restrictive to what was raised and its objective. Honourable LOP, why don't you give your response to what was raised?

**MR MPUUGA:** Thank you, Madam Speaker. Actually, I can confirm that many Members did not read the minister's statement. In fact, the subtitles I am offering in my rejoinder are picked from the minister's statement. I can confirm that they did not read it.

**THE SPEAKER:** You respond to the minister's statement, LOP.

**MR MPUUGA:** I am surprised that they are supplying a diversion to this House. Each of



these subtitles is picked from the minister's statement.

**THE SPEAKER:** You respond to the minister's statement.

**MR MPUUGA:** I would like Members to pay attention. I am trying to look for the source of discomfort and I am not getting it.

**THE SPEAKER:** Please go ahead and reply to the minister's statement. He is on page 11. You tell them the page where you are.

**MR MPUUGA:** I am trying to remind Members that the subtitle I was handling is entitled, "Detecting registration number plates of vehicles in security missions". The minister said that the public is duty-bound to detect and report car number plates. I am reporting a serious disability to the public in detecting this car number plates. Is that an import? It is not an import.

Madam Speaker, I am responding in strict terms so that the House can understand the factors under which the minister's demands of the public are improbable and out of space.

The BBC documentary entitled, "*Three Killings in Kampala*", clearly showed clues on the police vehicle that was involved in the murders along Kampala Road in the Central Business District, which is dotted with cameras. If the security cared to apprehend the crew on UP 999/17, it was upon them to rely on the CCTV footage to trace the movement of this particular vehicle. The police have the capacity and infrastructure to revisit the CCTV footage of 18-20 November, to detect the route of the killer patrol vehicle cited in this documentary.

I am privy to the fact that the same security operatives heavily relied on these CCTV records to trace for suspected protesters as well as crack down on National Unity Platform activists, who would later on be arrested and taken in the drones. It is therefore, deliberate that security does not track its own errant personnel, despite the presence of CCTV equipment to do so.

The last time, we checked on the killer patrol; UP 999/17, it was stationed at Katwe Police Station in Kampala.

The Minister of Internal Affairs should be able to effectively use this information.

Alleged uncooperative attitude of relatives of the missing victims

Government indicated that the recently deployed team of detectives disguised themselves as an NGO, to retrieve information from the relatives of the missing persons, the minister did not satisfactorily delve into the ingredients of what their intelligence-cum-NGO obtained from the bereaved families of the missing 18 persons.

The details of the identity of the NGO are a mystery, and so, is the said report which I would so wish to be tabled before Parliament. The people have always been free to share information. Their despair and agony they are going through in search of their beloved ones to the extent of visiting the perpetrators at the Chieftaincy of Military Intelligence (CMI), international bodies like the defunct United Nations High Commissioner for Refugees, State House, political party offices and UHRC.

In the course of seeking redress, they have shared confidential documents and even spoke to the media. I invite the House to follow the documentary on the missing 18 authored by my office, and I have also attached video evidence to ascertain the existence of these families and their willingness to testify about their missing loved ones.

Prosecuting errant officers

Government has been deliberately declining to prosecute errant security officers who commit atrocities, but instead elevates them in rank. This response is in part to respond to the minister stating that they have been acting on their errant officers. We are saying not at all. Instead, they have been promoting them, and by doing so, promoting impunity.

For instance, former RPC Enock Abaine, who shot and injured a journalist Ashraf Kasirye, was transferred and promoted to the Environmental Police in Luzira. The same Abaine is known to be lethal, with blood stains on his hands.

During the 2017 age limit rally held in Rukungiri, Abaine allegedly shot and killed a 19-year-old man. Instead of being interdicted and apprehended for his deeds, he was in 2018 transferred to Makerere University and promoted to Chief Security Officer.

The famous 2011 “Walk to Work” Besigye tormentor, Gilbert Arinaitwe, was promoted from ASP to Superintendent of Police. The commander of the famous Kasese killings, Peter Elwelu was elevated from Brigadier to Major General and he even sits comfortably with us in Parliament.

Madam Speaker, CMI Captain Bashir Mango who in January 2022 shot and caused the leg amputation of a traffic police officer, Robert Mukebezi, remains at large and the UPDF is hesitant to have him prosecuted. In fact, Defence Spokesperson, Brig. Gen Felix Kulayigye said that they were unable to track down Capt. Mango.

Other examples on how impunity is promoted is that the minister’s claim that the police driver of truck No. UP 4841, constable No. 39975, Mr Atikuru Nasasira was apprehended are baseless as none of the relatives of Rita Nabukenya, whom the minister named “Nabukeera” was informed as required by principles of law and natural justice.

The people who witnessed the accident were not interrogated for statements. Police did not go to Mulago Hospital where the deceased’s remains were conveyed.

Nabukenya’s death was a matter of public interest that should have attracted ample press coverage, but there is no record of the said arrest of Atikuru Nasasira.

Madam Speaker, that family never received information. They remain agitated that the Government neglected their plea to apprehend

the killer of their daughter.

#### Pre-trial Detention

The norm of lengthy detention has become synonymous with the NRM

Government, especially whenever an Opposition political activist or a Muslim terror suspect is arrested. We established that the reason behind these prolonged detentions is to enable the torture victims to have ample time for their physical injuries to heal.

This was evidenced in the case of National Unity Platform (NUP) supporter in Kasese - Samuel Masereka - and the exiled Ugandan novelist Kakwenza. When their wounds sustained from torture recover, they are presented in court.

Though the Government report attributes pre-trial detention to the limited human resource in the Judiciary, it is illogical and deceitful.

We have witnessed situations where high-profile cases involving ministers and Government officials cited in the Karamoja iron sheets saga speedily tried and yet the same criminal justice system has many times tried Opposition activists after spending more than 48 hours in police custody and “safe houses”. For instance, Jamushid Kavuma and his colleagues who were abducted on 6 November 2022, were arraigned in Mwanga II court a month later in December 2022 after a writ of Habeas Corpus was filed; compelling security officers at CMI to panic and drop him at Old Kampala Police station.

Relatedly, Sulaiman Jakana Nadduli was detained in September 2022 at Makindye Military Barracks for a prolonged time prior to his arraignment to court in Nakaseke. The detention, according to his family members, deprived him of access to his specialised medication which eventually caused his death.

*“Our findings established that 12 of the persons who were reported missing were arrested on suspicion of having committed several offences and were either released on*

*police bond or court bail,”* Uganda Human Rights Commission (UHRC) stated in their report. We are quoting the UHRC report that was equivocal in their findings.

We also inform the House that the UHRC chairperson, Ms Mariam Wangadya is on record disclosing her fears and insecurity after asserting that her colleagues carry firearms to in-house meetings.

Madam Speaker, how do we be convinced that an insecure UHRC chairperson is in the right state of mind to investigate other people’s rights violations when her own rights are in contention?

On the issue of political prisoners in custody; there are dozens of political prisoners languishing in custody on charges that the state has deliberately failed to conclude due to inadequate evidence.

For example, Olivia Lutaaya and dozens of Opposition NUP party supporters are still facing off with the Court Martial despite a 2021 Constitutional Court ruling that annulled such trials.

On 15 December 2022 court ruled and ordered that the files of all those persons, not subjected to military law and were currently being tried before any military court be transferred to civil courts under the direction of the Director of Public Prosecutions.

This directive has, however, been disregarded to date with political prisoners continuously facing an endless trial and all their bail attempts thwarted despite presenting substantial sureties who include blood relatives and credible leaders.

We call on the Minister of Justice and Constitutional Affairs to explain to the country why the General Court Martial is contemptuous of the Constitutional Court ruling on the trial of civilians.

I refer the House to the Constitutional Court Petition No.44 of 2015, Rtd Captain Amos

Byarugaba and others v. the Attorney-General. I have attached that ruling.

I bring to your attention the fact that dozens of NUP supporters who merely wore a party red beret, have been subjected to a lengthy pre-trial detention at the hands of the Court Martial without any incriminating evidence. However, on the other hand, Allied Defence Forces (ADF) suspects - Jamil Mukulu alleged to have killed dozens of students at Kichwamba Technical College in 1998 and Abdul Rashid Kyoto alias Njovu alleged to have killed tourists of Queen Elizabeth National Park are facing trial in civilian courts.

Is this duplicity? If not a miscarriage of justice, what should we describe this to be? For a criminal justice system to subject NUP supporters exercising their political rights to a court martial on one hand and try ADF terror suspects in a civilian court on the other hand.

Detention without trial

The Commissioner-General of Prisons, Dr Johnson Byabashaija recently decried the influx of prisoners on remand that has overwhelmed the Uganda Prisons Service (UPS) cells.

According to the UPS, out of the 76,367 inmates, 39,453 are convicts while 36,422 are on remand, courtesy of detention without trial.

The law clearly stipulates that prisoners should spend at most 180 days on remand - an equivalent of six months - but unfortunately, the majority of inmates including the NUP supporters illegally under court martial have spent more than that time.

I will symbolically cite Abdul Matovu who was abducted from his workplace in Kampala in 2020. His mother Nakabuye Hadijja and the father “*Mwalimu*” Kaabi Bukunya, residents of Bukaana Village, Nakagongo Parish, Mateete Subcounty in Sembabule District revealed that their son is rotting in Kitalya Prison without undergoing any trial since 2020.

### Institutionalised Islamophobia

The Minister said that the Uganda Prisons Service statistics reflect 16.4 per cent Muslim inmates, 29.5 per cent Protestants and 43.1 per cent Catholics, which is obvious given the numerical setup of the Christian faiths even in the national census figures.

However, our area of concern is the deliberate campaign to depict Muslims as usual treason and terror suspects each time there is a high-profile murder. I am much alive to the fact that most terror suspects with pending cases at the High Court, International Crimes Division are Muslims.

There have also been persistent raids on Madrasa schools; notably, Imam Ridha Islamic School, Buloba in January 2023, and the Kamoga Home Rehabilitation Centre where heavily armed security officers were filmed torturing Muslim minors in June 2023, among others.

Without necessarily having to belabour the House, I have provided a chronology of assassinated Sheikhs without their killers identified or successfully tried. Page 16 offers this clear chronology of the Sheikhs and Imams that have been killed and at every moment, the immediate suspects are Muslims. It is worth noting that in all these cases, the courts have not convicted any single individual.

**THE SPEAKER:** There is a procedural matter.

**MR KIMOSHO:** Thank you, Madam Speaker. I seek your guidance on this rejoinder. When you analyse the attached documents, especially, the national IDs and the number plates of the vehicles that are alleged to be kidnapping, you can neither read the number plates nor the national IDs of the people alleged to have been kidnapped. Are we proceeding right to depend on documents that cannot be properly read?

**THE SPEAKER:** I have not yet allowed the laying of the documents. We will verify the documents before they are laid. I will first watch whatever is in video in my office before

it is laid. We will look at them. Whatever is not clear, we shall not lay.

**MR LUBEGA-SSEGGONA:** Thank you, Madam Speaker. My understanding of what the Leader of the Opposition is putting across in response to what the minister said with regard to identification of the kidnapping or offending vehicles is exactly what the LOP is explaining. That you cannot - because these people disguise themselves. I thought it would be a matter of interest for Government to know how to get those criminals that probably would be tarnishing Government's image.

Would it not be procedurally right that you guide colleagues first to listen to this and interrogate the issue? As Hon. Fox Odoi said, a matter of human rights should actually - the NRM side should be more interested in this than us because tomorrow you are the ones who will be looked at as Idi Amin. *(Laughter)*

**THE SPEAKER:** Honourable members, it is in our best interest - all of us - whatever we are discussing now, we are representing the people of Uganda, not individuals. When you talk about NUP - NUP votes for me; it does not vote for NUP. Therefore, those are still my voters. Those are your voters. You cannot know. There is nothing written anywhere that this is a member of NUP, this is a member of FDC, of NRM or whichever. These are Ugandans and human beings and we are here to represent the people of Uganda. *(Applause)* When we are here, we should learn to speak with one voice. When we are in this House - Government, we need to promote the rule of law.

**MR MPUUGA:** Thank you for your guidance, Madam Speaker. I would like to assure the House, for example, that in one of the family visits we made, some of the families of missing people are actually NRM supporters. Therefore, we are pursuing this without recourse to colour or creed; we are only pursuing justice for these families.

On page 17, I am providing cases where high profile officials were assassinated and the Muslims arrested en masse. I do not have to

read through the detail, but I am quoting March 2017, the assassination of the former AIGP Andrew Felix Kaweesi.

**THE SPEAKER:** Members, I want you to know one thing - most of these things are inherited. I do not think any of you was in the House in 2017. We are inheriting some of these things, but we must discuss them. I was not here myself. (*Laughter*)

**MR MPUUGA:** I am also quoting the June 2021 attempted assassination of our friend, Gen. Katumba Wamala. I am quoting the September 2018 assassination of ASP Muhammad Kirumira. I am quoting the twin bombings of 2021.

I wanted the minister to understand why we said that there is a targeting of Muslims to which all of us as leaders must have our eyes open and see whether it is a matter away from our scrutiny.

On the issue of violations of human rights in fishing communities; the UPDF has out of impunity, continued to terrorise and blatantly torture fishermen in various water bodies. Fish is impounded from the fishermen by the military, who in turn make a killing out of it and ultimately enslave the fishing communities.

Harassment and death at the hands of armed personnel have been reported on the lakes. Fishermen are terrorised and their nets seized. They are accused of using particular nets, now deemed illegal, yet they are manufactured in Uganda and others are cleared for import.

Ironically, the Government knows about the trade in of such gear because taxes are levied on them. Parliament has passed numerous resolutions suspending UPDF activities on water bodies as far as the regulation of fisheries is concerned. All in vain.

To date, the Fisheries and Aquaculture Act, 2022 has not been operationalised and implemented. Although the Fisheries and Aquaculture Act, 2022 deems UPDF presence of the lakes unlawful, they still disrupt fishing activities and profit from the confiscated fish and fishing gear.

On pages 18, 19, 20, 21, 22, and part of 23, I am listing names of Ugandans that have either been killed, maimed or drowned in various fishing communities and this Parliament should not be held complicit in these violations. I understand that over 80 Members of Parliament here represent fishing communities. They are waiting for our voice on these violations including names that can be verified with a proper inquest.

We are on page 23. Additionally, that these atrocities have spread nationwide on all national water bodies and landing sites. Further mentions can be made concerning cases reported from Kioga County and Lambu Landing Sites. The names I have mentioned there have suffered at the hands of the military.

There is overwhelming evidence showing the wanton and reckless conduct of the UPDF on our national waters. Isn't Parliament interested in investigating the owners and actions of the soldiers operating boats with inscriptions, "*wacha waseme*" (Let them talk). While they are chasing other fishermen, they are very active. Isn't the Parliament interested in understanding who is behind this?

As I conclude, the Government is neither willing nor interested in investigating the concerns raised here. Institutionally, the bodies that have attempted to tackle issues of human rights violations have continually not delved exhaustively and effectively into the concerns at hand.

The Government's statement is, therefore, a replica of past statements on the same. It is not only detached from reality but it is also laced with insensitivity and laden with mockery for the bereaved families of the missing victims and we hereby rejected it in its entirety.

Now, with a heavy heart and a deep sense of responsibility to address a matter of utmost importance; the protection of human rights within our nation, we are here to demand for justice and invite the House to join us. Our shared commitment to justice, equality and the fundamental dignity of every individual

compels us to confront the disturbing reports of human rights violations that have come to light.

The reports on abuse of human rights, enforced disappearances and violence are non-partisan. They cannot be ignored and we demand a thorough investigation. Where a sitting government elects to commit or deliberately fails to investigate unspeakable and horrendous actions committed against people by acting extremely intolerant to political dissent and delimiting the civic space as demonstrated herein, the only fortress that remains harbouring their hope and trust is the Legislature.

Parliament serves as a stage where the voices of the oppressed are amplified; where people's representatives refuse to be silent about injustice and; where the struggle for human rights is unfettered, fully expressed and conclusively pursued without fear or favour. That is precisely the billing and the expectation of the public in the Legislature is profound.

Protection and promotion of the sanctity of human rights is our cardinal role. It is a clarion call to Parliament to uphold this honour.

Honourable members, I humbly submit and implore you to rise to the occasion as a matter of fact. This 11<sup>th</sup> Parliament will go down the annals of history as having risen to the occasion when Government turned against her people.

Let us go on record as the people who knew what was right and acted in the best interest of the citizenry.

Madam Speaker, we therefore demand the following and the support of the House:

- i. Immediate unconditional release of all political prisoners rotting in numerous jails and illegal detentions facilities without trial. *(Applause)* Non-trial of these cases is a clear indication of lack of evidence on the side of the Government and a red flag that these persecutions are intended to shrink the civic space further and criminalise association with the Opposition in our country.

Madam Speaker, these are prisoners of conscience and should not be used as a bargaining tool for the ruling party to suffocate civic space and desire to settle outstanding political questions through these illegal detentions.

The Ministry of Justice and Constitutional Affairs should explain to the nation under which law Government is charging the citizens with the offence of subversive activities.

Madam Speaker, the constitution is very clear. You cannot raise an offence that is not prescribed by law. I have attached several charge sheets with the offence of "subversive activities" not anywhere on our penal laws. So, it is a creation of the Government without Parliament involvement.

Madam Speaker, the offence of "subversive activities" is non-existent but several people are rotting in jails on account of offence of the subversive activities, which is not prescribed by law.

- ii. Establishment of a Judicial Commission of Inquiry

Madam Speaker, we demand with the utmost urgency, for the formation of a Commission of Inquiry to investigate these glaring human rights violations. We propose that the said Commission of Inquiry be chaired by a judge of the High Court. We believe that the Commission will be endowed with the authority, independence and resources necessary to uncover the truth, to hold those responsible accountable and to ensure that justice prevails.

Madam Speaker, our prayer is premised on Section 1 of the Commissions of Inquiry Act which empowers the Minister of Justice and Constitutional Affairs to issue a Commission appointing one or more commissioners and authorising those commissioners to inquire into the conduct of any officer in public service of Uganda, the conduct of any chief, the conduct of management of any department of the public service, or of any public or local institution, or

into any matter in which an inquiry would be for the public welfare.

In specific terms, we move that the Commission specifically handles the case of the 18 missing persons, the unresolved cases of targeted and slain Muslim clerics and the infamous November 2020 killings.

Madam Speaker, the extent of suffocation visited on our common peoples require an independent hearing especially in view of Government reluctance and clear disinterest in coming clean, and deliberately disabling the wheels of justice several months after these gross violations were reported.

We propose that the Commission, among others, considers the role of the security agencies, political leaders, the general state of intolerance during and after the 2021 General Elections, and ultimately, remedy for the victims and their families.

### iii. Need for a Select Committee of Parliament

Madam Speaker, Rule 190 of the Rules of Procedure empowers Parliament to appoint a select committee to investigate a particular matter.

We propose that the said select committee investigates the rampant cases of rape, defilement, destruction of property, murders, unjustified arrests, and illegal closure of many landing sites in the fishing communities across the country and ultimately, remedy for the victims and their families. *(Applause)*

iv. All those persons, not subject to military law and are currently being tried before any military court, be transferred to civil courts under the direction of the Director of Public Prosecutions as directed by the Constitutional Court in *Constitutional Petition No.44 of 2015: Rtd Captain Amon Byarugaba and others v. the Attorney-General* decided on 15 December 2022 and it was never appealed nor stayed.

Madam Speaker, I beg to pray and submit. For God and my Country. *(Applause)*

**THE SPEAKER:** Thank you so much, honourable Leader of the Opposition.

Honourable members, I have listened to the rejoinder of the LoP and I wish to guide as follows; - the laying - I want to look at each document that you are going to lay. Give my people to check because you might lay a paper when it has nothing.

Honourable members - LOP, arrange your documents, then Mr Okema will look at it.

I have listened to the rejoinder of the LOP and it was in response to the ministerial statement of Gen. Muhoozi. The ministerial statement was earlier on a response to the statement from the Leader of the Opposition.

I, therefore, do not want to turn this debate into a “ping-pong”. I want to borrow your word- you are the one who used that word “ping pong”. I do not want it to be a ping-pong between Gen. Muhoozi and the Leader of the Opposition.

We should go straight to the issues that we want to achieve. There are prayers that have been put in place; let us go straight to the prayers and I want to reiterate what Hon. Fox Odoi said - that we are one House and whatever we discuss here is for the good of the people outside there. It is not for a party, not for an individual and where it requires us to give and take, we will do that; we should be able to do that for the good of the people outside there.

I now want to open a minimum debate. I will have seven people from this side - 10 people, and five from this side. And then we will have the last response from the Minister of Internal affairs and then the Speaker will rule. Have you heard?

And no heckling anybody. I will only give somebody on this side to speak with the permission from the LOP.

LOP, please lay on the Table - let us first have the documents laid by the LOP.

**MR MPUUGA:** Madam Speaker, the beauty about the documents I am laying is that I am quoting each of them in my statements; so there will be no contradictions or problems in appreciating what they are. The video clips, at your pleasure, you will look at them.

**THE SPEAKER:** No problem, thank you.

**MR LUBEGA-SSEGGONA:** Madam Speaker, you guided well and I listened that you will hear 10 people from the other side and five people from this side. Looking at your earlier guidance that this is free sitting and that space reserved for the Opposition -

**THE SPEAKER:** I know who is a Member of the Opposition. What I am saying is that I will not give you an opportunity to speak before I hear from the Leader of the Opposition.

**MR LUBEGA-SSEGGONA:** I am guided, Madam Speaker.

**MR MPUUGA:** Madam Speaker, I beg to lay the video evidence and documentary evidence I have outlined in my rejoinder for the attention of the House.

**THE SPEAKER:** I will review the evidence and report back if it is worthy. Honourable members, I wish you could all sit down; first relax and let the tension come down.

**MR ENOS ASIIMWE:** Thank you, Madam Speaker. I am seeking your guidance. You have said that they should present the video clips to you, you review them and guide the House. Is it procedurally right to continue with the debate before you review the videos and guide the House?

**THE SPEAKER:** It is about substance over form. I thought you are an accountant. I have said that I will go and review the videos. If they are not relevant to this debate, I will come back and bring them on the Floor but we are closing this matter today. Yes, "Smuggler"?

**MR MACHO:** Madam Speaker, we are cross-border traders in Busia. *(Laughter)* Whereas you have guided that the Leader of the Opposition is given five slots in this very important debate -

**THE SPEAKER:** We shall have three Independents.

**MR MACHO:** Thank you, Madam Speaker – *(Hon. Basalirwa rose)*

**THE SPEAKER:** Hon. Asuman Basalirwa, can you sit down? Dr Abed, take your seat.

**MR MACHO:** I have a point of order, Madam Speaker. Hon. Ssasaga is calling me a "smuggler".

**THE SPEAKER:** You are not a smuggler. *(Laughter)* Let me start with the Independents; Prof. Mushemeza, Hon. Katuntu and Hon. Macho. Those are Independents.

4.03

**PROF. ELIJAH MUSHEMEZA (Independent, Sheema County South, Sheema):** Thank you, Madam Speaker. A debate of this nature invites us to be nationalists and debate calmly for the interest of our people. I listened carefully to the statement by the minister and the rejoinder and I think there are areas of common ground. Where evidence has been provided, this gives an opportunity for the Government to cross-check and act appropriately in accordance with the law. I think this is okay and I do not think there should be much contention.

I also take exception where some concepts are used that insinuate or try to demean people. I appeal to all of us, in this debate, to avoid such concepts and insinuations that may ignite tension in Parliament or even outside the community. This is addressed to all of us.

Finally, I appeal to the Opposition that sometimes issues can also be handled outside the House –*(Interjections)*– Madam Speaker, I request for your protection. We are all in Government. The moment you are in



Parliament, whether in the Opposition or not, we are all in Government because it constitutes three branches. That is why consultations, even outside the House, are very critical for harmony in this country. Even when you are provided evidence, someone somewhere outside the House will take an appropriate action. Some actions cannot be taken here but they will be taken somewhere else. That is why harmony and respect for one another is very important.

The way forward - I am convinced to support - is that even after the debate here, let us continue to engage one another with respect, so that we can all achieve respect for human rights. Thank you, Madam Speaker.

**THE SPEAKER:** Thank you.

4.06

**MR ABDU KATUNTU (Independent, Bugweri County, Bugweri):** Thank you, Madam Speaker, for giving me this opportunity. The issue of human rights should be for the common good. In the 60s, the people who complained about human rights abuses were people who were in the Opposition.

Then it came to the 70s where you had another regime in power and the people who were being hunted - sometimes even killed - were those who were opposed to that regime. Then it came to the 80s, where those who complained were the ones who were in the Opposition, more specifically the Democratic Party, and those who were sympathetic to the NRA.

In 1986, the NRM regime established what we call, "the Oder Commission" to investigate abuse of human rights from the time of Independence. For those of you who are familiar with that report, you would know what happened. This is not an era to talk about people disappearing without a trace; we should not. This is not a debate we should have. I do not want anybody to use this debate as a political spear to achieve a political purpose. I also do not want anybody, in my view, to have a political shield because who eventually becomes a victim are the people of Uganda, who are vulnerable.

Therefore, can we undress all the partisan interest in this colour and address the issue? *(Applause)* If we do that, we will live in a better country tomorrow. Why would we start talking politically when somebody out there is complaining about a lost child, a lost son, a lost husband, and yet I am here calling myself a parent and I am not feeling the pain of that parent? I am not feeling the pain of that child. Honourable colleagues, these are not the issues to joke about.

When a debate like this comes, we are looking for solutions to the challenge. I would like to thank both sides of the aisle, now that we seem to be calm. Let us discuss the solutions to the challenge we may be facing.

In the Leader of the Opposition's statement, he complained about three things.

The first one, which I read is about pre-detention without trial. Government, what can we do about it? What does the law say? Can you detain somebody without trial beyond 48 hours? Therefore, where should the controversy be; is this constitutional? Do we have a constitutional order? That is an area where we should all agree. If there are people who have been detained without trial beyond the constitutionally mandated hours, Government should undertake to have them released unconditionally. *(Applause)*

If they committed an offence, however grave the offence is, then they should be subjected to due process of the law. What distinguishes civilised societies, colleagues, is us acting within the law and uncivilised people acting outside the law; that is what distinguishes us. That should not be an issue even for us to debate and even our emotions rise high.

Secondly, the Leader of the Opposition is suggesting that there should be a Judicial Commission of Inquiry. I have had the opportunity to look at the law; that is a prerogative of the Government. Let them examine what is here and if it warrants, then they have that opportunity. We cannot, as Parliament, resolve to create a Judicial

Commission of Inquiry because of the constitutional limitations we have.

It would require resources and once it is resources then you cannot do it because it offends the Constitution. Let Government listen and then say “Well, in the circumstances does this matter require a Judicial Commission of Inquiry or not?”

Thirdly, the LOP is suggesting to set up a select committee. We should not have regrets in our own committees. We already have a Committee on Human Rights; it is already in place. It is only under circumstances where we do not have a committee specifically provided for, that we can resort to ad hoc and select committees.

As of now, let us have faith in the committees that are in place; that is what the rules say. These matters can be handled by the Committee on Human Rights and then we can report.

We do not have to be every other time establishing select committees. That means we have no faith in our committee. In any case, where are you going to get the Members who are not from this committee? If you do not have faith in those who are here, and they all belong to different committees, are we going to get Members from outside?

The people who are on these committees were designated by both sides; the Opposition and the Government. We have committees in place that can discuss and investigate these matters which are still pending. We do not have to establish another select committee.

Madam Speaker, there is this other issue which the - I see compensation on page 3. What should be the problem? I thought Government had already taken that decision. I do not know why we are debating it - because the President came out clearly that if there are people who lost their lives unlawfully, then the Government is going to compensate their families.

The issue is; have those been compensated or not? If they have not been compensated, then

the Government should undertake to follow up on what His Excellency the President promised the country.

We do not have to be debating so much about whether they should be compensated or not. Did they lose their lives unfairly during the riots? If they did, then they can be compensated in accordance with the law and Government has already taken a stand on that.

I expect the Minister of Justice –

**THE SPEAKER:** Hon. Katuntu may be on compensation issues, and I think the Office of the Attorney-General is in line with what the President said. They have compensated some people and others are still under negotiation. I would not want this document to be laid on the Table because it will expose these people but we can share it with the Leader of the Opposition.

**MR KATUNTU:** Thank you, Madam Speaker.

Lastly, about the issue of the army court, it is quite controversial the army court trying civilians, but this matter is in the Supreme Court.

We cannot be prosecuting a case here and the courts of law are prosecuting the same case. We are going to cause a conflict between the institutions of Government. We are trying to conflict with each other on who has the mandate to do what –

**THE SPEAKER:** Honourable members, in that aspect, in that prayer, that will amount to sub judice and I am happy that sub judice can only be determined by the Speaker and I am determining that that issue amounts to *sub judice*.

**MR KATUNTU:** Madam Speaker, now that you have determined, I cannot even go beyond what I wanted to say. *(Laughter)*

At the end of the day, there is a case of the Hon. Kabaziruka -

**THE SPEAKER:** Kabaziguruka

**MR KATUNTU:** Madam Speaker, something like that - Kabaziguruka. That reminds me of a joke with my friend Gen. Otafiire. He was seated and somebody said, "I want 'chamu sapati'" and he was like, "Why doesn't he put 'S' in the right place and 'CH' in the right place?" *(Laughter)*

So, that name Kabaziguruka is already in the Supreme Court and the issue there is whether the military courts have got the mandate to try civilians in the Court Martial.

Until that has been determined, I cannot ask - I mean, we discuss it to what end? What are we going to resolve? That they have or they do not? Do we have that mandate? We can only have that mandate if we were changing the law. Even that to come to the Floor, as long as that case has not been determined - I mean, in my view, like, Madam Speaker, ruled rightly, it will be sub judice.

It is a very difficult subject, but we have no choice as of now. Let us wait for the decisions of the Supreme Court, then we can one way or the other discuss. Thank you, Madam Speaker.

**THE SPEAKER:** Honourable Minister of Internal Affairs, can we hear from you?

4.19

**THE MINISTER OF STATE FOR INTERNAL AFFAIRS (Gen. David Muhoozi):** Madam Speaker, I have listened keenly and carefully to the rejoinder shared belatedly by the honourable Leader of the Opposition. *(Hon. Ekanya rose\_)*

**THE SPEAKER:** What is your procedural matter?

**MR EKANYA:** Madam Speaker, you earlier guided that this matter should not be a ping-pong between the minister and the Leader of the Opposition. You prepared us to debate and gave both sides a number; have you changed *-(Laughter)-* now that the minister is coming on the Floor? I seek your guidance.

**THE SPEAKER:** Hon. Ekanya, I am not sure you are competent enough to defy the directive of the Speaker.

**GEN. MUHOOZI:** Like I said, I listened carefully to the rejoinder of the honourable Leader of the Opposition. To show the seriousness of the Government, we even had the courtesy to listen to the new things he brought in his rejoinder - because we take the matter of human rights seriously.

That said, I still maintain and stick to our response, which was honest, elaborate and detailed. It left avenues for remedy for those who felt unsatisfied by that response in anticipation and those remedies are known to the law.

The LOP asked at that time whether we feel pain and are alive, and if we feel for others and are human. I would like to restate here that we are both and even more. We do, however, even have the obligation, as the Government, to protect and preserve human rights, as enjoined by the Constitution of Uganda. In other words, it is our goal.

If I may - my honourable colleagues will help on specifics - but I will hazard responses on some of the issues raised in my response. The Government did not conceal anything; we even gave more. You remember that the Leader of the Opposition talked about, for example, only 21 fatalities. The Government gave all the 56 people who lost their lives. Is that not consistent with the Government that wants to account?

He did not talk about injured persons. We revealed that there were people who were injured. Is that consistent with someone who wants to conceal the truth? I even beg the question of the logic of mentioning only 21 people. Were those only party members of NUP and the rest did not matter? Only he can answer.

In short, Government volunteered this information to demonstrate accountability. He did not mention about the destruction in the

riots and those responsible who were arrested, many tried and convicted, others released, and others on bail. That too is accountability. In some, accountability should not be selective; it must be honest and total.

On the vehicles, we gave our all, which was sufficient; in particular, about the two identifiable ones. We even identified the driver of the police vehicle regarding the girl who died. There was no attempt at all to cover up. What better accountability can we give? Regarding fishing communities and related matters of pre-trial detention, explanations were given.

In a nutshell, I would like to say that it is the right of any aggrieved person to invoke the many remedies under the law if they are not sufficiently convinced by what Government does, like in this instance, our honourable colleagues on the other side.

However, I pledge that we shall continue to fulfill our obligation to address misconduct within law enforcement and security agencies, be it related to some of the hanging issues here or others that may arise. It is our calling and duty to do so to ensure the safety and security of Ugandans.

I beg to submit. *(Applause)*

**THE SPEAKER:** Gen. Muhoozi, there is an issue that was raised on persons being detained without trial. We want Government commitment that you are going to make a follow-up and see what can be done.

**GEN. MUHOOZI:** Madam Speaker, we shall verify and if found true, take appropriate action.

**MR MPUUGA:** Thank you, Madam Speaker. At the beginning, in your preamble –

**THE SPEAKER:** I thought I was going to listen to Hon. Medard Lubega-Sseggon; you gave me a list.

**MR MPUUGA:** I rose on a procedural matter, with your indulgence. When you asked the

minister to make a commitment on the people severally in detention without trial for several years, my understanding was that the minister was going to rise and commit, with time frames. The minister is not only aware of the names, the numbers and where they are detained; he is actually responsible for where they are and their conditions.

I find it difficult and very compelling that I should listen to the minister at this level with that kind of tone. Madam Speaker, are we making headway?

**THE SPEAKER:** Which tone do you want him to use? That is maybe how he speaks.

**MR MPUUGA:** Madam Speaker, the minister came here, aware of people detained without trial for more than two and three years. He is also aware of the fact that the state has failed to prosecute them.

Without being clear on timeframes and action, can Parliament debate in generalities?

**THE SPEAKER:** Honourable LOP, let us debate this issue. I will make a ruling. Hon. Lubega-Sseggon?

4.28

**MR LUBEGA-SSEGON (NUP, Busiro County East, Wakiso):** Thank you, Madam Speaker and colleagues that have said that on matters of human rights, we should speak with one voice. I have opposed Gen. Museveni all my life but I have at least had one occasion now to agree with him on certain matters. *(Applause)*

I remember those days when Hon. Chris Baryomunsi was held at Jinja Road Police Station, in relation to the death of Hon. Cerina Nebanda. I had my first agreement with Gen. Museveni when he said, “Those who say we kill civilians are idiots.”

Gen. Museveni has also told us, especially those of us who were not old enough during the days of Idi Amin, that the reason he called past leaders, “swine” was because they did not know the value of human life.

Let us all agree with him that we must value human life from today onwards. *(Applause)*

First, were there abductions and did we have disappearances? The answer is in the affirmative.

Number two, are we proud as a Parliament – Prof. Mushemeza said we are Government – are we proud as the Government that some people could not be accounted for in the year 2023 and that we cannot haggle over that? The answer is in the negative.

Madam Speaker, we are not comfortable that some of our children disappeared; they left their children unattended to. I listened to a story of a woman who remained with the child-

**THE SPEAKER:** I thought that in this debate, we would act like what Hon. Katuntu did; coming with a way forward. Now that we know what is happening, how do we advise Government?

**MR LUBEGA-SSEGGONA:** Thank you. Let me advise the Government as you guide -

**THE SPEAKER:** How do we work together to solve this problem?

**MR LUBEGA-SSEGGONA:** Let me advise the Government. Number one, the High Court has guided us in the case of Nicholas Opiyo v. the Attorney-General. When Mr Nicholas Opiyo was being tried for a long time without readiness on the part of the Government, the court gave timelines and what the State did was to withdraw.

For those people that you have failed to prosecute for years, be humble and withdraw the cases; release them because you cannot prosecute them. I am a living example - In the year 2008, I was kidnapped and charged. Fifteen years down the road, I am on bail. However, there are those that are not on bail.

**THE SPEAKER:** The issue has been understood.

**MR LUBEGA-SSEGGONA:** That is point number one – and I am advising Government, as you asked me. Number two, we have disagreed as politicians on what to do with these people who are allegedly in disappearance.

Let us get an arbiter – the Constitution gave us an arbiter and that is the judicial arm. Let us appoint a judicial commission of inquiry where everybody will go and present and we shall all be bound.

I am alive to the financial implications that have been alluded to by my brother, Hon. Katuntu. That is why we are proposing a joint position as the Government. If we agree, it will come with the certificate of financial implications-

**THE SPEAKER:** So, are we all now the Government?

**MR LUBEGA-SSEGGONA:** Yes. Thank you-

**THE SPEAKER:** Okay, I am happy that you have agreed; you are the Government.

**MR LUBEGA-SSEGGONA:** Number three –

**THE SPEAKER:** The issue that was raised by Hon. Katuntu affects Article 93. It has a financial implication of us getting a Judicial Service Commission.

**MR LUBEGA-SSEGGONA:** That is why it comes from all of us. Let us agree. Number four, these security organs of ours – we made a law, The Security Organisations Act. In Section 4, we did forbid them from arresting and detaining; let them stop.

Are you not embarrassed, colleagues in Government – now I am talking about us – that somebody is in police custody today, the following day, they say, “We handed him over to the Chieftaincy of Military Intelligence (CMI)” and he is missing for years.

Honourable colleagues, let us give confidence and equipment to our police to do their work. Let the security organisations do their work.

I can see the trouble with my brother, Gen. Muhoozi; he is the Minister of State for Internal Affairs, but he is not in charge of the people abducting.

He is here speaking – the English call it “being the ugly face of the devil.” The person in charge of the abducting institutions is Maj. Gen. (Rtd) Muhwezi, but he is not here. Sorry for the closeness of the name.

**THE SPEAKER:** Which General?

**MR LUBEGA-SSEGGONA:** Maj. Gen. (Rtd) Muhwezi, the Minister for Security. We are dealing with CMI and the Internal Security Organisation (ISO) because the police had these people in custody but handed them over to CMI and the drones are not operated by the police.

**THE SPEAKER:** He wants to clear something.

**MR LUBEGA-SSEGGONA:** Yes, let him clear. I know-

**GEN. MUHOOZI:** The CMI is not under the Rtd Maj. Gen. Jim Muhwezi, it is under the Uganda People’s Defence Force (UPDF); under Hon. Oboth here.

**THE SPEAKER:** Under Hon. Oboth (*Laughter*)

**MR LUBEGA-SSEGGONA:** I am happy now that I have the suspect closest to me and my heart. I thank Gen. Muhoozi for correcting me on that.

However, we have ISO – now that Hon. Oboth is here, let us see a commitment that his forces are going to comply with the law. Hon. Oboth, we made a law and said that your people should not arrest and detain citizens. You are detaining them unconstitutionally. I want you to express your pride on the microphone and say, “We are doing the right thing under the Constitution and under the Act.”

I agree with Hon. Katuntu that we have our committees and we should empower them to

work. They include the Committee on Human Rights, which we have stated before that it is an oversight committee and not a sectoral committee.

It should not be the other side; it should be this side. That notwithstanding – and I have immense respect for the committee as well as some fair respect for Hon. Fox Odoi-Oywelowo and I will explain why “fair”; he is the only one who has disagreed with the entire House.

That notwithstanding, even a select committee is a committee of Parliament. It is envisaged in the rules to do a specialised job and we have done it before – and that one is done by none other than the person we trust most in this House; it is you, Madam Speaker. Sit on that chair, take that decision and appoint this select committee.

For those other issues that we cannot agree on as politicians, let us refer them - indeed, I am very happy the honourable minister for Justice and Constitutional Affairs has come out to say that as the Government – and I quote him; “We are stark naked on the issue of human rights.”

Now, I want all of us to wash ourselves clean. Let us appoint a committee that is purely professional, devoid of political bias that will bring all of us together. I agree, it is a discretion of the minister, that is why we are here to appeal to the minister.

Unfortunately, he is not here. Oh, his deputy is here. I am glad that the Minister of State for Justice and Constitutional Affairs is here - [*Dr Chris Baryomunsi rose*]. Clarification is never denied, especially from a person like me.

**DR BARYOMUNSI:** Be respectful, honourable member. Thank you, Madam Speaker, and I thank Hon. Lubega-Sseggona for yielding the Floor. You insinuate that committees of the House produce biased work.

Could you clarify – because you are saying that a select committee is the only one – (*Interjection*) – is the only one which can give professional, unbiased work as if the various

committees which we constitute in the House cannot give objective and professional work. Could you clarify on that?

**MR LUBEGA-SSEGGONA:** I am very happy –

**THE SPEAKER:** Honourable members, before you - first of all, the committees that we have are very professional; they do a very good job. One of my best committees in this House is the Public Accounts Committee (Central Government), headed by none other than Hon. Lubega-Sseggona and Hon. Asuman Basalirwa.

Like what Hon. Katuntu said, let us learn to trust our committees. Unless we do not have a line committee that should be able to handle this. We have the Committee on Human Rights and the person you have there is very good.

Honourable members, we need to agree on this. Let the Committee on Human Rights handle that issue. Where there is a problem, we shall intervene. - I have two suggestions. One, is to get a select committee and the other is the line committee. I am going to put the question.

**MR LUBEGA-SSEGGONA:** I have to clarify that I have been misrepresented on the record.

Madam Speaker, with immense respect to my brother, Dr Chris Baryomunsi – Actually, he has reinforced my position by seeking this clarification. I have trust in our committees. I only said: “on those matters where we have disagreed - not disrespected, – We have disagreed on matters to do with how to handle the missing persons.” I suggested a commission of inquiry with respect to the committee issues of Hon. Fox Odoi who is a senior to me - I guess not by age but by length in legal practice. I only said a select committee is equally a committee of the House. I was shielding him because this committee has handled these matters and we have not come to a conclusion. We are still haggling, fighting yet we want to remain united.

The Speaker, in choosing a select committee is guided by specific considerations. For example, the professions of the Members she is choosing, the experience, the collectedness of the Members and of course, the numerics. You want to get people that are fewer and therefore, dedicate sufficient time to address the issues in contention.

Finally, Madam Speaker, it hurts all of us that in the year 2023, we are losing people to COVID-19, HIV/AIDS- We can still lose people with our negative interventions. I pray that –

**THE SPEAKER:** Thank you. Let us reduce the time. Let me have Hon. Otimgiw who is raising a procedural matter.

**MR OTIMGIW:** Madam Speaker, I am raising a procedural matter to my honourable colleague but he is no longer on the Floor.

**THE SPEAKER:** Now that he is not on the Floor, it is okay.

**MR OTIMGIW:** I will raise my –

**THE SPEAKER:** No. First sit. Hon. Obua.

4.42

**THE GOVERNMENT CHIEF WHIP (Mr Hamson Obua):** Thank you, Madam Speaker. The Leader of the Opposition, in his conclusion, invited the House to rise to the occasion. I am rising to the occasion, first of all, to say the following:

One is to thank you, Leader of the Opposition, because this has been a journey and from a long list, we came to 18. In this statement, on page 4, the Leader of the Opposition chose to highlight some of the cases that indicate glaring contradictions. I want to restrict my submission to the written text of the rejoinder.

Parliament, as the temple of legislation, is a House of record and our record must be consistent, in my humble opinion, not full of contradictions. This rejoinder to me, in a

layman's language is response to a statement by the minister. I wish to start and I am going to raise glaring contradictions because they are.

On page 7, under the name Ssemudu Micheal Jackson - on the attachments that were laid on the Table, there exists a photocopy of the national ID of one Ssemuddu Micheal Jackson and I want to confirm that the national ID is, indeed, a true record of Ssemuddu Micheal Jackson. However, on the list that was submitted earlier where the minister made a response under the name Ssemuddu Michael Jackson, these are the contradictions I am raising.

The reference number given by the same source was KMG/GEF/460 of 2023. In the rejoinder, the same name, Ssemudu Michael Jackson has a different reference number. The reference number is SD: REF: 84.26.11.2020. The source is the statement. It is here contained on page 7 and this is Annex F of what the minister laid on the Table the other day.

That said, Madam Speaker, I wish to move to Mr Wangolo Dennis on page 6. The reason I started with this is because the Leader of the Opposition chose an evidence-based submission, especially on the four and this is an evidence-based Parliament.

On page 6, under the case of Wangolo Dennis, the Leader of the Opposition in his rejoinder –

**THE SPEAKER:** Procedure –

**MR OSHABE:** Thank you, Madam Speaker. Earlier on, you gave us guidance by appreciating Hon. Katuntu for coming up with solutions.

The Government Chief Whip is before us here, talking about matters that are going to raise tempers further. We had reached a level of giving solutions and I remember Hon. Sseggonna was advised to go to solutions. Can the Government Chief Whip not take us back because we have those arguments? *(Interjections)* You have to tell us to go to the level of solutions. Give us the solutions. How do we end this? That is all we are waiting for.

Madam Speaker, are we proceeding well with the Government Chief Whip taking us back to peripherals when we had taken steps? Otherwise, all of us can go into those small arguments.

**THE SPEAKER:** Honourable members, I loved how calm the House - and I want to appreciate Hon. Katuntu. He put the House in a calm position. In fact, we should have finished this issue.

Honourable members, let us not open the Pandora's box because they are there. Now, you have seen what this side is also bringing. We are now doing ping pong. -Wait. He is not lying - Honourable members, if you want to make noise, Nansana is not very far. Let us agree. We already have solutions to this. I would put every prayer to a vote and conclude this. The issue of detaining people without trial is something, which was even said is not anything to be discussed. It is not correct.

Honourable members, I want us to start with that issue of detaining people beyond 48 hours. It is that, that leads into another - disappearance. That should not be an issue. Hon. Oboth, what do you think about that? Honourable members, listen. Let us solve a problem.

4.50

**THE MINISTER OF STATE FOR DEFENCE AND VETERAN AFFAIRS (DEFENCE) (Mr Jacob Oboth):** Madam Speaker, I want to agree with you and also appreciate our senior, Hon. Abdu Katuntu - although he is holding his chin. He has given very valuable prognosis and way forward. However, what needs to be clarified here is that if we are to get solutions, we need to get them based on correct facts. *(Applause)*

The issue of human rights is as human as it is. Nobody can ever show any sign of pride, which is actually absence of space for wisdom – *(Interjections)* - the issue of pre-trial –

**THE SPEAKER:** Listen, this is a very important issue. Hon. Oboth, give a solution.



**MR OBOTH:** We are making a way forward. In one way or the other, this has to come to an end. We can also agree on how it ends here. Gen. Muhoozi stated that we are human. Being a minister does not detach us from the populace. Being ministers or in the Government does not mean that we are blind to the suffering of other people.

Therefore, we should not be cast out as if we are insensitive, numb, or *–(Interjections)*

**THE SPEAKER:** Honourable members, let us listen. I thought you want a solution.

**MR OBOTH:** I said to be portrayed so – *(Interjections)*- you are my junior. You need to listen – “36,442 people” is captured on page 15 of the Leader of the Opposition’s report, which statistics were given by the Government. What is disturbing here is that it states that all these are on remand courtesy of detention without trial. You will never get to be remanded if you have not initiated the process of trial. Any basic lawyering skills *–(Applause)*

If we can - which can be outside here and I have said it here. I am in the Ministry of Defence and Veteran Affairs and even now holding the fort. If I get to know the specific number and names of people that are with us – ministry, Chieftaincy of Military Intelligence (CMI) or not in a gazetted place, we can make an undertaking to resolve this matter. However, those who are on remand are people in a legal process. It could be delayed *–(Interjections)*

The issue of remand is remand. I would like the Leader of the Opposition to clarify whether this is what he meant, that the 36,422 people, whom Government said are on remand, are the ones he construes as “detention without trial.” Basic lawyering skills and knowledge should help us.

**THE SPEAKER:** Let us have the Leader of the Opposition.

**MR MPUUGA:** First of all, I want to thank comrade Hon. Oboth for rising to the occasion to speak to this gap. I raised those figures to

bring to the attention of the House the extent of the lethargic approach to justice, especially in our criminal justice system *–(Interjections)*

**THE SPEAKER:** Listen to the Leader of the Opposition when he is making clarification.

**MR MPUUGA:** In fact, Hon. Oboth is brilliant enough to know what actually I was referring to. He is only trying to be political. I did state those figures to tell the extent to which our prisons are congested and part of the congestion is occasioned by persons detained without trial.

Secondly, he says that he is committing to intervene if he gets to know who is in CMI or Internal Security Organisation (ISO). From whom are you trying to know those people with CMI and ISO? Is it us or you in charge?

**THE SPEAKER:** No. What he says is that he is going to find out.

**MR MPUUGA:** Madam Speaker, that was not his statement - let me finalise. Since we are dealing with evidence, I have laid bare the fact that there is admission of Government agencies to the detention of Ddamulira in particular terms as a starting point.

**THE SPEAKER:** There is a procedural matter.

**MR EDDIE KWIZERA:** Madam Speaker, thank you for allowing me to raise a procedural matter. You are allowing the House to debate on what I would call half information from the Leader of the Opposition. He has presented half of the information and laid on the Table, some other information that would help this House take a decision.

Since we have not seen all the information, it would be a disservice to this country and the House to take a decision. He has tricked this House to demand for unconditional release, which is not in the power of this House. I do not agree with him.

He has also provided for establishment of a Judicial Commission of Inquiry. A Judicial

Commission of Inquiry cannot go with a select committee. We do not have power to establish a commission of inquiry. If we have power to establish the select committee, which can get all the information and presented materials under Article 90 of the Constitution, let it be so. We can have a select committee, process the matter and come here to take a decision, which is informed. Otherwise, we have half information

Wouldn't it be procedurally right for us to have all the information as presented so that we take a decision? I thank you.

**THE SPEAKER:** Honourable members, we will take a decision on whether we will have a select committee, a Committee on Human Rights or whichever at the end of it. We wanted clarification first from Hon. Oboth since the General said CMI and ISO are under him.

Can you give us a clarification and what you think about the specific prayer?

**MR OBOTH:** Madam Speaker, I have now understood what the Leader of the Opposition referred to on the delay in trying people and the number that he quoted. I think that one falls under the Uganda Police Force and the Uganda Prisons Service. However, when we are here - and I thought for once that since human rights is as universal as the Catholic Church, we would speak with one voice; that we would not politicise anybody's right or death.

Madam Speaker, now that the Leader of the Opposition, my very good friend, has clarified to me, I am devoid of any other doubt that he was referring to those who were in detention on remand, not those in CMI.

**THE SPEAKER:** What is the way forward? Can I have the Attorney-General?

5.00

**THE DEPUTY ATTORNEY-GENERAL (Mr Jackson Kafuuzi):** Thank you, Madam Speaker. The matter in issue is the allegation that very many people are in detention without trial -

**THE SPEAKER:** Hon. Asuman Basalirwa, why are you pointing at my Attorney-General? Come back where you were seated.

**MR KAFUUZI:** Madam Speaker, the matter in issue raised by the Leader of the Opposition is that very many people are on remand without trial -

**THE SPEAKER:** Hon. Kivumbi, you will speak after that; sit.

**MR KAFUUZI:** I repeat, the matter raised by the Leader of the Opposition is that very many people are on remand without trial; that we agree.

Last week, this very Parliament passed an amendment to the Judicature Act to increase the number of judges.

You know for a fact that following the enactment of the -

**THE SPEAKER:** Go ahead.

**MR KAFUUZI:** You know for a fact that the Judicial Service Commission has been appointing judicial officers to increase the number in order to deal with the backlog. No effort is being spared to make sure that the number of people on remand, pending trial, are brought down. Thank you.

**THE SPEAKER:** Thank you. We increased it to 35.

**MR MPUUGA:** Much obliged, Madam Speaker. The learned Attorney-General is making a reference to the case backlog, meaning that the State investigated and, therefore, matters are pending trial. Is the learned Attorney-General aware of the very many empty files of persons detained for more than two years without any report of an investigation? Are you alive to that?

Do they require appointment of judicial officers like you are saying; that they were pending? There is not a single - We have appeared before court and all they say, for more than two years,

is, “the State is still investigating.” Is he alive to that fact?

5.03

**MR WILFRED NIWAGABA (Independent, Ndoorwa County East, Kabale):** Thank you, Madam Speaker. To my friend, the Deputy Attorney-General, the Judicature (Amendment) Act we passed was in respect of increasing Justices of the Court of Appeal and the Supreme Court.

**THE SPEAKER:** The Bill we passed.

**MR NIWAGABA:** Yes.

**THE SPEAKER:** It is not yet an Act.

**MR NIWAGABA:** It is in respect of the Justices of the Court of Appeal and Supreme Court, who only entertain matters at the appellate level. We are talking about pre-trial detainees; people who have not been detained either by court remand but have not been tried for longer days than is constitutionally provided for.

Secondly, we are talking about putting people in jail in respect of non-existing offences under the guise of the word “subversive activities.” Can you look through your prisons and get all those people who are in the prisons on the infamous subversive charge and those who have exceeded their constitutional dates on remand and have them released?

**THE SPEAKER:** These are the things I am saying; that let us go to solutions. Let the Government go and look at its prisons, look at itself and understand - If there are people who are in prison and have no cases - if they are political - but it must be with thorough analysis. Criminality should not be mixed with politics. Let him respond.

**MR KAFUZI:** Thank you for your guidance, Madam Speaker. I do appreciate my senior colleague, Hon. Wilfred Niwagaba. I spoke first in respect to the Administration of the Judiciary law that we passed in the 10<sup>th</sup> Parliament, which allowed the Judicial Service Commission to appoint more judicial officers.

Be that as it may, I do understand the concern of the Leader of the Opposition that there are people who have exceeded the mandatory period of remand.

I undertake to engage with the Chief Justice, the Principal Judge, the Chief Registrar, the Deputy Chief Justice and the DPP. We shall work backwards together as the Judiciary and see if there are people who have spent a period longer than they ought to on remand. *(Interjections)* Then, they will be released.

**THE SPEAKER:** It is like you do not want solutions. The Deputy Attorney-General has committed himself and said that he is going to make a follow-up and get back to you.

5.06

**MR MUWANGA KIVUMBI (NUP, Butambala County, Butambala):** Madam Speaker, I was in school at the same time with my friend, Hon. Oboth. We were told the incomparable; things you cannot compare. We are speaking about any Government or any office of the Government - be it a Member of Parliament - who undertakes to protect people’s lives and property.

I am being specific on the establishment of the Judicial Commission of Inquiry. Can we find space to compare a missing person with financial implication? What we are trying to do -

**THE SPEAKER:** Before you go there, can you look at all your books of law and find out whether you have a body mandated to handle issues of human rights? Ask yourself why you are running from that body. You, as Parliament of Uganda, formed that body, gave it the powers to handle issues of human rights but now, you are saying that you should go away and form a Judicial Service Commission. I want you to look at the two things.

**MR MUWANGA KIVUMBI:** I will navigate those issues, Madam Speaker. I think we should be the last persons, when any Ugandan is missing - countries commit troops to die, they commit and go to war if their persons are missing. They even go to war to reclaim dead

people. Those who have been on the front line and your colleague dies, you can commit more soldiers and risk more death to claim a dead person.

However, here, we are on this day trying to invoke a financial implication in the argument against finding missing Ugandans. I find that argument not only weak - [Mr Hannington Wakayima: "Nonsensical."]- No, I cannot use that word, I find it –

**THE SPEAKER:** Who is that who has said “nonsensical”? Who is that? - Not Hon. Kivumbi. It is you, Nansana get up, you cannot do that in this House. You people, you are not going to take us for granted in this House. I have a level of patience - can you come and apologise?

5.09

**MR HANNINGTON WAKAYIMA (NUP, Nansana Municipality, Wakiso):** Sorry Madam Speaker, for the statement I made.

**THE SPEAKER:** Withdraw it.

**MR WAKAYIMA:** I am withdrawing it.

**THE SPEAKER:** What statement?

**MR WAKAYIMA:** Madam Speaker, I was not –

**THE SPEAKER:** You said “nonsensical”; how?

**MR WAKAYIMA:** It was not on record but –

**THE SPEAKER:** Can you withdraw it?

**MR WAKAYIMA:** I have withdrawn it, with due respect, Madam Speaker.

**THE SPEAKER:** Hon. Kivumbi, continue.

**MR MUWANGA KIVUMBI:** Madam Speaker, there is a video that I have watched over and over again by President Yoweri Museveni. I think it is a video of that statement he made immediately after taking over power.

He said that he would not preside over a Government where a Ugandan is lost and they cannot be traced or not accounted for.

Our argument for the select committee, Madam Speaker, we do not have the powers to recommend it to Government; if it finds it necessary, under these circumstances, where a committee of Parliament and the Uganda Human Rights Commission had a go at this issue and failed.

Given that those other committees have had their chance and fallen short of satisfying or finding Ugandans that are missing, and we are talking about 18, we can speak about a single Ugandan. We must find somewhere to trace any Ugandan who is missing.

If it means spending a little bit of public money, it should be spent. I would like the Government to come back here and reject this decision and say, “We do not have that money.” That could be it.

I find that argument, which has been ably moved by my senior colleague, fairly not comparable even in relative terms. I studied the law of relativity; even in relative terms, it is difficult to take.

Can you imagine we have a heart, we have a space in our hearts to talk about financial implications for a father, for a mother, for a daughter and for a son missing?

I would like to appeal to this House in this hour that that recommendation of a judicial commission of inquiry cannot be struck down because of financial implications. What, then, are the resources of Government for, if they cannot be used to protect people’s life?

Madam Speaker - (*Interruption*)

5.13

**MR ABDU KATUNTU (Independent, Bugweri County, Bugweri):** Thank you, Madam Speaker. It is not how beautiful you can put the point; what does the Constitution say in Article 93? It bars this House from

doing what you are saying - Just, can I have the Constitution? Please, this is not an academic argument.

If you want to do something, please, however well-intentioned you are, you must do it in accordance with the law.

Madam Speaker, if I may read this.

**THE SPEAKER:** Are we talking about the Judicial Commission of Inquiry?

**MR KATUNTU:** Yes, Madam Speaker. *“Parliament shall not... - and ‘shall’ means mandatory - ...unless the Bill or the motion is introduced on behalf of the Government –*

*(a) proceed upon a Bill, including an amendment Bill, that makes provision for any of the following –*

*(b) proceed upon a motion... - upon what? A motion - and resolutions always arise out of a motion ...including an amendment to a motion, the effect of which would be to make provision for any of the purposes specified in paragraph (a) of this article.”*

However well-intentioned you are, you must act within the law, and if you do not want to act within the law, because you are well-intentioned, I can tell you, you will be acting illegally or unconstitutionally.

**THE SPEAKER:** Hon. Katuntu, if I understood Hon. Muwanga Kivumbi very well - and he is aware of the law - he is aware of Article 93. And for him he is saying, he is requesting Government - not that he does not have the locus to bring the motion to that effect - but he is requesting the Government. That is why I was saying, now that he is requesting the Government, we will now go and look at prayer by prayer and see whether the Government is willing to bring a motion to that effect or not. - There is a procedural matter from Dr Baryomunsi. Do you want to submit? Yes, there is a procedural matter.

**MR OTIMGIW:** Thank you, Madam Speaker. I understand where the Opposition is coming from, but I just want us to look back – *(Interjections)*- I am on the Floor, please. I just wanted us to look back.

**THE SPEAKER:** You understand where our colleagues are coming from.

**MR OTIMGIW:** Yes, I understand where our colleagues are coming from. Thank you, for the clarification. Madam Speaker, the Committee on Human Rights presented a report on this matter. I am reaching a point; I am just coming to a point.

**THE SPEAKER:** Honourable member, sit down.

**MR MUWANGA KIVUMBI:** Madam Speaker -

**THE SPEAKER:** We are now moving towards the closure. I chaired that committee.

**MR MUWANGA KIVUMBI:** Madam Speaker, it is in the interest of the Government -

**THE SPEAKER:** Honourable members, listen to Hajji.

**MR MUWANGA KIVUMBI:** Madam Speaker, it is in the interest of the Government - and it is in the interest, I think, most fundamental, for the Head of State who is on oath to protect people’s lives and properties - to ensure and to take responsibility, that missing persons are accounted for even if they were to be pronounced dead; it is in the interest of the Government.

I implore my friends here and senior colleagues in this Parliament to find space within their Government and go ahead - good enough the Prime Minister is here, given the contradictions and inconsistency – the Rt Hon. Speaker, who was in the Chair when this issue came up read a number of times where these issues have featured. Therefore, they are not a one-off but consistent arguments.

We implore the Government side to find it within its powers to appoint a Judicial Commission of Inquiry.

Madam Speaker, if I am to speak on the last one –

**THE SPEAKER:** Which is the last one?

**MR MUWANGA KIVUMBI:** Select committee of Parliament. I think my –

**THE SPEAKER:** Honourable members, why don't we handle these prayers one by one? We would have even finished. Prayer number one.

5.20

**THE MINISTER OF INFORMATION, COMMUNICATIONS TECHNOLOGY AND NATIONAL GUIDANCE, (Dr Chris Baryomunsi):** Thank you, Madam Speaker. I think on prayer number one, the learned Attorney- General had already made a commitment but we want to clarify that the Government has no political prisoners.

Ugandans are arrested on the basis of suspicion for having committed a crime. The concern being raised is that there could be Ugandans whose trials have been delayed. The Attorney-General undertook to check with the relevant authorities that in case there are people who are in jail and their trials are delaying, then action will be taken.

**THE SPEAKER:** Before you go and make analysis of these prisoners, you cannot know whether they are political or not. We would like you to go and make an analysis and report back, on which the Attorney-General had made a commitment.

**DR BARYOMUNSI:** Yes, I am speaking as a Government minister. *(Interjection)* No. Madam Speaker, a political prisoner presupposes that Hon. Mpuuga is arrested because his party is the National Unity Platform. I am saying no, the people arrested by the State is on the basis of the suspicion of committing a crime.

**THE SPEAKER:** Honourable members, the issue that is being raised borders on Article 28 of the Constitution of the Republic of Uganda - on fair hearing - and Article 29 on freedom of conscience, expression, movement, religion, assembly and association.

Therefore, I want the Executive to go and examine these prisoners and cause their release; the prisoners who have not been tried and are there beyond the mandatory time. *(Applause)* I have not mentioned political prisoners; I am saying prisoners who are there.

5.23

**THE MINISTER OF STATE FOR INTERNAL AFFAIRS (Gen. David Muhoozi):** Madam Speaker, I request earnestly that we go by the proposal of the Attorney-General. Instead of setting a bad precedent, which is not even practical that people can be released through Parliament. Let us go – *[Member: "No, Parliament is ordering."]* That is what it comes to.

**THE SPEAKER:** By the way, as Members of Parliament, we are constrained to do the work of courts. That is not our role, and as such, we are only imploring Government to act. Our work is not the work of court. Prayer No. 2?

5.24

**MR MEDARD LUBEGA-SSEGGONA (NUP, Busiro County East, Wakiso):** I am very proud of you, Madam Speaker. What you are telling the Executive is that we are not directing the Judiciary to release prisoners. Withdrawing a case, which you instituted is a function of the Executive, which is charging people.

I have been old enough here and I have witnessed President Museveni talking to various groups. One group came from Rukungiri; the other one came from Teso and he told them, "I am going to solve that" and it was solved. We are not here to show our might but we are here to show our wisdom, reason, maturity and statesmanship.

Yes, I will clarify -*(Interruption)*

**MR OBOTH:** You have referred to groups from Kisoro, Rukungiri and Teso. Has any other group done the same or are you trying to achieve what that group achieved through this House?

**THE SPEAKER:** Can we go to prayer No.2?  
(*Laughter*)

**MR LUBEGA-SSEGGONA:** I thank you for ignoring him. (*Laughter*)

**MR MPUUGA:** Thank you, Madam Speaker. The commitment earlier on made by the learned Attorney-General is a step in the right direction. I concur that what we are doing here is not judicial nor even quasi-judicial. Therefore, we have no space ordering the other arm of Government to act.

However, the Executive here at our disposal can commit to timeframes; it cannot work endlessly. We would like to know what the Executive would do so that we can know that they have played their part and only one other arm has not done their part. That cannot be endless, bearing in mind the time people have spent in detention without trial.

The Executive cannot have latitude of working in endless space. May we get commitment of a time frame from the learned Attorney-General? Should we again wait for another one or two years, and the general comment would be that we made commitment?

**THE SPEAKER:** Honourable Attorney-General, do you have an answer? Are you sure? (*Laughter*)

**MR KAFUZI:** Thank you, Madam Speaker. I said that I do understand the observation made by the Leader of the Opposition. However, we shall go beyond the list they presented because we do not know its authenticity. We believe that there might be other people in the system.

**THE SPEAKER:** He is asking about the time frame.

**MR KAFUZI:** That is where I am heading, Madam Speaker. I commit to writing to the Chief Justice, Deputy Chief Justice, Principal Judge and Chief Registrar. I will copy that letter to the Government Chief Whip, Prime Minister and the Leader of the Opposition. I cannot give timelines because I do not have control over courts. (*Interjections*)

**THE SPEAKER:** Honourable members -

**MR KAFUZI:** I want us to be very careful and mindful of the fact that the Judiciary is independent. I am simply going to express the concerns raised by this Parliament to the head of the Judiciary, the Chief Justice.

**THE SPEAKER:** Honourable Leader of the Opposition, since this matter is still continuing, I do not think that those are the last people to be arrested or to disappear. I would like us to continue engaging in this. Give me a write-up on what you have agreed with the other Arms of Government. I will personally engage the Head of the Executive on this matter and get a response to that effect.

**MR MPUUGA:** Madam Speaker, that commitment is heart-warming, but because we are a House of record, the learned Attorney-General needs to be clear on his intentions. Namely; it does not require him to seek the indulgence, later on, the express or tacit permission of the Chief Justice or the Deputy or the Principal Judge to discontinue prosecution, especially the nature that has not even evolved.

We would like to understand exactly what the learned Attorney-General wants to pursue so that we can know what we are dealing with - because these are State functions.

**DR BARYOMUNSI:** Madam Speaker, the law states that you cannot direct the DPP. What are we talking about?

**THE SPEAKER:** The independence - honourable members, Leader of the Opposition, I am going to give you feedback because I know there is one person who will resolve all this. The second prayer?

5.30

**THE MINISTER OF INFORMATION, COMMUNICATIONS TECHNOLOGY AND NATIONAL GUIDANCE (Dr Chris Baryomunsi):** Our view, Madam Speaker, is that if we combine two and three, have trust in the institutions of this Government and Parliament and we feel that if there are issues still subsisting, the existing State institutions like the Uganda Human Rights Commission (UHRC), the others can take them up.

I read the report of the UHRC and their concern was non-cooperation of the affected parties. If the Leader of the Opposition can undertake that he can work with the families to make sure they provide information because most of them were saying; “We want clearance from their party.” That is the concern the UHRC was raising, so our view-

**THE SPEAKER:** Honourable minister, we have two views; and that is a Judicial Commission of Inquiry where Hon. Katuntu raised an issue of Article 93 of the Constitution of the Republic of Uganda and that is only mandated for you. What we can only do is to implore the Government to bring a motion to that effect.

The other issue is that we have a constitutional body that is mandated and they would proceed under Article 48, 51, 52 and 53 of the Constitution of the Republic of Uganda to investigate; and it is only the UHRC mandated to handle matters of human rights. These are the two positions.

**DR BARYOMUNSI:** Madam Speaker, I was submitting on the very issue that the numbers have been oscillating from 400 to 38 in the Committee on Human Rights.

**THE SPEAKER:** Commission not committee.

**DR BARYOMUNSI:** No, Committee of Parliament; 38 to 30 in UHRC and now to 18. According to the report of our Committee on Human Rights, they were reduced to four. Our view, as Government, is that the number dropped -

**THE SPEAKER:** Leader of the Opposition and Hon. Obua, can you go out and sort your issues? If you want to fight, do so in the corridor.

**DR BARYOMUNSI:** Yes, our view as Government is that there are existing remedies within our legal and institutional framework. I read the report of the Committee on Human Rights and that is where the number dropped from 30 to 18 because they were able to trace the 12.

Their concern was that the next of kin who were provided were not cooperative and many of them were saying that; “We have to first get clearance from our political party, NUP.”

Our request is that if the Leader of the Opposition and leaders in the Opposition can undertake to help in providing information, then this work – if there are areas where there is still dissatisfaction, UHRC and the other State agencies can do this work.

Therefore, we shall not bring a motion to this effect. This can be done by UHRC provided the Leader of the Opposition supports the families to make sure information is provided to trace these people.

**THE SPEAKER:** Honourable members, I would like to remind you that Article 54 of the Constitution of the Republic of Uganda talks about the independence of the Uganda Human Rights Commission. I am not going into the argument; those in favour of the Judicial Commission of Inquiry - I am going to put two questions-

**MR MPUUGA:** With your indulgence, Madam Speaker, we need to get these issues very clear and without emotions. I have, with my team, gone out of our way to establish how the Commission worked. In fact, on three occasions, the family members attested to the fact that the Commission asked them to negotiate with Government for a financial settlement.



Secondly, it is not true that these families did not cooperate. When the Commission declared that they were going to close the files, we reached out to the families, put them in a vehicle and took them to the Commission.

They pointed at people that said they had never seen them and they said; “You came and we saw you; why are you denying our existence?”

This Commission is very disabled in the circumstances to deal with this matter. It is conflicted; it has been negotiating a financial settlement. The chairperson is brazenly partisan, with due respect. Secondly, in the minister’s-

**THE SPEAKER:** There is order - Honourable Leader of the Opposition, there are three leaders of this institution and you know very well that the Committee on Human Rights reports to Parliament. Before we give them an assignment, why don’t we talk to that team and agree on what we expect of them? Short of that, you are part of the Committee on Appointments; we can send them back if they are not doing what Ugandans expect of them.

**MR MPUUGA:** Madam Speaker, again, in Gen. Muhoozi’s submission earlier on, he clearly stated that police were able to form an NGO and reached out to –

**THE SPEAKER:** Not to form - to pretend to be an NGO.

**MR MPUUGA:** Of course. That is why I have gestured “inverted commas”. They “formed” one and that is when they were able to access the families. Therefore, the assertion of the good doctor here that the families do not cooperate, should not be on our record. It is wrong. Actually, one of the demands we are making here to the good General is to share with Parliament the report of the police “NGO” because they were able to reach the families. Therefore, the fact that the families did not cooperate does not arise.

In the submission I have made, the video evidence, the families attest to the reach-outs,

the proposals for financial settlements and all manner of indecent proposals. They were reached and these good honourable ministers know very well.

**THE SPEAKER:** Now, advise me: I want your very sincere advice. The Government is supposed to propose names for the Judicial Commission of Inquiry? In the circumstance that the Government settles for the institution that was made by this House, that is, the Uganda Human Rights Commission, what happens?

**MR MPUUGA:** Of course, the jury is not on us. The jury is on the Executive to prove their commitment to resolving this matter. And I cannot answer to the Government commitment. The jury is out on them.

5.39

**THE MINISTER OF STATE FOR DEFENCE AND VETERAN AFFAIRS (DEFENCE) (Mr Jacob Oboth):** Madam Speaker, this tells you - listening to Hon. Mathias Mpuuga, *ow’e* Masaka – (*Interruption*)

**THE SPEAKER:** Why are you raising a point of order? Does he come from Bugiri? (*Laughter*) He comes from Masaka and he is proud to be from Masaka. Sit down.

**MR OBOTH:** We are making this – When you see a neighbour complaining over the loss of a neighbour’s chicken, know that the neighbour is a thief himself. (*Laughter*) In this case, we are making progress and then retrogressing. (*Interruptions*)

**THE SPEAKER:** Hon. Basalirwa, I thought you were in Kigali. What are you doing here?

**MR OBOTH:** I did not mention any name. We were making some progress here.

**THE SPEAKER:** Yes.

**MR OBOTH:** You have asked a very pertinent question to the Leader of the Opposition: What would be the effect; the total sum of the resolution that we shall make? This is because he may not believe in Uganda

Human Rights Commission – that is what I got from his statement – he may not believe in the committee of Parliament and he would want a select committee of Parliament, which will be appointed, taking all the three or four shades of Parliament. This just tells you how complicated this matter is. That the Leader of the Opposition with the team is determined to stretch this House beyond your limit.

**THE SPEAKER:** Honourable members –

**MR MPUUGA:** Let us help each other.

**THE SPEAKER:** One person who has always been supportive to me and continues to be supportive to me while in this seat is none other than Hon. Mpuuga. I do not think he would stretch me beyond what is expected.

Honourable members, I am putting the question – do not stretch me.

**MR MPUUGA:** Madam Speaker, I understand the demeanour of Hon. Oboth. He is trying to invite the presiding officer into this because the Executive failed to own up. Now, he wants the presiding officer to take a decision where they have time and space to commit on what they are going to do.

Madam Speaker, this matter has nothing to do with a vote. It has got everything to do with understanding the duty of the Executive.

**THE SPEAKER:** We have failed to understand each other.

**MR MPUUGA:** No, Madam Speaker. I challenge the Prime Minister to rise to the microphone and say that the Government has failed to understand their duty in this matter, then the House will take a decision. *(Interjections)* It has nothing to do with a vote in this House.

**THE SPEAKER:** Honourable members, before we continue, Hon. Mpuuga, Hon. Tayebwa and I will meet Uganda Human Rights Commission on Monday in my boardroom. *(Applause)* If the institutions of

this Government are not working, then we will send these institutions back to the “sender”. You cannot say that the chairperson has a problem. How? If she is not working, let us get her out. We have the powers. Hon. Mpuuga, please, bear with me and that is –

**DR BARYOMUNSI:** Madam Speaker, with your indulgence *-(Interruptions)-* I am entitled to speak in this House; so, do not take away my right. My sisters should just listen. I do not want to be misunderstood as if I am putting words in the mouth of the Uganda Human Rights Commission.

Madam Speaker, allow me to just read a sentence from their report. The Leader of the Opposition –

**THE SPEAKER:** We are going to meet you with the Uganda Human Rights Commission –

**DR BARYOMUNSI:** Why are you afraid of their report? *(Laughter)*

**THE SPEAKER:** Honourable members, we are giving this responsibility to the Uganda Human Rights Commission and we will have a meeting with them before we give them the assignment. They must report to Parliament as prescribed by the law. Next prayer, please.

**DR BARYOMUNSI:** Madam Speaker, we began with the issue of missing persons; now, we are going into the area of rape, defilement *-(Interjections)* Yes, this is what number three is talking about.

The Leader of the Opposition is proposing that we appoint a select committee to look at issues of rape, defilement and so forth. Our view as Government is that if there are issues that we must investigate, then the Committee on Human Rights of this House is adequate. *(Interjections)* Yes, it is enough. We can task it to look into these issues. It is our own committee and we believe every Member of Parliament has competence and capacity. They can do good work and report back. We object to the issue of a select committee.

**THE SPEAKER:** I want to hear from the Government Chief Whip.

5.48

**THE GOVERNMENT CHIEF WHIP (Mr Hamson Obua):** Madam Speaker, the practice of this House, in terms of such proposals is dictated by the Rules of Procedure.

In the rejoinder of the Leader of the Opposition, prayer No.3 is need for a select committee. Under our rules, such should be formally moved in form of a motion and the House takes a decision as prescribed under the Rules of Procedure through a vote. Would I persuade you, Madam Speaker, as the custodian of the Rules of Procedure - that this is a House of record and it is guided by Rules of Procedure.

Madam Speaker, may I, if it pleases you, request that the side that has brought this proposal adheres to the Rules of Procedure such that you subject it to the prescription of the rule and we take a decision, as a House. I beg to move.

**MR MPUUGA:** Thank you, Madam Speaker. I acknowledge the depth of knowledge of the rules by my honourable comrade, the Government Chief Whip.

I want to assure him that by proposing that way, we were alive to the command of the rules. However, we thought that this House would consider the possibility and when it is agreeable, a motion will be duly moved under Rule 59(k); the Speaker would indulgently allow the moving of a motion without a notice. But you do not surprise the House or the presiding officer in such matters.

So, I want to settle his spirit - that we are not devoid of knowledge of how the rules function as far as motions are concerned, but we wanted to beseech the understanding of the House on how this would work.

Secondly, we are not trying to impeach, in any way, the sanctity powers and abilities of the House committees. We thought that because the committees of Parliament can on their own

move over these matters - and remember these matters have been with us in this House for the last two years and the Committee on Human Rights has never moved itself - let alone seeking to follow up matters over which we have resolved variously on fisheries.

The general understanding is that they are not keen. Therefore, the House would consider to selectively choose from within itself a team to handle this matter. Madam Speaker, that was the premise for that prayer.

**THE SPEAKER:** There is a procedural issue from Hon. Mbabazi.

**MS MBABAZI:** Thank you, Madam Speaker. The Leader of the Opposition is alleging that the Committee on Human Rights has never put in any effort in investigating the matter at hand.

Madam Speaker, this matter is not new. It is something that has been on for long since we began our term of office on this committee; it was our first assignment. We actually had a list of 65 people who were allegedly missing. We met those people - we had to investigate and out of the 65 missing persons, we remained with only seven people that could not be accounted for.

Madam Speaker, it is a concern that the Leader of the Opposition –(*Members rose*)

**THE SPEAKER:** She is on point of procedure.

**MS MBABAZI:** Are we proceeding well that the Leader of the Opposition now says we have never investigated the matter?

**THE SPEAKER:** Hon. Mbabazi, the issue being raised is on fisheries not human rights. In my thinking, if my brother, the Leader of the Opposition, does not have the trust in the Committee on Human Rights alone, we can have two committees. We have always got very good results when we combine committees. We can get the Committee on Internal Affairs together with the Committee on Human Rights and they will handle that properly.

Honourable members, that will give you results. *(Applause)*

I want to thank you for today, and the House is adjourned to 2.00 p.m. tomorrow.

*(The House rose at 5.52 p.m. and adjourned until Wednesday, 6 December 2023 at 2.00 p.m.)*