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APPLYING THE 'PLUMB LINE' OF UGANDA'S BILL OF RIGHTS: HUMAN RIGHTS AND THE DRAFT BILL ON REFUGEES

Hannah R. Garry*

I. INTRODUCTION

The legal obligations of States to protect human rights are standards by which States can be legitimately and objectively judged . . . a State's lack of compliance with its obligations means that public national and international pressure, be it political, diplomatic, economic, or social, can be used justifiably against a State.¹

The above citation points to the fact that within the contemporary international legal order, the State as a legal personality in international law has a duty to respect and protect the human rights of individuals within its jurisdiction. The premise of this article is that this obligation extends to all persons at any one time living within a particular State's borders, and that these persons have a special claim to specific fundamental rights under international law. As human beings, refugees inherently enjoy the same rights. Refugee rights are protected in international human rights conventions, including refugee law—a special category of law created by the international community to address the unique protection needs of refugees. Being outside the physical boundaries of their country of origin due to a well-founded fear of persecution on grounds of race, religion, nationality, political opinion, or membership of a social group, refugees are non-citizens who fall outside the domestic legal framework of protection in the host State. International refugee law was therefore established to specifically address the problems of refugees, and complements the current broader human rights framework generally protecting refugees as human beings in order to assist States meet their obligations. Of particular concern in this article is applying the 'plumb line' of the Bill of Rights in Uganda's 1995 Constitution to proposed legislation on refugees.

* Research Consultant, University of Oxford, United Kingdom.

1. Robert McCorquodale, *Human Rights and the African Charter of Human and Peoples' Rights*, in *HUMAN RIGHTS AND THE MAKING OF CONSTITUTIONS: MALAWI, KENYA, AND UGANDA* 23 (Joanna Lewis et al. ed., 1995).

II. HUMAN RIGHTS IN UGANDA

The legacy of Uganda's past was characterized by gross human rights violations and a disregard for justice and the rule of law by a series of authoritarian regimes.² This left almost a million dead, two million refugees, numerous others injured, and an incalculable amount of property damaged.³ As a part of the process of constructing a new Uganda beginning in 1986, the National Resistance Movement (NRM) government took several tangible measures towards fulfilling its promise of restoring respect for human rights. These steps included: establishment of a Commission of Inquiry to investigate past violations of human rights from 1962-1986; institutionalization of the Inspector General of Government (IGG) to investigate government corruption and violations of human rights; accession to the UN Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment on 3 November 1986; and ratification of the African Charter on Human and People's Rights on 10 May 1986. These initial steps won international applause. In his article "A Nation on the Mend" George Abagiah wrote: "The recourse to the rule of law is one of the more spectacular achievements of the ten month old government of Museveni."⁴ Presently, the legal framework for human rights protection is clearly established: Uganda has incorporated the 1949 Geneva Conventions into national law by passing the Geneva Conventions Act,⁵ and is party to the 1966 International Covenant on Civil and Political Rights (ICCPR), the 1966 International Covenant on Economic, Social and Cultural Rights (ICESCR), and the 1979 Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), among others. Consequently, over the last ten years of the NRM administration, Uganda has secured international renown as one of the more stable countries in the Eastern region of Africa, with a commitment to addressing and investigating human rights abuses.

One of the major achievements of the Ugandan government towards respect for human rights within domestic law has been the enactment and promulgation of the 1995 Constitution. Nascent as the Constitution is, there has been a wide range of views regarding its efficacy as the foundation for the rule of law and democracy in Uganda. Despite this debate, it is evident that with respect to human rights protection, the Constitution is a landmark achievement due to its inclusion of a twenty-page Bill of Rights which

2. These were Milton Obote 1966-71, Idi Amin 1971-79, and Milton Obote 1980-85.

3. Robert Remo Bissio, *Uganda*, in *THE WORLD: A THIRD WORLD GUIDE* 1995/96 (1995) at 553-555.

4. Cited in G.W. Kanyeihamba, *Human Rights In Uganda: A New Dawn?* (Paper presented to Oxford University's Refugee Studies Programme, 24 October, 1986) at 10.

5. Cap. 323, Laws of Uganda (1964).

implements in large measure the International Bill of Human Rights. The Constitution also institutionalizes the Uganda Human Rights Commission (UHRC) for the ongoing investigation of human rights abuses in Uganda. Uganda has set an admirable precedent in the East African region by actively entrenching human rights protection into its primary document in domestic law. This establishes the foundation for incorporating human rights protection in future legislation, including refugee law. Indeed, the Constitution states that the enumerated rights are recognized by Uganda as "fundamental rights and freedoms of the individual" which are "inherent" and not dependent upon State recognition of them.⁶ Thus, although the Bill of Rights may not have been formulated with Uganda's refugee populations specifically in mind, the scope of application nevertheless extends beyond Ugandan citizens to all individuals within the country's borders.

It should be noted, too, that Chapter Three of the 1995 Constitution which governs the question of citizenship is relevant for the protection of refugees through the provision for the naturalization of aliens. This is the "durable solution" promoted in the 1951 Convention.⁷ The Constitution allows everyone who has lived in Uganda at least 20 years before the coming into force of the Constitution to apply for citizenship of the country.⁸ This provision, it can be argued, covers for some of the "long-staying" refugees in Uganda such as those from the Congo and Rwanda.

III. HUMAN RIGHTS PROTECTION UNDER UGANDA'S REFUGEE LEGISLATION

Amnesty International has observed that once a nation's Constitution incorporates human rights safeguards which are equal to or greater than existing minimum international standards, national law and practice needs to be reviewed and amended accordingly. This will prevent a clash between domestic legislation and the new Constitution and minimum international human rights standards.⁹ In the case of Uganda, the new Constitution promises an impressively large "bundle of rights" for citizen and non-national alike. However, many of these rights have been borrowed verbatim from existing international human rights conventions and thus stand a risk of lacking any specific guidance as to actual implementation. A question thus arises: What new domestic legislation will be needed, and

6. See, UGANDA CONST. art. 20(1) (1995).

7. See, *Convention Relating to the Status of Refugees*, July 28, 1951, art. 34, U.N.T.S. 137 (calling for the contracting states to "facilitate" the naturalization of refugees) (hereinafter 1951 Refugee Convention).

8. UGANDA CONST, *supra* note 6, art. 12(2)(c).

9. AMNESTY INTERNATIONAL, UGANDA: RECOMMENDATIONS FOR SAFEGUARDING HUMAN RIGHTS IN THE NEW CONSTITUTION I (AFR 59/03/94, 1994).

which domestic laws will require amendment to clarify and reinforce these rights, particularly to provide protection to refugees?

The first answer to this question is the refugee legislation that is currently in force in Uganda, namely, the 1964 Act to "Make Provision for the Proper Control of Alien Refugees, for Regulating their Return to their Country of Residence and for Making Provision for their Residence while in Uganda" (hereinafter Control of Alien Refugees Act or "CARA"). Uganda is now drafting a new refugee bill which will hopefully eliminate the discrepancies between the current Act, the new Constitution, and international human rights and refugee law. The 1964 Act was enacted before Uganda ratified the 1951 Refugee Convention. The Act therefore affords neither protection nor human rights to refugees. According to Al-Omari, the underlying aim of the Act was to "control."¹⁰ The very title of the Act, he argues, "implies force and restriction rather than protection."¹¹ The structure of the Act inherently abrogates the refugees' right to freedom of movement by establishing a permits system and requiring refugees to reside in settlement camps. Furthermore, these restrictive measures abrogate other rights such as free access to courts, work, residence and naturalization; freedom from deprivation of property; and the *jus cogens* right to a fair hearing. Through the categorical definition of a refugee, the Act ignores Uganda's international obligations under international law to protect individual cases.¹² Moreover, arbitrary power is placed in the hands of a select few over refugees within settlements which potentially leads to abuse. Consequently, legal analysis in light of human rights protection requires that "mere amendment" of the Act would not be enough to bridge these substantive and structural gaps. What is needed is an overall restructuring which can only be achieved by enacting a new law.¹³

Consistent with Uganda's recent attempts to "break with the past," the entire 1964 Control of Alien Refugees Act is being repealed and a new draft formulated. In July 1996, a draft bill was produced which seeks to uphold Uganda's obligations as a signatory to the 1951 Refugee Convention, the 1967 Protocol Relating to the Status of Refugees (hereinafter the 1967 Protocol), and the 1969 OAU Convention Governing Specific Aspects of the Problems of Refugees in Africa.¹⁴ The greater part of the draft is in *pari materia* with the

10. See, G. Al-Omari, *Notes on the 1964 Act to Make Provision for the Proper Control of Alien Refugees, for Regulating their Return to their Country of Residence and for Making Provision for their Residence while in Uganda* (Paper presented to Oxford University's Refugee Studies Programme, July 1995), at 4.

11. *Id.*, at 4.

12. *Id.*, at 6.

13. *Id.*, at 1.

14. See, *OAU Convention Governing the Specific Aspects of Refugee Problems in Africa*, Sept. 10,

Refugee Act of Zimbabwe, a piece of legislation that has been highly lauded as a model for refugee protection.¹⁵

Subsequent to the issuance of the 1996 draft bill, a civic group of concerned lawyers, aid workers, human rights activists, academics, researchers, the media, and students constituted themselves into the Uganda Refugee Law Group (URLG) and began a series of meetings at Makerere Institute of Social Research (MISR) to discuss the bill. The group derived its legitimacy from the National Objectives and Directive Principles of State Policy in the 1995 Constitution which encourage active participation at all levels of governance, including the formulation of legislation. Thus, beginning in October 1997, over forty individuals have taken it upon themselves to submit recommendations to the joint drafting committee writing the refugee law in order to lobby for greater human rights protection for refugees.¹⁶ While they commended the 1996 draft's incorporation of international refugee law by making provision for the right to employment and the right of appeal against the refusal to grant asylum, they noted that the draft contains several contradictions. These include restrictions on freedom of movement and the lack of an adequate machinery for the enforcement of human rights protection.¹⁷ Furthermore, the stated right to appeal on an individual asylum claim does not provide for certain procedural requirements for due process.¹⁸ Finally, the group noted that certain fundamental rights are missing such as the right to a Conventional Travel Document (CTD), and the right of access to courts of law and a free and fair hearing.¹⁹ The URLG thus called for the rectification of these contradictions, the inclusion of fundamental rights presently missing in the draft, and emphasis on local integration as a durable solution to the plight of refugees.

IV. THE 1996 DRAFT REFUGEE BILL: A CRITICAL ANALYSIS

The following critique of Uganda's new refugee bill is made on the basis of the 1995 Constitution's Bill of Rights and the incorporation of Uganda's obligations of human rights protection under international human rights and refugee law. The underlying premise of the analysis is the view that within the human rights arena, there is no hierarchy as to

1969, 1001 U.N.T.S. 45 (hereinafter 1969 OAU Convention).

15. See, Zimbabwe Refugees Act (Act No. 13, 1983).

16. See, UGANDA REFUGEE LAW GROUP, RECOMMENDATIONS TO THE JOINT DRAFTING COMMITTEE FOR DEVELOPING UGANDA'S DRAFT REFUGEE BILL (April, 1998).

17. *Id.*, at 4.

18. These include a written reason for the denial of status, access to legal counsel, and appeal to an independent board. See, *id.*, at 2-3.

19. *Id.*, at 3-6.

the importance of certain rights over others such as civil and political over economic, social and cultural. The one exception is for those rights specifically defined as *jus cogens* which are "non-derogable" in any circumstance, even under a national state of emergency. Articles 55 and 56 of the UN Charter—the major international treaty—call for States to promote and take joint and separate action for upholding the principle of 'equal rights' for creating 'conditions of stability and well-being.' These articles emphasize that the concept of human rights includes both civil and political rights, and rights of an economic and social character.²⁰ Economic and social rights are equally crucial for the realization of civil and political rights as in the reverse case.²¹ As Professor McCorquodale argues, it is impossible to create a hierarchy of rights as rights are interrelated and interdependent.²²

The main strengths of the draft refugee bill include its incorporation of fundamental rights specific to the category of persons known as 'refugees'. The bill begins with the definition of a refugee in accordance with the 1951 Refugee Convention and the 1969 OAU convention. It proceeds to incorporate the protection of the fundamental right to seek asylum as provided for in article 14(1) and (2) of the 1948 Universal Declaration of Human Rights²³ and article 12(3) of the 1981 African Charter on Human and People's Rights,²⁴ and protection from expulsion and refoulement as found in articles 32 and 33 of the 1951 Refugee Convention and article II(3) of the 1969 OAU Convention. The bill provides both for individual status determination procedure in line with the 1951 Refugee Convention and for *en masse* status determination for specific groups of people in line with the 1969 OAU Convention. This act is to be commended for allowing the asylum seeker and his/her family to remain in Uganda pending the outcome of the status determination procedure. A major achievement in this regard is the bill's inclusion of the right to appeal in status determination—a right that was previously neglected in the old law. Furthermore, once a refugee has been duly recognized, the draft bill allows for the issuance of an identity card for the refugee and his/her family for purposes of protection and travel within Uganda. This identity card is in line with article 27 of the 1951 Refugee Convention. The bill also incorporates the economic right of the refugee to engage in wage-earning employment found

20. See, Chaloka Beyani, *Human Rights and the African Charter on Human and Peoples' Rights*, in HUMAN RIGHTS AND THE MAKING OF CONSTITUTIONS: MALAWI, KENYA AND UGANDA 35 (Joanna Lewis et al. ed., 1995).

21. J. Oloka-Onyango, *Beyond the Rhetoric: Reinventing the Struggle for Economic and Social Rights in Africa*, in 26 CAL. W. INT'L L.J. 1995.

22. McCorquodale, *supra* note 1, at 27.

23. *The Universal Declaration of Human Rights*, GA Res. 217A, 3d Sess., U.N. Doc. A/810, at 71, art. 12(1) (1948) (hereinafter UDHR).

24. *African Charter on Human and Peoples' Rights*, June 27, 1981, art. 12(3), OAU Doc. CAB/LEG/67/3 rev.5, 21 I.L.M. 58 (1982) (hereinafter Banjul Charter).

in section 13(3). This provision is in line with Article 40(2) of Uganda's Bill of Rights. It is also in line with international law as specifically provided for in article 17 of the 1951 Refugee Convention, article 23(1) of the UDHR, and Article 15 of the Banjul Charter. Finally, the draft bill demonstrates Uganda's commitment to abide by international refugee law standards by including a provision in section 13(1) for entitlement to all rights and obligations contained in the 1951 Refugee Convention and the 1969 OAU Convention. It may thus be argued that although certain rights are not expressly stated, this provision may be used to claim them as they are laid down in international refugee law.

However, the draft refugee bill contains several inconsistencies as well as omissions of international human rights standards which must be addressed if Uganda is to ensure that refugees are given respect as human beings within its borders. First of all, the bill along with article 29(2) of the Uganda Constitution does not expressly provide for the fundamental right to freedom of movement, an omission that violates article 26 of the 1951 Refugee Convention.²⁵ If the Refugee Commissioner is allowed to specify certain areas where certain categories of refugees should not reside under the draft bill, on what grounds does he or she do so? The 1969 OAU Convention is the only document in refugee law that provides for the settling of refugees in a specific area, particularly a reasonable distance from the border, for reasons of security.²⁶ It is recommended that this clause be changed to allow for freedom of movement for refugees except in specific areas which are shown to be forbidden for justifiable reasons of national security. Freedom of movement is crucial for physical protection and for the realization of various civil and political, as well as economic, social and cultural rights necessary for survival—including access to courts, work, and education—and is protected generally in human rights law.²⁷ If the Minister is indeed to specify certain areas in Uganda where refugees are not allowed to reside, it is recommended that these should be on the demonstrable grounds of national security in accordance with the 1969 OAU Convention.

Secondly, freedom of movement is further restricted in the draft by the exclusion of the CTD, a very crucial right accorded refugees in article 28 of the 1951 Refugee Convention. One of the most important protection measures a host State takes on behalf of the individual refugee as a non-citizen is the issuance of a travel document allowing free movement outside the host State as stated in article VI(1) of the 1969 OAU Convention. In claiming refugee status, an individual turns over any passport and identity documents

25. This article provides for freedom of movement for the individual refugee 'subject to any regulations applicable to aliens generally in the same circumstances.'

26. See, Article II, § 6.

27. See, e.g., Article 13(1) of the UDHR, article 12 of the International Covenant on Civil and Political Rights (ICCPR), and article 12 of the Banjul Charter.

issued by the state of origin which leaves him/her without any possibility of travel outside the host country. CTDs are especially important, for example, in enabling refugees to seek education abroad or to seek resettlement in pursuance of the 'durable solution' as provided in international refugee law. Provision must therefore be expressly made in the new law for CTDs in accordance with international refugee law.

The third flaw in the draft is the omission of the *jus cogens* right to a fair hearing as encompassed in articles 28 and 44 of the Uganda Bill of Rights and article 10 of the UDHR, article 14(1) of the ICCPR, and article 7(1) of the Banjul Charter. Such a provision is crucial for refugees seeking legal protection from various violations of other rights in the host State. Along with this right is that of access to the courts of law which may be contingent upon the freedom of movement accorded to refugees. This right is expressly protected in article 50 of the Ugandan Constitution as well as article 16 of the 1951 Refugee Convention, and should be incorporated into the refugee bill.

Other rights accorded in refugee law which have not been specifically mentioned in Uganda's draft bill include freedom of religion, rights regarding juridical status (including freedom to acquire movable and immovable property), the right of non-political association, and welfare rights concerning public education, housing, and public relief all of which are protected in the country's Bill of Rights. Finally, the draft bill fails to promote local integration as a means of protection in the host State. This failure is manifested in a number of ways. First of all, as earlier noted, there is restriction on freedom of movement which is effected through the assignment of refugees to settlements or transit camps. Secondly, although allowance is made in the 1995 Constitution for the naturalization of aliens, the draft refugee bill does not make any mention of facilitating the naturalization of refugees as a form of protection contrary to the Constitution and article 34 of the 1951 Refugee Convention. Thirdly, by placing the affairs of refugee administration in a central government ministry, the bill structurally inhibits local integration in Uganda's uniquely decentralized system of governance through the local council system. Centralization of refugee affairs may discourage local councils from embracing and integrating refugees whom they may perceive as being of no concern to them.

Generally, refugees should not be seen as only requiring temporary protection and be kept alive on survival rations from international aid. Rather, refugees should be seen as persons entitled to durable and permanent solutions to their problem of protection which includes local integration, voluntary repatriation, and resettlement. It is on this premise that I make a number of recommendations in an effort to 'line up' the refugee bill with international law. As such, certain general observations on necessary changes must be made in regard to the text of the bill and the future administration of refugee affairs in Uganda.

To begin with, the definition of a refugee and subsequent references to refugees are gender-biased. It is recommended that any reference to refugees should be made in gender-

neutral terms as the first step towards avoiding inequality and discrimination.²⁸ Serious attention should be paid to article 21(2) of Uganda's Bill of Rights which rejects any notion of discrimination on the grounds of sex and article 33(1) which calls for women to be "accorded full and equal dignity of the person with men." Both law and practice in Uganda must be seen to avoid such discrimination against women refugees, especially since Uganda is signatory to the 1979 Convention Against the Elimination of All Forms of Discrimination Against Women (CEDAW). This bill is an opportunity for Uganda to demonstrate its commitment to ending discrimination against women, an ideal that is upheld in the 1995 Constitution, and which has informed most of the bills passed by Uganda's parliament since the constitution came into force.

Secondly, it is interesting, especially in an African context, to find the family defined as including only the "nuclear family."²⁹ It is recommended that members of an individual refugee family be extended to include dependent relatives. Changing the phrase "members of his/her family" to include members of the extended family who are dependent upon a refugee for survival is more realistic with practice especially in the African context.

Thirdly, with regard to the administration of refugees, the system is executive-centric with almost sole authority vested in the Minister. While section 4(2) of the bill provides for a National Refugee Council which has "overall responsibility for all refugee matters and shall co-ordinate all efforts and measures necessary for promoting the welfare of refugees and shall advise the Minister on such matters," this body seems to serve primarily an advisory function to the Minister. Moreover, its chairperson is directly appointed by the Minister. It is recommended that the administration of refugees should officially be delegated to the local councils in the hosting districts.

Fourthly, centralization of refugee affairs either minimizes or ignores the role of the United Nations High Commissioner for Refugees (UNHCR). The Committee on Refugee Status which is responsible for individual status-determination has as its chairperson the Commissioner who is directly responsible for compliance with general directions from the Minister. Although this committee is established in line with EXCOM Conclusion No. 8 (XXVII),³⁰ the UNHCR is not given a role on it to exercise its advisory function on asylum applications. There are no "checks" to ensure that procedures such as personal interviews with refugees, oral testimonies, or legal advice in presenting their cases are fair. The UNHCR is thus denied its monitoring and protection role in the process of refugee status-

28. Cf. Sylvia Tamale and J. Oloka-Onyango on Refugee, Forced Displacement and Gender Violence in Uganda: The Case of Refugee Women (Unpublished research study for the Netherlands Embassy, March 1997).

29. See, Section 2(1) in the bill's preliminary interpretation of terms.

30. See, Report of the 28th Session, UN doc. A/AC.96/549 (1977), ¶ 53.6.

determination. This denial contravenes the recommendations in the 1979 *Handbook on Procedures and Criteria* and the 1982 EXCOM Resolution No. 28 (XXXIII)³¹ where the UNHCR is to supervise the application of the 1951 Refugee Convention and the 1967 Protocol as a decision-maker, participant, observer/adviser, or even case reviewer on an appeal for a-rejected case. This loophole is further aggravated by section 8(7) whereby all final decisions on appeals made to rejected cases are to be made solely by the Minister. The National Council, on which the UNHCR also sits, may or may not be notified of the appeal and subsequent decision at the Minister's "discretion."

It is recommended that the National Refugee Council's express functions in "promoting the welfare of refugees" be specifically stated, including the rules of procedure to be followed and the frequency of meetings to be held in discharging its duties. This will hopefully ensure a more systematized due process status-determination procedure. The Council should serve as a check and balance to the Minister with the ability to make independent recommendations for the greater promotion of refugee welfare. The UNHCR should at least be given an observer/adviser role on the Committee on Refugee Status established in section 6 and be allowed the freedom to review rejected cases and those set for appeal in order to advocate on behalf of refugees. Finally, and most importantly, refugees should be allowed personal interviews, oral testimonies, and access to legal advice for presenting their cases as a safeguard against arbitrary decisions made as to refugee status.³²

V. CONCLUSION

The intention of this paper has been to apply the "plumb line" of Uganda's Bill of Rights along with international human rights standards and refugee law to Uganda's 1996 draft refugee bill. The 1995 Constitution has admirably incorporated many of the civil, political, economic, social, and cultural rights accorded to human beings under the International Bill of Human Rights. As human beings, refugees in Uganda are entitled to the same human rights and the new Constitution is a promising piece of legal protection on their behalf. It is necessary, however, for Uganda to take concrete measures to incorporate this Bill of Rights into its refugee legislation which currently abrogates international obligations to provide protection for refugees within its borders.

This analysis is meant to provide guidelines for respect of the human rights of refugees as Uganda debates this crucial piece of legislation. While section 13 (i) and (ii) of

31. See, Report of the 33rd Session, UN doc. A/AC.96/614 (1982), ¶ 70(4).

32. See, Procedure for Processing Asylum Claims (Annex I to the bill).

the 1996 draft admirably incorporates all rights found in the 1951 Refugee Convention and 1969 OAU Convention, it still restricts the fundamental right to freedom of movement. It also does not expressly provide for the right to CTDs or free access to courts as expressed in international human rights law. Moreover, specific welfare rights are not addressed, such as the right to education and public relief. Furthermore, the bill as a whole tends to treat refugees as a temporary phenomenon and, by centralizing refugee administration, it fails to promote local integration and naturalization of refugees as a durable solution to the refugee problem in Uganda. Administration of refugee matters under this bill will result in their being controlled by a single individual, the Minister, with an advisory Council for Refugees. This arrangement will leave the chairperson of the Committee for Refugee Status directly responsible to the Minister and the UNHCR with no role in the final decision made on individual cases.

In summary, a Bill of Rights in the 1995 Constitution and the changing of the national refugee bill are only the initial steps in Uganda's establishment of the rule of law with regard to the protection of the human rights of refugees. What needs further assessment is other legislation applied towards refugees while in Uganda. Also, the mechanisms and tools used for enforcement and implementation of these laws must be assessed in terms of due process. Finally, how these laws are translated into refugee policy and standards of treatment of refugees "on the ground" must be studied. Evidence from individual interviews with refugees indicates that human rights abuses against refugees in Uganda continue. Thus, a refugee bill which protects fundamental rights and freedoms is only the first step for Uganda in fulfilling her international obligations and setting a regional standard for providing protection for refugees within her borders. Uganda is admirably continuing on the move towards democracy and the rule of law through its formulation of a new refugee bill as the natural "next step" following passage of the 1995 Constitution. By passing a refugee bill which upholds refugee rights, Uganda will seize the opportunity to set a precedent not only in the region, but all over the globe where refugee legislation in many States is restrictive and abrogates human rights standards for refugees.