The Human Rights Centre Uganda

ESSUULA EYOKUNA MU SSEMATEEKA WA UGANDA NG'KWATA KUDDEMBE LYOBUNTU ELYOBWEBANGE: EKIGONZEDDWA N'KUFUNZIBWA

ENYANJULA:

Essuula eyokuna mu ssemateeka wa Uganda owolukumi mwolwenda kyenda mwetaano (1995) ekwata kuddembe ly'obuntu elyobwebange buli muntu lyalina olwokubeera omntu era eritaweebwa buweebwa, ate era eritamala gagyibwaawo muntu yenna.

Akatabo kano kokutte kekasooka mubutabo ekitongole kyobwanakyeewa ekya Human Rights Centre Uganda (HRCU) bwekikubye era nekibukyuusa mu nnimi za Uganda musanvu (7) nga kwotadde Olukyooli, Oluteeso, Olulanggo, oluswayili, olunyankole olukiga, olunyolo, olutoolo n'oluganda.

HRCU teyerabidde nti eriyo ebitongole ebirala ebiyinza okuba nga byavvuunula dda ssemateeka wa Uganda, era okwo kwetwongereza okulaba nti twongera okugonza mululimi lwassemateeka naddala mu ssuula eyokuna nga tuyita mukatabo kano.

HRCU eteekateeka okugenda mumaaso ng'eyigiriza bannansi byonna ebikwata kuddembe lyobuntu eryobwebange, era osabiddwa okulaba nti ebiwandiiko bino obituusa nekubalala nga bwosobola.

HRCU yebaza nnyo Embassy y'obwakabaka bwa Norway era ne Irish Aid olwobuyambi bwonna obutusobozeseza okukuba obutabo bunno.

Era tweyongera n'okwebaze Uganda Law Reform Commission (ekitongole kyagavumenti ekivunaanyizibwa kukuzza obujja amateeka ga Uganda gonna) olwobukugu bwebatuwadde okutusobozesa okukola omulimu gunno.

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Ennyingo Nnamba 4 Eya Ssemateeka Egonzeddwaamu

Ennyingo 20

1) Ffenna tuzaalibwa nga tulina eddembe era nga twenkana mu kitiibwa n'eddembe. Eddembe lyaffe terituweebwa gavumenti.

2) Eddembe lyaffe ery'obuntu ery'obwebange, gavumenti n'ebitongole byayo wamu n'abantu abalala balina okulissaamu ekitiibwa n'okulitumbula.

Enyingo 21

1) Ffenna amateeka gatulamula kyenkanyi, tewali ali waggulu wa mateeka era tulina eddembe okuweebwa obukuumi bw'amateeka kyenkanyi.

2) Tetuteekeddwa kusosolwa oba okusosola'bantu balala olw'ekikula kyabwe, eggwanga, langi, obuzaale, eddiini, embeera zaabwe ezaabulijjo, enfuna yaabwe, endowooza zaabwe ez'ebyobufuzi oba obulemu bwomibirir obw'engeri yonna.

3) Olukiiko lw'eggwanga olukulu luteekeddwa okukola amateeka ageetaagisa okumalawo obusosoze oba okuboolebwa mu mbeera ezaabulijjo mu bitundu abantu mwe babeera.

Ennyingo 22

1) Ffenna tulina eddembe okubeera abalamu eritateekeddwa kutuggyibwako okuggyako mu kibonerezo eky'akalabba nga kiweereddwa n'okukakasibwa kkooti ezirina obuyinz'obwo.

2) Okuggyamu olubuto tekukkirizibwa okuggyako mu mbeera ekkirizibwa amateeka.

Ennyingo 23

1) Tewali muntu yenna ateekeddwa kusibwa oba okuggalirwa mu kkomera okuggyako nga kikoleddwa olw'ensonga erambikibwa mu mateeka agali mu ssemateeka w'eggwanga lya Uganda.

2) Omuntu yenna bw'aba asibiddwa oba ng'aggaliddwa mu kkomera, ateekwa okutegeezebwa ensonga emuviiriddeko okukwatibwa,

era n'akuumibwa mu kifo ekikkirizibwa mu mateeka era atekeddwa okutwalibwa mu kkooti mu ssaawa ezitasukka ana mumunaana (48).

3) Omuntu yenna bw'avunaanibwa omusango mu kkooti alina eddembe okuyimbulwa ku kakalu ka kkooti, kasita kkooti ekkiriza.

4) Omuntu yenna bw'akwatibwa n'aggalirwa mu ngeri emenya amateeka, alina okuliyirirwa olw'okusibwa mu bukyamu n'okukuumirwa mu busibe mu ngeri emenya amateeka.

Ennyingo 24

Tewali alina buyinza kukutuusaako bulabe ku mubiri oba ku by'obwongo oba okukutulugunya ng'ayita mu kukuba oba engeri endala yonna ey'okuyisibwa obubi.

Ennyingo 25

1) Tewali muntu yenna alina kufuulibwa muddu oba okukuumibwa mu buddu.

2) Tewali muntu yenna alina kukozesebwa mirimu mu buwaze okuggyako:

   i. Nga kkooti erina obuyinza y'emusalidde ekibonerezo ekyo.

   ii. Nga mirimu gya kkomera egyetaagisa okukuuma ekifo w'akuumirwa nga kiyonjo.

   iii. Nga mirimu egyetaagisa ku muntu ali mu magye.

   iv. Nga mirimu egyetaagisa mu kiseera eky'akatyabaga n'ebibamba

   v. Nga mirimu egitegeerekeka mu kutuukiriza obuvunaanyizibwa oba kkatala ly'ekitundu eriyamba abantu bonna okutwalira awamu.

Ennyingo 26

1) Buli muntu alina eddembe okubeera n'obwannannyini ku by'obugagga nga ssekinnoomu oba ng'ali wamu n'abantu abalala.

2) Eky'obugaggaky'omuntu(naddalangaettaka)tekiimuggyibwengako okuggyako:

   i. Nga kyetaagibwa okukolerwako emirimu egiyamba abantu bonna; oba ku lw'ensonga z'ebyokwerinda by'eggwanga; oba olwobukuumi bw'abantu; okukuuma emirembe n'enneeyisa oba eby'obulamu ebiyamba abantu bonna.

   ii. Okuggyibwako eky'obugagga kulina okukolebwa nga nnyinikyo amaze okuliyirirwa bulungi mu ngeri ey'obwenkanya era entuufu.

3) Tewali tteeka linaaziyizanga muntu yenna kugenda mu kkooti kuwakanya kuggyibwako kw'akyabugagga kye oba eky'omuntu omulala mu buwaze.

Ennyingo 27

Buli muntu alina eddembe ku bulamuubwe obw'ekyama, n'okubwesigaliza, ku makaage, ne ku by'obugagga bwe era tarina kwazibwa oba kulinyirilwa mu ngeri emenyamateeka. Amaka gaffe n'eby'obugagga byaffe tebirina kwazibwa, kuyingirwamu oba kutaataaganyizibwa mungeri emenya mateeka.

Ennyingo 28

1) Ffenna tulina eddembe okwewozaako n'okuwozesebwa mu bwangu mu kkooti erina obuyinza oba akakiiko akabuuliriza akassiddwaawo mu ngeri egoberera amateeka.

2) Omuntu bw'abeera nga'vunaanibwa omusango;

   i. Waakutwalibwanga nti teyaguzza okutuusa nga kikakasiddwa kkooti oba nga ye yennyini akkirizza nti yaguzza.

   ii. Alina okutegeezebwa omusango ogumuvunaanibwa mu lulimi lw'ategeera, amangu ddala nga yaakakwatibwa.

   iii. Alina okuweebwa obudde obumumala okutegeka enneewozaako ye.

   iv. Alina okukkirizibwa okulabikako mu kkooti mu buntu oba ng'ayita mu puliida we gw'aba yeerondedde okumukiikirira.

v. Ateekeddwa okuweebwa looya asasulwa gavumenti, singa omusango oguba gumuvunaanibwa gubeera gwa naggomola oguliko ekibonerezo ky'okuwanikibwa kkalabba oba okusibw'amayisa.

vi. Alina eddembe okufuna omutaputa singa aba nga tasobola kutegeera lulimi lwogerwa mu kkooti

vii. Ateekwa okuteerwawo embeera emusobozesa okubuuza abajulizi ebibuuzo wamu n'okukkirizibwa okuleeta abajulizi ababe.

3) Singa omuntu yenna abeera avunaanibwa omusango, okuwozesebwaakwe kulina okugenda mu maaso nga ye yennyini waali, okuggyako nga kkooti eragidde omuntu oyo aleme kubeerawo nga yeesigama ku nneeyisa n'enkola y'omuntu oyo ng'okubeerawo kwe mu kkooti tekujja kusobozesa musango kugenda mu maaso.

4.) Omuntu yenna tayinza kuvunaanibwa n'akusingisibwa musango olw'ebikolwa oba ensobi gye yakolera mu kiseera ng'omusango'gwo, ekikolwa ekyo oba ensobi eyo tennafuulibwa musango.

5) Omuntu yenna tayinza kuvunaanibwa n'akusingisibwa musango, ng'ate abadde yasonyiyibwa omusango ogwo gwegumu mu ngeri egoberera amateeka.

6) Omuntu yenna tayinza kuddamu kuvunaanibwa musango gwegumu gwe yasingisibwa oba gwe yejjeerera, okuggyako nga kkooti eya waggulu y'ewadde ekiragiro mu kujulira oba mu kuddamu okwetegereza omusango ogwo.

7) Okuggyako omusango gw'okunyomoola kkooti, emisango emirala gyonna girina okunnyonnyolwa mu mateeka. Omuntu yenna tayinza kusingisibwa musango gutalambikiddwa mu mateeka nga n'ekibonerezo kyagwo tekirambikiddwa.

8) Omwami oba omukyala omufumbo tajjanga kukakibwa kuwa bujulizi kwu mwami oba mukyala we.

Ennyingo 29
Ffenna tulina;

i. Eddembe okwerowooleza n'okukkiriza ekyo kyetwaggadde nga ssekinoomu.

ii. Eddembe ly'okweyogerera n'okunnyonnyola bye tulowooza.

iii. Eddembe okusinza muddiini yonna gye twesaliddewo kasita ebeera nga temenya ssemateeka.

iv. Eddembe okukuba enkung'aana n'okwekalakaasa nga ssekinnoomu oba n'abantu abalala mu ngeri ey'emirembe.

v. Eddembe okwekolamu ekibiina, okwegatta ku kibiina oba ebibiina nga n'ebibiina by'obufuzi mw'obutwalidde.

vi. Eddembe okutambula mu buli kitundu kya Uganda awatali kutangirwa kwonna, okusenga n'okubeera mu kitundu kya Uganda kyonna kyoboyagadde.

vii. Eddembe okuyingira mu Uganda, okufuluma ebweru w'eggwanga n'okudda mu Uganda.

viii. Eddembe okuweebwa Paasipoota(akatabo akakwogerako akakukkiriza okufuluma nokuyingira ensi endala) n'ebiwandiiko ebiyamba omuntu okutambula.

Ennyingo 30
Ffenna tulina eddembe okusoma.

Ennyingo 31

1) Abasajja n'abakazi bonna abawezezza emyaka 18 n'okusingawo balina eddembe okuwasa, okufumbirwa n'okutandika amaka.

2) Obufumbo bw'abantu ab'ekikula kyekimu, omusajja ku musajja oba omukazi ku mukazi tebukkirizibwa era bumenya mateeka.

3) Obufumbo okubaawo wateekwa okubeerawo okukkiriziganya wakati w'omwami n'omukyala abafumbiriganwa.

4) Omwami n'omukyala balina eddembe eryenkanankana mu kiseera eky'okufumbiriganwa, mu kiseera nga bali mu bufumbo era ne mu kusattulula obufumbo obufumbo obwo. Eddembe lino lizingiramu obuyinza ku baana, eby'obugagga n'ebirala.

5) Buvunaanyizibwa bw'abazadde okulabirira abaana baabwe n'okubakuza obulungi

6) Abaana tebajjanga kwawulwa ku bazadde baabwe oba ku bakuza okuggyako nga kikoleddwa mu ngeri egoberera amateeka.

7) Palamenti eteekeddwa okuyisa amateeka agakuuma eddembe lya bannamwandu n'ery'abasajja abafiiriddwako bakyala baabwe ku by'obugagga n'abaana byebaba balese.

Ennyingo 32

1) Gavumenti yaakussaawo enkola etumbula embeera z'abantu ababadde banyigirizibwa olw'ekikula kyabwe, emyaka gyabwe, obulemu ku mibiri oba ensonga yonna eyeekuusa ku byafaayo, ennono n'obulombolombo.

2) Etteeka lyonna, eby'obuwangwa, obulombolombo oba ennono ebivvoola ekitiibwa, embeera ennungi oba ebyetaago by'abakazi oba eby'abantu abali mu ttuluba erinyigirizibwa, bimenya mateeka era ssemateeka tabikkiriza.

Ennyingo 33

1) Abakazi bonna bazaalibwa n'eddembe lyabwe era nga benkanankana n'abasajja mu kitiibwa ne mu ddembe ly'obuntu.

2) Gavumenti eteekwa okussaawo enkola n'ebyeyambisibwa mu kutumbula emikisa n'embeera ennungi n'obusobozi bw'abakyala.

3) Gavumenti eteekeddwa okukuuma abakazi n'eddembe lyabwe nga yeesigama ku kifo kyabwe nga bannakazadde b'eggwanga.

4) Abakazi balina eddembe lyerimu ng'abasajja lye balina era bateekeddwa okuweebwa emikisa kyenkanyi mu by'obufuzi, eby'enfuna n'embeera eza bulijjo.

6) Abakazi balina eddembe okuweebwa enkizo kiyambe mu kumalawo kyekubiira eyeesigamiziddwa ku byafaayo, ennono n'obulombolombo.

Ennyingo 34

1) Abaana bonna balina eddembe okumanya bazadde baabwe n'okulabirirwa obulungi okuva mu bazadde baabwe oba abakuza baabwe.
2) Gavumenti n'abazadde b'abaana balina obuvunaanyizibwa okuwa abaana baabwe bonna okuyigirizibwa kw'omu ssomero okutandikirwaako mu bulamu bwabwe.
3) Tewali muntu yenna anaalemesanga mwana kufuna bujjanjabi, okusoma oba okufuna obuweereza bwonna obwetaagibwa mu bulamu obwa bulijjo nga yesigama ku ddiini oba endowooza endala yonna.
4) Tewali mwana alina kunyunyuntibwa mu mbeera za bulijjo, oba mu by'enfuna, oba okukola emirimu egigootaanya okusoma kwe, oba egy'obulabe eri okukula kwe okwomubiri, obwongo, empisa n'embeera za bulijjo.
5) Bamulekwa bonna n'abaana abataliiko mwasirizi balina eddembe okuweebwa obukuumi obw'enjawulo okuva mu gavumenti.
6) Omwana azzizza omusango talina kusibirwa mu kkomera lyerimu omusibirwa abantu abakulu.

Ennyingo 35

1) Abantu abalina obulemu ku mibiri balina eddembe okussibwamu ekitiibwa n'okuyisibwa ng'abantu abalala.
2) Gavumenti yaakussaawo enkola okukakasa nti abantu abalina obulemu ku mibiri gyabwe bakozesa obusobozi bwabwe bwonna bwe balina mu by'obwongo.

Ennyingo 36
Abantu abatono mu muwendo balina eddembe okwenyigira mu kusalawo ku nsonga enkulu. Enteekateeka z'eggwanga zirina okutunula mu birowoozo n'ebyetaago byabwe.

Ennyingo 37
Ffenna tulina eddembe okusibuka, okweyagala, okukola, okwenyumiriza, okukuuma n'okutumbula ebyobuwangwa byaffe, obukulembeze bw'ennono, olulimi, ennono, enzikkiriza n'eddiini yaffe ng'abantu ssekinnoomu oba wamu n'abantu abalala.

Ennyingo 38
1) Ffenna tulina eddembe okwerondera gavumenti gye twagala okutukulembera (ngatuyita mukalulu) n'okwenyigira mu nzirukanya ya gavumenti ng'abantu ssekinnoomu oba nga tuyita mu bakiise baffe abalonde.
2) Ffenna tulina eddembe okwenyigira mu bisalwawo gavumenti nga tuyita mu nkola ez'emirembe nga ssekinnoomu oba nga tuli mu bibiina ebyawamu.

Ennyingo 39
Tulina eddembe okubeera mu bifo ebiyonjo, ebirimu eby'obulamu ebiri ku mutindo ebitateeka bulamu bwaffe mu katyabaga.

Ennyingo 40
1) Ffenna tulina eddembe okukola era nokukolera mubifo ebiyonjo, mumbeera ennungi era eyobulamu obweyagaza.
2) Ffenna tulina eddembe okuwummula n'okufuna ebiseera eby'eddembe kw'ossa n'essaawa ez'okukola ezitegeerekeka era ezisoboka wamu n'empummula ezituweebwa ku mirimu era nga ne mu kiseera ky'okuwummula tusigala tusasulwa.
3) Ffenna tulina eddembe okukola emirimu gye twasomerera n'okwenyigira mu mulimu gwonna ogutamenya mateeka, okugula n'okutunda ebyamaguzi n'obusuubuzi.

4) Buli mukozi yenna alina eddembe okwegatta ku kibiina ky'abakozi kye yeesiimidde era n'okukozesa eddembe lye obutereevu oba ng'ayita mu bakiise be okulwanirira ebigendererwa n'ebyetaago bye mu mbeera eza bulijjo ne mu by'enfuna.

5) Buli mukozi yenna alina eddembe okulekulira oba okugaana omulimu mu ngeri egoberera amateeka.

6) Abakazi bonna abali ku mirimu nga bali mbuto bateekeddwa okuweebwa obukuumi okuva mu babakozesa mu kiseera nga bali mbuto n'oluvannyuma lw'okuzaala.

Ennyingo 41

Tulina eddembe okutegeezebwa n'okufuna amawulire agakwata ku bintu bya gavumenti okuggyako ng'okufuna amawulire ago kiyinza okuteeka eby'obutebenkevu bw'eggwanga mu kaseera akazibu oba okuyingirira obulamu bw'omuntu omulala obw'ekyama.

Ennyingo 42

Ffenna tulina eddembe okuyisibwa mu ngeri ey'obwenkanya okuva mu bakulembeze n'abakungu oba ebitongole era tulina eddembe okukuba abakulembeze baaffe mumbuga za'mateeka kubiba bisaliddwaawo nga bitukosa.

Ennyingo 43

1) Ffenna tulina obuvunaanyizibwa okussa ekitiibwa mu ddembe ly'abantu abalala era mu kweyagalira mu ddembe lyaffe, nga tetuyingirira ddembe ly'abantu balala.

2) Okweyagalira mu ddembe ly'obuntu kuyinza okussibwako ekkomo singa kiba kiyamba abantu abangi mu lukale; kyokka kino tekitegeeza;

   i. Kukijjanyizibwa lwabyabufuzi

   ii. Kusibwa awatali kumala kuwozesebwa

   iii. Kikolwa kyonna kitakkirizibwa mu nkola ya demokulasiya oba mussemateeka wa Uganda.

Ennyingo 44
Eddembe eriri mu ttuluba lino wammanga teririna kuggyibwa ku muntu kakibe kki;

i. Eddembe ly'obutatulugunyizibwa oba okukolwako ebikolwa eby'obukambwe, ebitali bya buntu, oba okuyisa omuntu mu ngeri emutyoboola oba okumubonereza mungeri etekirizibwa mumateeka.

ii. Eddembe ly'obutakozesebwa buddu oba okukuumirwa mu buddu

iii. Eddembe ly'okwewozaako mu bwenkanya

iv. Eddembe okufuna ekiragiro kya kkooti ekikusobozesa okulabikako mu maaso g'omulamuzi okuwakanya okusibibwa kw'omuntu oba okuggalirwa mu kkomera

Ennyingo 45
Bulimuntu alina eddembe okweyagalira mu ddembe ly'obuntu ely'obwebange elirambikiddwa mu ssemateeka wamu neelyo lyonna ssemateeka lyetelambuludde.

Ennyingo 46
Palamenti erina obuyinza okuyisa etteeka erirung'amya ku nkozesa y'obuyinza n'amaanyi ag'ekigero mu kaseera ak'akazigizigi omuli n'obuyinza okukwata nokusiba abantu bwekiba kyetagisizza mu mbeera eyo ey'akazigizigi.

Ennyingo 47
Omuntu yenna bwaba ng'asibiddwa mu kkomera mu kiseera eky'akazigizigi mu ggwanga lya Uganda;

i. Ateekwa okutegeezebwa mu buwandiike ensonga emuviiriddeko okukwatibwa nokusibwa amangu ddala naye obutassukka ssaawa 24 okuva lw'akwatiddwa.

ii. Omwami oba omukyala woyo akwatiddwa oba owoluganda ow'okulusegere omusibegweyeerondeddewaakutegeezebwa

ku kukwatibwa kw'omuntu we mu ssaawa ezitassukka nsaanvu mubbiri (72)

iii. Ekiwandiiko ekitongole ekiraga okukwatibwa kw'omuntu oyo kirina okussibwa mu biwandiiko bya gavumenti ebitongole mu nnaku 30 ez'obusibe nga kirambika ensonga okwasinziirwa okukwatibwa kw'omuntu oyo.

Ennyingo 48

1) Akakiiko k'eddembe ly'obuntu aka Uganda Human Rights Commission kateekwa okwekenneenya ensonga zomuntu asibiddwa mu kaseera ak'akazigizigi mu ggwanga, mu nnaku 21 okuva ku lunaku lwe yakwatibwa era oluvannyuma kaddemu okwekeneenya ensonga ezo buli nnaku ezitasukka 30.

2) Akakiiko k'eddembe ly'obuntu aka Uganda Human Rights Commission kasobola okulagira omuntu akwatiddwa mu kaseera k'akazigizigi mu ggwanga ayimbulwe nga keesigama mu tteeka ly'akaseera k'akazigizigi mu ggwanga oba okutunula mu nsonga ezeesigamiziddwaako okusibwa oba okuggalirwa kw'omuntu oyo.

3) Omuntu aggaliddwa oba okusibwa mu kkomera nga bamusibira mu tteeka ly'akaseera aka kazigizigi mu ggwanga alina eddembe okulabikako mu maaso g'akakiiko k'eddembe ly'obuntu aka Uganda Human Rights Commission mu buntu oba ng'akiikirirwa puliida we mu kiseera ng'omusango gwe guli mu kwekebejjebwa.

Ennyingo 49

1) Bwe wabeerawo akaseera k'akazigizigi mu ggwanga akalangiriddwa gavumenti nga Palamenti eri mu lutuula lwayo, gavumenti eteekwa okunnyonnyola Palamenti ku nsonga eno era buli mwezi n'efulumya bino;

i. Amannya n'omuwendo gw'abantu abali mu busibe oba abaggaliddwa.

ii. Gavumenti by'ekoze okussa mu nkola ebisembeddwa akakiiko k'eddembe ly'obuntu aka Uganda Human Rights Commission.

iii. Omuwendo gw'emisango egimaze okwekennenyezebwa akakiiko k'eddembe ly'obuntu aka Uganda Human Rights Commission

2) Ku nkomerero y'akaseera aka kazigizigi nga bwe kalambikibwa mu ssemateeka, omuntu yenna abeera asibiddwa wansi w'embeera y'akazigizigi mu ggwanga ateekwa okuyimbulwa amangu ddala, okuggyako ng'abadde agguddwaako omusango mukkooti.

Ennyingo 50

1) Buli muntu alina eddembe okutwala okwemulugunya kwe mu kkooti z'amateeka singa eddembe lye ery'obwebange oba eddembe ery'ekika ekirala kyonna erirambikiddwa mu ssemateeka liba lityooboledwa, kw'ossa n'eddembe okujulira mukkooti edako singa oba tomatidde.

2) Omuntu yenna oba ekibiina kirina eddembe okukuba omuntu yena oba ekitongole mumbuga zaamateeka singa aba atyobodde eddembe ly'obuntu ely'omuntu omulala oba abantu abegatidde awamu.

3) Palamenti eteekeddwa okukola amateeka agakakasa nti eddembe lyaffe ery'obuntu ely'obwebange likuumibwa nga terityoboleddwa.

Ennyingo 53

i. Eddembe lyo bwe liba lityoboleddwa oyinza okwekubira enduulu mu kakiiko k'eddembe ly'obuntu aka Uganda Human Rights Commission akalina obuyinza okulagira oliyirirwe oba odizibweewo mungeri endala yona.

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