

THE REPUBLIC OF UGANDA
THE EQUAL OPPORTUNITIES COMMISSION

EOC REF NO. EOC/CR/010/2016

IN THE MATTER OF A COMPLAINT BY YASIN OMAR

YASIN OMAR..... COMPLAINANT

VERSUS

ATTORNEY GENERAL.....RESPONDENT

BEFORE HON. MEMBER JOEL COX OJUKO

RULING/DECISION

This is a ruling/decision arising from a complaint brought under Section 23 of the Equal Opportunities Commission Act No. 2 of 2007 by one YASIN OMAR.

The Complainant, is half caste Ugandan, resident of Muyenga Hill Village, Bukasa, Makindye Division, Kampala and Acting chairperson of the Multi-racial Community of Uganda, which is an NGO and platform registered to promote the rights of half castes in Uganda. The Respondent is the Attorney General of Uganda being sued on behalf of the government for acts done by officials of the Ministry of Internal Affairs in the course of their employment.

BACKGROUND

The Complaint was lodged on the 15th day of February, 2016 as a representative Complaint on behalf of half castes or colored people of Uganda. The allegation was that on various occasions half castes have been subjected to discrimination by officials of Ministry of Internal Affairs especially during the process of registration for, application and renewal of Passports and National Identity Cards, leading to denial of citizenship, passports and national identity cards, hence violating their right to Citizenship as guaranteed by the Constitution. They are also denied access to political appointments.

1
Went to the court
27 JUN 2017



The issues as determined by this Tribunal are:-

- a) Whether the actions of the officials of Ministry of Internal Affairs involved in the processing of Passports and National Identity Cards amounted to discrimination of multi-racial individuals ordinarily known as half castes.
- b) Whether the actions of the said Officials of Ministry of Internal Affairs amounted to violation of the Complainant's and other members of the Multi-racial Community's right to Citizenship.
- c) Whether Multi-racial communities may be accorded Affirmative Action in the political, social and economic opportunities available to other Citizens of Uganda.

Hearing of the matter ex parte

The Respondent was notified of the complaint and was duly served with a copy of the same as prescribed by Regulation 9(1) of the Equal Opportunities Commission (EOC) Regulations. The Tribunal Clerk, Mr. Musema Miragi filed sworn affidavit of service on the 10th day of November, 2016, confirming that he had effected the said service upon the Respondent on the 2nd day of November, 2016 at the Respondent's chambers. That while at the Respondent's Offices, the Secretary who received the copy of the Complaint perused the same and kept a copy, but declined to acknowledge receipt.

However, when the Complaint came up for hearing on 21st January, 2017, the Respondent had not filed a defense despite being duly served with the copy of the complaint. The Respondent was also reminded by Tribunal Clerk through a telephone call to file a reply but chose to ignore the same. Further still, on 11th November, 2016, this Tribunal ordered that the hearing commences in January, 2017, so as to give the Respondent ample time to prepare, in view of his busy schedule, but still at the time of the hearing, the Respondent had not yet filed a reply. The complainant also went to the Respondent's Office on 20th January, 2017 to remind him of the hearing, and was referred to State Attorney Mr. Ojiambo who was in personal conduct of the Complaint. The same Mr. Ojiambo was contacted by the Commission Counsel at 11:50am on Telephone number

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0705224115 and he declined to proceed with the matter, stating that he was not ready and that the file was nonexistent.

The Constitutional Court in the case of **Dr. James Rwanyarare and Another Vs Attorney General Constitutional Petition No. 5 of 1999** interpreted **Section 5(1) of the Civil Procedure (Government Proceedings) Rules** which provides for service on the Attorney General. It provides that service is effected by sending or delivering a copy of the document to the office of the Attorney General. In the present facts, the State Attorney in personal conduct of the matter, Mr. Ojiambo was duly served but did not acknowledge receipt. This amounted to complete service under the Section. Consequently, Counsel for the Complainant prayed for the matter to be heard ex parte under Regulation 17 of the Equal Opportunities Commission Regulations and Order 9 Rules 10 and 11 of the Civil Procedure Rules which is allowed by Section 30 of the Equal Opportunities Commission Act. Considering that the Respondent had been duly served with the complaint and further reminded to make a reply which he ignored to do, the prayer of Counsel for the Commission to hear the matter ex parte was allowed.

Representative Complaint

The Complaint is a representative complaint brought under Regulation 4(1) and (2) of the Equal Opportunities Commission Regulations which prescribes for the filing of a representative complaint, where the complainants are aggrieved by a similar act.

The Complainant testified that although he had not been subjected to the same, his children's passports were rejected for renewal alleging that they were not Ugandans, until he sought the intervention of the then Minister of internal Affairs, Dr. Ruhakana Rugunda, who caused their renewal. Consequently, the Complainant becomes an aggrieved party as a result of the discrimination suffered by his children and others of similar multi-racial descent.

Secondly, Regulation 4(2) cited here above requires the number of Complainants to be identified and stated. From the Complaint Lodgment Form, the other complainants are not identified, nor is there evidence of their permission to the Complainant to institute the said Complaint on their behalf. However we must keep our minds open to the fact that this is a matter of public interest

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and therefore the decision arising from the matter will not only affect the Complainant, but all multi-racial individuals in Uganda. Consequently, although the complaint may not satisfy the requirements for a representative action, it clearly raises public interest litigation issues under Art 50(2) of the 1995 Constitution. In the case of **BAT Vs TEAN HCCA No. 27 of 2003; Ntabgoba PJ** (as he then was) observed that Article 50 recognizes the existence of marginalized groups like children, illiterates, the poor and the deprived on whose behalf any person or group of persons could take an action to enforce their rights. In circumstances presented in this case, the rights of such marginalized groups of people can be enforced through public interest litigation without rendering the action incompetent for lack of locus standi. Therefore this complaint should not fail on a mere technicality that it does not amount to a representative complaint under Regulation 4(1) and (2) of the Equal Opportunities Commission Regulations. In any case, testimonies of all the victims clearly specify the nature of the complaint and discrimination suffered at the hands of the Respondents employees or Agents.

ISSUE 1:

WHETHER THE ACTIONS OF THE OFFICIALS OF MINISTRY OF INTERNAL AFFAIRS INVOLVED IN THE PROCESSING OF PASSPORTS AND NATIONAL IDENTITY CARDS AMOUNTED TO DISCRIMINATION OF MULTI-RACIAL INDIVIDUALS ORDINARILY KNOWN AS HALF CASTES.

Article 21(1), (2) and (3) of the 1995 Constitution of the Republic of Uganda provides for equality of all persons before and under the law and in all spheres of life. In particular Clause (2) prohibits discrimination on grounds of sex, race, color, ethnic origin among others. Article 21 of our Constitution has its foundation in various International Conventions such as Article 2(1) of the Universal Declaration of Human Rights which provide for equality of all peoples. The International Convention on the Elimination of All Forms of Racial Discrimination in particular, emphasizes the prohibition of all forms of racial discrimination. Articles 2, 3, 4, 5, 6 and 7 not only urge State Parties to condemn all forms of discrimination, but also to undertake necessary measures to prohibit and eliminate all forms of discrimination while at the same time guaranteeing fundamental rights to everyone without distinction whatsoever as to race, color or national or ethnic origin. Similarly, Article 20 of the 1995 Constitution emphasizes that an individual's rights and freedoms are

4
Lord Chief Justice


inherent and not granted by the State and therefore they should be respected, upheld and promoted by all individuals, Organs and Agencies of Government.

The Commission's mandate under Section 14 of the Equal Opportunities Commission Act includes among others, giving effect to the constitutional mandate of eliminating discrimination and inequalities against any individual or group of persons on grounds stated here above. Section 1 of the Equal Opportunities Commission Act defines discrimination to mean 'any act, omission, policy, law, rule, practice...which, directly or indirectly, has the effect of nullifying or impairing equal opportunities or marginalizing a section of society or resulting in unequal treatment of persons in employment or in the enjoyment of rights and freedoms on the basis of sex, race, color, ethnic origin, tribe...' In the case of **Caroline Turyatamba and 4 Ors V Attorney General and Anor, Constitutional Petition no. 15 of 2006**, Lady Justice Mpagi Bahigeine defined discrimination as it is in Section 14 of the Act, and further observed that the definition of discrimination is based on various International Conventions such as the ones cited above and case law on their interpretation, and taking the Uganda constitution as a whole.

The Complainant testified on oath and also relied on the testimonies of other victims of racial discrimination to prove the allegations of discrimination. The Complainant testified that both he and his wife are half castes, that in around 2015 when his two children; Omar Yasin aged 20 years and Latifah Yasin aged 18 years applied for Passports, they were rejected on grounds that they were not Ugandans despite attaching both Ugandan Passports of both parents. The Complainant testified further that his children's applications were accepted only after he personally sought the intervention of the then Minister of Internal Affairs, Dr. Ruhakana Rugunda, who instructed the said officials in the Department of Immigration to process Passports for the Complainant's children.

The Complainant's Witness No. 4, one Arafat Hamid Abdullah, aged 42 years, resident of Jinja Central testified that he is a Ugandan by birth, born to multi-racial parents. He testified that initially his application Forms for National Identity Card were rejected by Officials of Ministry of Internal Affairs charged with processing the required Data, alleging that they were forged and that they

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could not be fed into the system until the proper documents were produced by him. Also, his academic documents in support were equally rejected without any justification whatsoever. He stated further that it was only after the meeting that the half castes had with the President, H.E Yoweri Museveni, on 7th February, 2016 and the subsequent Presidential directive, that his documents were processed and his National Identity Card, number 11872120 (**tendered as Exhibit 16**) accordingly issued.

Complainant's witness 5, one Faiza Sultan Thabit, aged 49 years, resident of Kyaliwajala, testified that she is a half caste Ugandan born at Mityana on 11th June, 1967. She stated further that she applied for National Identity card from Mengo on 14th July 2014 and attached documents, including her Ugandan **Birth Certificate No. J11975**, issued on 14th August, 1967 (**tendered as Exhibit 18**) which were rejected by the officials, alleging that she was not Ugandan because of her skin color. She was irregularly forced to produce further documents to prove her nationality.

The witness testified further that her two children's applications for national Identity cards were rejected on grounds that they were not Ugandans. Her son Alli Seif Alli Abdul Wahab, aged 24years, applied from Kyaliwajala on 5th July, 2015 and his application for a National Identity card (**tendered as Exhibit 21**) was rejected and returned on grounds that she was not Ugandan. She testified further that her daughter, Marwa Seif Alli Abdul Wahab, aged 23years, applied from Mengo, Kisenyi on 11th July, 2014 and her application for a National Identity card (**tendered as Exhibit 22**) was rejected on grounds that she was too light skinned to be a Ugandan. The witness prayed for equal treatment of all Ugandans.

On further investigation by Mr. Kakooza Savio Ntensibe, the Equal Opportunities Commission's Principal Investigations Officer and holder of Identity card No. EOC/038 it was established that applications for National Identity Cards and Passports of the three daughters to one Mr. Pehlwal Ilamdin, LCI Chairperson of Musajjalumbwa Zone in Kampala Central were rejected on grounds that their nationality was questionable in spite of clear proof of their Ugandan citizenship by birth. That one Saad Kitamwesi, an officer in the Legal Department of Ministry of Internal Affairs told the said

6
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Mr. Pehlwal to bring one of his daughters for him to marry before granting them Citizenship. This was reported in the New Vision of 8th February, 2016 at page 10, following the meeting the members of the multi-racial community had with the President on 7th February, 2016. The president is stated to have expressed his anger at the said actions and promised to follow up the issue and cause arrest of the official for abuse of office.

Further investigation by the said Commission's principal Investigator Mr. Kakooza, established that one Swalha Sonia Nasher of Telephone number 0715012530 she applied for National Identity card at Muyenga, but only her application was rejected on grounds that her nationality was questionable. The officer in charge at the time was one Francis Atukunda, of Telephone Number 0788515401, who is currently employed by the Electoral Commission. That he, Francis Atukunda also solicited for money from her to enable her obtain a National Identity Card. That she reported the matter to the officer in charge of national Identity Cards in Makindye, one Shalom of Telephone number 0752386386, but no action was taken.

I have considered the Complainant's testimony and that of his witnesses. I now examine whether or not there was discrimination inferred in the conduct of the named Government Officials. Regulation 22 of the Equal Opportunities Commission Regulations empowers this Tribunal to make a decision based on the evidence adduced before it. According to the definition stated herein above, discrimination can be direct or indirect. The South African Labor Court in **LEONARD DINGLER EMPLOYEE REPRESENTATIVE COUNCIL & ORS V LEONARD DINGLER (Pty) LTD (1997) 11 BLLR (LC)** defined '*direct racial discrimination as when black people are treated differently due to their race or characteristics associated with their race.*' [Emphasis added].

The expression 'race' was also explained in the Australian case of **Calado Vs MIMA (1997) 81 FCR 450** by its 'popular' understanding which accords importance to physical appearance, skin color and ethnic origin. The Federal Court of Australia further observed that 'there can be no single test for the meaning of the expression "race" but the term connotes considerations such as *whether the individual or group regard themselves and are regarded by others in the Community as having*

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a particular historical identity in terms of color, and national or ethnic origin [Emphasis added]. Although this decision is persuasive in nature, it goes without saying that the definition of the term 'race' herein fits perfectly well within the context of the existence of half castes in Uganda, since they are a product of Colonial history and are indeed considered as having a peculiar historical identity in terms of color and ethnic origin by other Ugandans.

In the present case, all the testimonies of the witnesses for the Complainant point to the fact that whenever they applied and/or submitted their applications for acquisition of Passports and/or National Identity Cards, their documents were rejected on grounds that they were not Ugandans. It was testified by all the witnesses that in all cases they were unnecessarily required to produce additional documents to prove their nationality. This amounted to direct discrimination as defined in the South African Labor Court decision cited above. The Complainants' applications were simply rejected because of their race and/or characteristics associated with their skin color. This is a violation of Article 21 of the Constitution which outlaws discrimination based on color or race.

In Constitutional Petition No. 15 of 2006 (supra), Lady Justice Mpagi Bahigine observed further 'that the prohibition against discriminatory conduct is based upon the universal principle of equality before the law. That therefore, there ought not to be one group of human beings entitled to privileged treatment as regards enjoyment of basic rights and freedoms over others, because of perceived superiority.' In the present facts, most of the witnesses testified that they were only able to acquire Passports and national identity cards after seeking intervention of the President and/or the Minister of Internal Affairs and for some, after paying a sum of up to Uganda Shillings 500,000 (five hundred thousand shillings), thus contravening the principle of equal treatment of all people before and under the law.

From the foregoing therefore, the conduct of officials of Ministry of Internal Affairs involved in the processing of passports and National Identity Cards amounted to clear discrimination of multiracial individuals.

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ISSUE 2

WHETHER THE ACTIONS OF THE SAID OFFICIALS OF MINISTRY OF INTERNAL AFFAIRS AMOUNTED TO VIOLATION OF THE COMPLAINANT'S AND OTHER MEMBERS OF THE MULTI-RACIAL COMMUNITY'S RIGHT TO CITIZENSHIP.

Ugandan Citizenship is based on Chapter three of the 1995 Constitution of the Republic of Uganda. This Chapter brings out the different types of Citizenship; which include Citizenship by birth, where a person is born in Uganda or one of his or her parents is a Ugandan. Most of the Complainant's witnesses testified that they were Ugandans by birth and adduced evidence in proof. Complainant's witness No.4, Arafat Hamid, for example testified that he was a Ugandan by birth and that both his maternal and paternal grandmothers were Ugandan nationals belonging to the Baganda tribe. He produced his maternal grandmother's duplicate **Birth Certificate in the names of Zalika Kyobijja** which was tendered for **identification as ID 1**. He also produced his **National Voters card No. 11872120** issued on 20th March, 2002 (**tendered as Exhibit 2**), all in proof of his Ugandan nationality. In spite of all these, he was subjected to unfair treatment and discrimination.

Another Complainant's witness, one Faiza Sultan, also testified that she was Ugandan by birth, born at Mityana Hospital on 11th June, 1967. She attached her **Birth Certificate No. J11975** registered on 14th August, 1967 which was tendered as **Exhibit 18**. As Ugandan citizens, they are therefore entitled to be registered and issued with National identification numbers and National Identity cards under **Sections 27 and 30 of the Uganda Citizenship and Immigration Control Act, Cap 66**. Rejection of their applications for registration of National Identity cards on grounds that they were not Ugandans despite proof of Ugandan Citizenship amounted to violation and denial of the Complainants' right to Citizenship.

Further, every Ugandan citizen is entitled to a Passport or travel documents as of right under **Section 39 of the Uganda Citizenship and Immigration Control Act (supra)**. Consequently, rejection of the witness' application for passports and other travel documents on the unjustified grounds of their color amounted to violation of their rights as citizens of Uganda. Article 20(2) of

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the Constitution enjoins all Organs and Agencies of Government including Ministry of Internal Affairs, to respect, uphold and promote rights and freedoms of all individuals.

Complainants' witness No. 2, one FEHER AHMED HAMED, resident of Bunga testified that he came to Uganda in 1984 from Yemen. That he married one Jamila Natukunda, a Ugandan national in 1986 under Mohammedan marriages Act and they are blessed with a daughter, Sulafa Feher Ahmed. He testified further that he applied for Ugandan Citizenship in 2001 but that the same has not been processed to date despite fulfilling the necessary requirements for Citizenship by Registration. He stated that this violates his right to Citizenship. He attached a copy of his wife's **Passport No. A011310** issued on 21st August, 1991 (**tendered as Exhibit 2**) and **two letters** one dated **20th April, 2009**, from the LC1 Executive Committee of Mukokoma LC1, Kirwwooza Parish, Kabula County, Lyantonde Sub county, Lyantonde District and another dated **23rd April, 2009** from the Office of the RDC, Lyantonde District, both addressed to the Permanent Secretary, Ministry of Internal Affairs, confirming that the witness' wife, Jamila is a Ugandan national born at the address cited here above, to the late Mr. Nyirimigabo Paul and Mrs. Wimana Margaret. The Letters were tendered as **Exhibits 3 and 4** respectively.

The witness attached correspondences from different officials in the Department of Immigration arguing that this matter had dragged on for far too long despite fulfilling the necessary requirements. In 2008, the witness, through his Advocate, one Michael Akampurira, wrote a letter 14th February, 2008 (**tendered as Exhibit 6**) to the then Hon. Minister of Internal Affairs, Dr. Ruhakana Rugunda seeking his intervention in the matter, since he had waited in vain for a reply from the Directorate of Citizenship and Immigration. The Minister endorsed on the said letter on 12th January, 2009 approving grant of citizenship to the witness and, further directed the Permanent Secretary, Ministry of Internal Affairs, Dr. S.P. Kagoda to accordingly implement the grant of citizenship to the witness.

He also attached further various correspondences, from Permanent Secretary Ministry of Internal Affairs dated **5th/06/2009, 21st/1/2010, and 9th/03/2010** (**tendered as Exhibits 7, 8 and 9**)

Feher Ahmed Hamed



respectively), all addressed to the Director Citizenship and Immigration control, one Sasaga Godfrey Wanzira, directing him to fulfill the Hon. Minister's directive since the said matter had dragged for long, however the same were ignored at all times. The witness testified further that he kept following up his application for Citizenship at the Directorate offices without success and that in or around 2013 he was arrested by one Arthur Rukundo, an officer from the Legal Department and taken to Jinja Road Police Station where he was detained for a day without recording any statement; That he was released on bond the following day without being informed of the charges against him, and taken back to the Directorate of Immigration; That later the Director Immigration called for a meeting in which he ordered that the witness should never be arrested again. The meeting was attended by Mr. Anthony Namara, the Commissioner Immigration, in charge of Work permits, Mr. Barigye William the Legal Officer in the Legal Department, and Mr. Benon Mujuni, the Secretary, Immigration Board.

He also testified that sometime in 2013 while on his way to Egypt, he was intercepted at Entebbe Airport by Immigration Officials on grounds that he could only travel to his country of origin (Yemen) and not Egypt. However, the Assistant Commissioner Immigration Mr. Okulu Charles wrote a **letter dated 13th March, 2013 (tendered as Exhibit 10)**, addressed to the head of Immigration Entebbe Airport advising him that the witness could travel from the country freely until his Citizenship issues were resolved. Further that **on 3rd January, 2014**, he wrote another letter **(tendered as Exhibit 11)**, seeking the intervention of the then Minister of Internal Affairs, the late Hon. Aronda Nyakirima, who the endorsed on the said letter a directive to the Chairperson, Immigration Board and the Director Citizenship and Immigration Control, directing them to urgently consider the witness' citizenship without further delay. That however still no action was taken and in February 2015 he personally sought the intervention of the Ministry of Justice and Constitutional Affairs where one C. Gashirabake an officer in the Solicitor General's Office wrote two (2) letters **(tendered as Exhibit 12 and 13 respectively)**, to the Director Immigration requesting for a copy of the witness' File for the Application for Citizenship, to enable him accordingly advise the Hon. Minister of Justice, Hon. Kahinda Otafire, however no action was taken. That he further sought the intervention of Hon. Minister of Justice, who on 1st October, 2015 wrote a letter

11
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(tendered as Exhibit 14) to the Hon, Minister of Internal Affairs highlighting all the several interventions that had been made in favor of the witness, but still the officials were adamant. He testified that this amounted to violation of his right to citizenship guaranteed by the 1995 Constitution since he fulfilled all the necessary requirements of Citizenship by registration. He prayed that the Tribunal enables him acquire Ugandan citizenship alongside his Yemen's Citizenship.

Article 12 of the 1995 Constitution provides for criteria for acquisition of Citizenship by Registration. Those qualifications are also stated in **Section 14 of the Uganda Citizenship and Immigration Control Act, Cap 66** which highlights that the Applicant should be legally married to a Ugandan Citizen and that the marriage between them subsisted for five years or more that the applicant has been residing in Uganda for at least twenty years. From Feher's testimony and documents produced by him, he qualifies for Citizenship by Registration. This notwithstanding, the witness' application has been dragged by officials of the Immigration Department without any justification whatsoever hence violating his right to Citizenship guaranteed by the Constitution.

Dual Citizenship

The witness prayed for the grant of Ugandan Citizenship alongside his Yemen's Citizenship. It is important to note that before 2009, dual citizenship had been prohibited by Article 15 of the 1995 Constitution. However the article was amended pursuant to which the Uganda Citizenship and Immigration Control (Amendment) Act of 2009 was enacted, providing for dual Citizenship in Uganda. Section 1(ja) of the said Amendment defines dual citizenship to mean *'the simultaneous possession of two citizenships one of which is Ugandan.'* This is essentially what the witness was seeking since he desired to keep his Yemen's citizenship. Section 19(2) of the Amendment clearly provides that a person who is not a citizen of Uganda, on acquiring Ugandan citizenship may retain citizenship of another country subject to the Constitution and laws enacted there under. Therefore, the witness' application is supported by the Lawyer. Sections 19B and 19C highlight the necessary qualifications and conditions for acquisition of citizenship by a non-Ugandan citizen while retaining

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his or her original Citizenship. The witness adduced overwhelming evidence in proof of his qualification.

ISSUE 3

WHETHER MULTI-RACIAL COMMUNITIES MAY BE ACCORDED AFFIRMATIVE ACTION IN THE POLITICAL, SOCIAL AND ECONOMIC OPPORTUNITIES AVAILABLE TO OTHER CITIZENS OF UGANDA.

The Complainant also prayed for affirmative action to access political appointments. Article 32 of the 1995 Constitution provides that the State shall take affirmative action in favor of marginalized groups on the basis of, reasons created by history. It is worth noting that half castes in Uganda are a product of Colonial history. Affirmative action is necessary for redressing imbalances which exist among such marginalized group of people. Article 36 emphasizes the protection and promotion of rights of minorities especially the right to participate in the national decision making process and consideration of their views and interests in making of national plans and programs. However, affirmative action for political appointments is the Executive prerogative of the President which must be exercised in the best interest of all Ugandans. Non-inclusion of half caste Ugandans in Political appointments is a matter that may be considered by the executive and legislative arms of government.

In view of the overwhelming evidence adduced by the witnesses in support of the complaint, the Tribunal hereby makes the finding that there is glaring, discrimination against multi-racial individuals and therefore grants the relief prayed for by the Complainants and orders as follows:-

1. The Respondent is hereby ordered to cause officials of Ministry of Internal Affairs to treat all Ugandans equally notwithstanding their skin color, especially in the processing of Passports and National Identity Cards and other related services ordinarily rendered by the Ministry of Internal Affairs.
2. The Respondent is hereby ordered further to cause Officials of Ministry of Internal Affairs to grant citizenship by registration to Mr. Feher Ahmed Hamed in accordance with Article 12(1) and (2) of the 1995 Constitution and Section 14 of the Uganda Citizenship and

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Immigration Control Act, Cap 66 as amended since he has satisfied all the Legal requirements.

3. Ministry of Internal Affairs should desist from violating the rights of multi-racial communities in Uganda in contravention of Articles 12, 20, 21(1), (2) and (3), 32 and 36 of the Constitution of the Republic of Uganda as Amended and letter and other enabling provisions of the Equal Opportunities Commission Act.
4. The Respondent is hereby ordered further to cause relevant Officials of Ministry of Internal Affairs to diligently perform the functions of the Directorate of Immigration and Citizenship as contained in Section 7 of the Uganda Citizenship and Immigration Control Act, Cap 66 as amended, and other enabling Laws; without discrimination and/or unequal treatment, well aware that they are public servants whose conduct must always be consistent with the purpose for which they were employed
5. No order as to costs.

The Respondent has the right to appeal against this decision to the High Court within 30 days from the date of this decision in accordance with Section 29(1) of the Equal Opportunities Commission Act.

DATED, Signed and Sealed this^{2nd}..... day ofJune....., 2017.



JOEL COX OJUKO

MEMBER: EQUAL OPPORTUNITIES COMMISSION.

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27/6/17*

