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Abuses and Exploitation of Diplomatic Privileges and Immunities by Diplomatic Corps and International/Regional Organisations in Uganda.

The aim of this study was to examine how the current regime of diplomatic privileges and immunities have been abused and exploited by the diplomatic corps and international organisations in Uganda. The study was carried out in the Ministry of Foreign Affairs and selected Diplomatic Missions in Uganda. The choice of the Ministry of Foreign Affairs was rationalised by the fact that it was the custodian of diplomatic privileges. The use of diplomatic missions is due to the reason that these missions are the beneficiaries of diplomatic privileges. The study focused on abuse of diplomatic privileges and immunities by Diplomatic Missions in Uganda. The study covered a period from 2010 to 2015. A quantitative design using case study approach was used in this study. The researcher was confident it would enable the study to achieve its objectives. The case study approach was useful because it excelled at bringing us to an understanding of the abuses of diplomatic immunity in Uganda through detailed contextual analysis of the situation elsewhere. Questionnaires and interviews were the research tools that were applied in data collection in this study and data was analysed quantitatively. All data was compiled, sorted, edited and coded to have the required quality and completeness and was analysed according to the research questions. The study found out that diplomatic abuse of diplomatic privileges and immunities is quite existent in Uganda in contravention of the Vienna Convention (1961) as the laws guide diplomatic personal representation are too wide and so fallacious that diplomats use it to contravene the Convention laws guiding diplomatic business in a host nation. The study concluded that although granting diplomatic immunity and privileges was not intended to break the laws therein and those laws governing the host country, the legal basis of immunities in the Vienna Convention 1961 is contravened. Diplomatic privileges and immunities are exploited to the benefit of individual diplomats. The study recommends that the Vienna Convention on Diplomatic Relations (1961) and its constituent laws should be amended to accommodate laws that govern the behaviours that are common to crimes committed by diplomatic officials. Areas that should be revisited are Article 34 which prohibits diplomats from paying taxes on even non-diplomatic mission goods, prosecution of drink-driving offences and mistreatment of local diplomatic staff by diplomats. The study also recommends that the perceived weaker nations should uphold and protect their sovereignty regardless of the status of the sending nations. Partnerships with small states should strengthen their sovereignty.

Key Words: Diplomatic Privileges, Immunities, International/Regional Organisation