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International Law and Politics: The Case of the Right to Freedom of Assembly in Uganda.

The Right to Freedom of Assembly is sometimes taken to be a derogable right due to the nature of politics and the Law under play in Uganda. Consequently, this has resulted in loss of human life and property, as a result of constant violations caused by misinterpretations of some International Human Rights instruments and Treaties, and Constitutional provisions ratified to protect and promote the Right to Freedom of Assembly in the world, and Uganda in particular. The overall objective of the study was to investigate the relationship between International Human Rights Law and Politics in Uganda, in relation to the Right to Freedom of Assembly. The specific objectives were: to examine International and Municipal Law concerning the Right to Freedom of Assembly, to assess the challenges faced by the Uganda Human Rights Commission in promoting and protecting human rights in Uganda, and to investigate the politics and the law of protecting and promoting the Right to Freedom of Assembly in Uganda. The literature reviewed in support of this study was based on international legal theories, basing the arguments from the positivist and realist schools of thought. It predominantly focused on international legal approaches concerning human rights abuses, protection and promotion. Much of the literature was obtained from a variety of sources including books, local and international journals, newspapers, general articles, whistleblowers, related reports, research dissertations and assessment reports. A cross sectional research design was used because it helps a researcher to get quantitative and qualitative description of trends, attitudes and opinions of the population. This involved the design of research instruments in a qualitative and quantitative nature. The methodology employed was largely secondary sources found in books, document review, general articles and the use of questionnaires, formal and informal interviews. A purposive sampling strategy was adopted for this study and it involved selection of those specific respondents that were believed to be key parties to the issues being studied. Findings indicated that the Right to Freedom of Assembly in Uganda was being infringed upon in all forms. It was also found out that this right was mostly infringed by security agencies led by the Uganda Police Forces by trying to crack down political rallies organised by political parties. However, further findings indicated that the international community can influence the government's decisions to improve on the Right to Freedom of Assembly so as to have a peaceable and more prosperous Country. The research concluded that despite the constitutional changes which have taken place in Uganda since early 1995, and which have resulted in, among other things, entrenchment of bills of rights, including provisions relating to Freedom of Association, Assembly and Expression, there is need to adhere to the standards provided for under international standards on human rights.

The research recommended that the state should intervene urgently to secure conditions permitting the exercise of the Right to Freedom of Assembly and Procession, and this may require positive measures to be taken to enable lawful demonstrations to proceed peacefully. The study recommended a democratic system of governance that allows for the independence of the judiciary good governance embedded on economic, social, political and corporate governance calling for the rule of law, fighting corruption, and observance and implementation of national, regional and international Human Rights Instruments and Treaties ratified to protect and promote the Right to Freedom of Assembly.

Key Words: International Law, Politics