

EXHIBIT 92



Scott Lively <sdllaw@gmail.com>

re: Trip to Africa?

7 messages

Ron Elmore <Ron@beyondimagination.org>
Reply-To: Ron@beyondimagination.org
To: sdllaw@gmail.com
Cc: twilkins@crossministry.org

Wed, Jan 2, 2008 at 10:35 AM

Good Morning Scott,

Happy New Year!

I am the director of Beyond Imagination Ministry (BIM) in Raleigh North Carolina. (see: www.beyondimagination.org) BIM is a Exodus International member ministry. I received the following email from my friend and fellow co-laborer Tim Wilkins regarding your upcoming trip to Uganda. Tim is aware of my heart to carry the message of healing for the homosexual struggler to other countries.

I would like to speak with you about the possibility of joining you on your trip to Uganda in May. At your convenience please give me a call at the numbers listed below to discuss this possible opportunity.

Many Blessings,

Ron

Ron Elmore
Director
Beyond Imagination Ministry
PO Box 28294
Raleigh, NC 27611-8294
O: 919-363-7585
M: 919-971-7577

From: "Tim Wilkins" <twilkins@CrossMinistry.org>
Sent: Tuesday, January 01, 2008 2:50 PM
To: Ron@beyondimagination.org
Subject: Trip to Africa?

Scott Lively, with <http://defendthefamily.com/> is going to Kampala (Uganda- East Africa) in May. He will be doing some speaking and teaching-particularly as it regards homosexuality.

He is interested in someone going with him who has a background in ministry to homosexuals-someone who speaks on the issue with a clear biblical voice. Scott says Africa really needs an ex-gay movement. While lodging and food would be taken care of, *you would need to pay for your flight.*

If my schedule allowed, I would go; my calendar is full.

If interested, contact Scott at sdllaw@gmail.com

You came to mind so I thought I would email you. I have no other details. Contact Scott if interested.

Tim Wilkins

CROSS MINISTRY

PO Box 1122

Wake Forest, NC 27588

Phone: (919) 569-0375

Email: info@crossministry.org

Web: <http://www.crossministry.org>

You can subscribe to our e-newsletter here <http://www.crossministry.org/contact.php>

You can support Cross Ministry here <http://www.crossministry.org/give.php>

If you are interested in having someone speak at your church, contact us today.

Scott Lively <sdllaw@gmail.com>

Wed, Jan 2, 2008 at 11:56 AM

To: Ron@beyondimagination.org

Hi Ron,

Good to hear from you. My number is 951-834-5933. I'll try to call you today.

Scott Lively

[Quoted text hidden]

Don Schmierer <dschmier@inreach.com>

Wed, Jan 2, 2008 at 4:24 PM

To: [Scott Lively <sdllaw@gmail.com>](mailto:sdllaw@gmail.com)

Cc: [Tim Wilkins <twilkins@crossministry.org>](mailto:twilkins@crossministry.org)

Dear Scott,

I think you will remember me from Lodi as you promoted quite a number of my youth books, Celebrating God's Design several years ago.

I gave my seminar in Kampala last year in July at the Kampala Pentecostal Church for their cell leaders (1,400) and then spoke at a Church service which was re-given by six satellite churches.

Several questions:

What dates in May are you aiming for?

Who are your contacts that you are working with?

How do you foresee my involvement with you?

Blessings,

Don Schmierer

----- Original Message -----

From: Tim Wilkins
To: Don Schmierer
Sent: Tuesday, January 01, 2008 11:20 AM
Subject: Trip to Africa?

Scott Lively, with <http://defendthefamily.com/> is going to Kampala (Uganda- East Africa) in May. He will be doing some speaking and teaching—particularly as it regards homosexuality.

He is interested in someone going with him who has a background in ministry to homosexuals—someone who speaks on the issue with a clear biblical voice. Scott says Africa really needs an ex-gay movement. While lodging and food would be taken care of, *you would need to pay for your flight.*

If my schedule allowed, I would go; my calendar is full.

If interested, contact Scott at sdllaw@gmail.com

You came to mind so I thought I would email you. I have no other details. Contact Scott if interested.

Tim Wilkins

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You can subscribe to our e-newsletter here <http://www.crossministry.org/contact.php>

You can support Cross Ministry here <http://www.crossministry.org/give.php>

If you are interested in having someone speak at your church, contact us today.

Scott Lively <sdllaw@gmail.com>
To: Don Schmierer <dschmier@inreach.com>

Wed, Jan 9, 2008 at 6:58 PM

Hi Don,

Great to hear from you. Of course I remember you, not just from Lodi but the D.C. Group and a couple of other places I think.

I'm working locally with Stephen Langa who was once head of the KPC Board of Deacons. And with Alexey Ludjyaev of New Generation Church, Riga, Latvia (which whom I co-founded Watchmen on the Walls, an intl network of pro-family organizations).

I'm thinking of early May. Would that work for you?

Blessings,

Scott

[Quoted text hidden]

Don Schmierer <dschmier@inreach.com>

Wed, Jan 9, 2008 at 7:38 PM

To: Scott Lively <sdllaw@gmail.com>

Hi Scott,

Early May is pretty tough for me, I have several things that I'm suppose to attend, the latter part works better. There are several other people who I'm trying to make contact with for ministry besides the people at KPC. I'll keep on it and see what I come up with.

Blessings,

Don

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>

Wed, Jan 9, 2008 at 8:35 PM

To: Don Schmierer <dschmier@inreach.com>

I'm actually flexible on dates and also have some other intl travel in May that would make for a crowded month. No doubt that Africa needs a pro-family summit soon, however, so we should try to coordinate something that will get the max number of US leaders there at the same time.

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>

Fri, Apr 11, 2014 at 12:03 AM

To: Scott Lively <psalm37nasb@gmail.com>

----- Forwarded message -----

From: **Scott Lively** <sdllaw@gmail.com>

Date: Wed, Jan 9, 2008 at 8:35 PM

Subject: Re: Trip to Africa?

[Quoted text hidden]

EXHIBIT 93

[Page 1]

UNITED STATES DISTRICT
DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

SEXUAL MINORITIES UGANDA,

Plaintiffs,

Civil Action No.:

vs.

3-12-CV030061-MAP

SCOTT LIVELY,

Defendant.

VIDEOTAPED DEPOSITION OF DAN SCHMIERER

Thursday, June 11, 2015

10:00 a.m.

1716 L Street

Sacramento, California

REPORTED BY:

Kimberly A. Barrette

CSR No. 6671

<p>1 APPEARANCES: 2 3 For Plaintiffs: 4 DORSEY & WHITNEY, LLP 5 KALEB NCNEELY, ESQ. 6 51 West 52nd Street 7 New York, New York 10019-6119 8 212.415.9215 9 mcneely.kaleb@dorsey.com 10 11 For Defendant: 12 LIBERTY COUNSEL 13 HORATIO G. MIHET, ESQ. 14 P.O. Box 540774 15 Orlando, Florida 32854 16 800.671.1776 17 hmihet@lc.org 18 19 For the Witness DAN SCHMIERER: 20 K. GREG PETERSON LAW OFFICES 21 K. GREG PETERSON, ESQ. 22 1716 L Street 23 Sacramento, California 95811 24 916.492.2680 25 greg@kgregpeterson.com Also present: Bob Fennessy, Videographer</p>	<p>1 INDEX TO EXHIBITS 2 DAN SCHMIERER 3 Sexual Minorities Uganda v. Scott Lively 4 Thursday, June 11, 2015 5 Kimberly A. Barrette CSR No. 6671 6 7 MARKED DESCRIPTION PAGE 8 9 PLAINTIFF'S EXHIBITS 10 11 Exhibit 10 E-mail, 2-24-09 XX 12 Exhibit 11 E-mail, 2-28-09 XX 13 Exhibit 12 New York Times article XX 14 Exhibit 13 Letter, 11-12-09 XX 15 Exhibit 14 Copied internet document XX 16 17 DEFENDANT'S EXHIBITS 18 19 Exhibit A Typed presentation/speech xx 20 Exhibit B Typed presentation/speech xx 21 22 23 24 25</p>
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<p>1 INDEX TO EXAMINATION 2 3 WITNESS: DAN SCHMIERER 4 5 EXAMINATION PAGE 6 7 By MR. MCNEELY 6 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25</p>	<p>1 SACRAMENTO, CALIFORNIA 2 Thursday, June 11, 2015 3 10:00 a.m. 4 5 DAN SCHMIERER, 6 Having been first duly sworn, was examined and testified 7 as follows: 8 9 --o0o-- 10 THE VIDEOGRAPHER: Hello. My name is Bob 11 Fennessy and I'll be videotaping this deposition today. 12 I'm here on behalf of U.S. Legal Support, 2710 13 Gateway Oaks Drive, Suite 300, Sacramento, California. 14 The date is June 11, 2015. 15 The time is 10:00. We're located at 1716 L 16 Street, Sacramento, California. 17 We're here in the matter of Sexual Minorities 18 Uganda versus Scott Lively. This will be the deposition 19 of Don Schmierer. 20 The attorney taking the deposition is Kaleb 21 McNeely. The court reporter is Kimberly Barrette of U.S. 22 Legal Support. The attorneys will now introduce 23 themselves. 24 MR. MCNEELY: My name is Kaleb McNeely from 25 the law firm of Dorsey & Whitney representing Plaintiffs,</p>
[Page 3]	[Page 5]

1 Q. -- of your services?
 2 A. No.
 3 Q. So how do the people that you minister to come
 4 to know you?
 5 A. By word of mouth.
 6 Q. And is it correct that you still operate your
 7 ministry in Stockton?
 8 A. The university ministry, no, I don't do that
 9 anymore.
 10 Q. Okay. But you're --
 11 A. My own ministry, yes, out of my home in
 12 Oklahoma.
 13 Q. Okay. And in connection with your ministry,
 14 have you authored any books?
 15 A. Yes. I've authored four books.
 16 Q. What is the general subject matter of those
 17 books?
 18 A. It's -- general subject matter is the same
 19 thing I've been counseling people on, listening --
 20 listening to them, identifying their pain, help them
 21 relate to it. I do give biblical advice or biblical
 22 principles, very practical biblical -- or practical
 23 advice, such as how to listen to people and how to affirm
 24 them, how to identify strengths, and sometimes telling
 25 them that they're -- they need to shape up.

[Page 14]

1 Q. Are you writing any -- any books at the
 2 moment?
 3 A. No. I'm through.
 4 Q. Apart from you, does -- does anyone else work
 5 for the organization His Servants?
 6 A. No. Never at all.
 7 Q. Have you ever been involved with an
 8 organization called Exodus International?
 9 A. Yes.
 10 MR. PETERSON: Let him finish before you
 11 answer his question.
 12 THE WITNESS: Oh. I'm sorry.
 13 MR. PETERSON: That's all right.
 14 BY MR. MCNEELY: Q. Can you describe your
 15 involvement with Exodus International?
 16 A. We were asked -- my wife and I were asked to
 17 be on the Board of Exodus.
 18 Q. When was that, if you recall?
 19 A. This is 2015. Probably 2005.
 20 Q. And what is the -- or what was the nature of
 21 Exodus International?
 22 A. Exodus -- the nature of Exodus International
 23 is an umbrella organization that's over some what we call
 24 ex-gay ministries.
 25 Q. What do you mean "ex-gay ministries"?

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1 A. People who are trying the come out of their
 2 homosexual attractions or same-sex attractions.
 3 Q. And what sort of services does Exodus
 4 International provide?
 5 A. It's just --
 6 MR. MIHET: I'm going to object as to form.
 7 MR. PETERSON: He's just put an objection on
 8 the record, so answer the question if you can.
 9 THE WITNESS: Would you repeat the question
 10 again?
 11 BY MR. MCNEELY: Q. Sure. What type of
 12 services does Exodus International provide?
 13 MR. MIHET: Form.
 14 THE WITNESS: Provides for the other groups,
 15 sort of an umbrella, coming together -- or not a
 16 partnership. It's a fellowship together.
 17 BY MR. MCNEELY: Q. Do you recall any of the
 18 member organizations for which Exodus International is an
 19 umbrella organization?
 20 A. No.
 21 Q. And do you recall who first contacted you
 22 about serving on the Board of Exodus International?
 23 A. The president, Alan Chambers.
 24 Q. Did you know Mr. Chambers before he asked you
 25 to serve on the Board of Exodus?

[Page 16]

1 A. Yes.
 2 Q. How did you know Mr. Chambers?
 3 A. I attended a conference, maybe two conferences
 4 that he put on.
 5 Q. And did you, in fact, serve on the Board of
 6 Exodus International?
 7 A. Yes.
 8 Q. And your wife as well?
 9 A. Yes. We had one vote.
 10 Q. Do you recall how long you served on the Board
 11 of Exodus International?
 12 A. Well, from 2005, we figure to -- it's '15. It
 13 dissolved a year or so ago, so that would be about eight
 14 years, something like that.
 15 Q. And what type of duties, if any, did you have
 16 as a board member of Exodus International?
 17 A. Just to give them advice from a different
 18 perspective. I'm older.
 19 Q. Can you give any specific examples of the type
 20 of advice that you would have given to Exodus
 21 International?
 22 A. No, I don't. I don't recall.
 23 Q. Did you have board meetings?
 24 A. Twice a year.
 25 Q. And did you have any further involvement apart

[Page 17]

[5] (Pages 14 to 17)

1 A. Correct.
 2 Q. Why would you feel duped about meetings
 3 Mr. Langa had?
 4 MR. MIHET: I'll object to form.
 5 MR. PETERSON: Also misstates his testimony.
 6 THE WITNESS: When you're not made aware of
 7 the full scope of something that you've been invited to
 8 do, you're duped.
 9 BY MR. MCNEELY: Q. So what would you have
 10 wanted to know about the conference that you didn't know?
 11 MR. MIHET: Form.
 12 MR. PETERSON: Speculation.
 13 THE WITNESS: I -- I don't know.
 14 BY MR. MCNEELY: Q. Did The New York Times
 15 reporter ask you about a proposed law in Uganda?
 16 A. I don't remember.
 17 Q. Can you look at the paragraph again beginning
 18 with "I feel duped"? The second sentence of that
 19 paragraph reads, "He acknowledged telling audiences how
 20 homosexuals could be converted into heterosexuals, but he
 21 said he had no idea that some Ugandans were contemplating
 22 the death penalty for homosexuality."
 23 Do you recall making this statement to The New
 24 York Times?
 25 A. No, because that's an incorrect statement of

[Page 70]

1 what I've said.
 2 Q. What would you say?
 3 A. I wouldn't have said that first part, "He
 4 acknowledged telling audiences how homosexuals can be
 5 converted into heterosexuals." I didn't tell them that.
 6 Q. Okay. Is the second part of that sentence a
 7 correct --
 8 A. That's correct.
 9 Q. -- statement of your --
 10 A. Yeah.
 11 MR. PETERSON: Remember, let him finish his
 12 question.
 13 THE WITNESS: Okay.
 14 BY MR. MCNEELY: Q. So you told The New York
 15 Times that you had no idea some Ugandans were
 16 contemplating the death penalty for homosexuality?
 17 A. Correct.
 18 Q. How did you hear that some Ugandans were
 19 contemplating the death penalty for homosexuality?
 20 A. I don't recall. There is probably numerous
 21 ways. People yelling at me and sending me hate mail.
 22 Q. Do you recall if you heard that some Ugandans
 23 were contemplating the death penalty for homosexuality
 24 while you were in Uganda?
 25 MR. PETERSON: Asked and answered.

[Page 71]

1 MR. MIHET: Asked and answered.
 2 THE WITNESS: No.
 3 BY MR. MCNEELY: Q. You don't recall?
 4 A. I don't recall.
 5 Q. You earlier testified that Mr. Chambers sent
 6 you an e-mail while you were in Uganda?
 7 A. Correct.
 8 Q. Did Mr. Chambers mention the issue of Uganda
 9 contemplating the death penalty for homosexuality in that
 10 e-mail?
 11 A. I don't recall except he was very mad at me.
 12 Q. But you don't recall if he mentioned the death
 13 penalty?
 14 A. No.
 15 Q. Do you recall if he mentioned a proposed
 16 Ugandan law?
 17 A. I don't recall.
 18 Q. At any time after the conference in Uganda,
 19 did you discuss a proposed Ugandan law with Mr. Chambers?
 20 A. Might have. I don't recall specifically.
 21 Q. Do you recall discussing that with anyone else
 22 at Exodus?
 23 A. No.
 24 Q. Can you look at the last paragraph on page 2
 25 of Exhibit 12? It says "that's horrible, absolutely

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1 horrible." He said "some of the nicest people I've ever
 2 met are gay people."
 3 A. That was my statement. Still my statement.
 4 Q. Apart from what is quoted in Exhibit 12, do
 5 you recall anything else that you told The New York Times
 6 reporter?
 7 MR. PETERSON: Whoa, whoa, whoa. Everything
 8 in Exhibit 12? Because he's only talked about those two
 9 paragraphs on page 2.
 10 BY MR. MCNEELY: Q. Apart from the two
 11 paragraphs on page 2 in which you are quoted, do you
 12 recall telling The New York Times reporter anything else?
 13 A. No, I don't.
 14 MR. MCNEELY: Mark Exhibit 13.
 15 (Exhibit 13 was marked.)
 16 BY MR. MCNEELY: Q. Mr. Schmierer, do you
 17 recognize the document that's been marked Exhibit 13?
 18 A. Yes, I do.
 19 Q. What is this document?
 20 A. It's a document I signed to the President
 21 Muse -- Museveni or -- it was sent to them opposing the
 22 law that they were going to do.
 23 Q. Opposing which law?
 24 A. The anti-homosexuality law bill.
 25 Q. What is your understanding of the

[Page 73]

1 anti-homosexuality bill?
 2 MR. PETERSON: As he sits here today?
 3 MR. MCNEELY: Yes.
 4 THE WITNESS: Well, the bill wanted -- the
 5 bill had wanted gay people incarcerated or jailed.
 6 BY MR. MCNEELY: Q. And was that your
 7 understanding at the time you signed this letter?
 8 A. Yes, yes.
 9 Q. This letter is dated November 12, 2009; is
 10 that correct?
 11 A. Yes.
 12 Q. Were you involved in the drafting of this
 13 letter?
 14 A. As I remember, they read it over, and we
 15 talked about what -- what was going to be on there. I
 16 was not down there physically working on it with them.
 17 Q. By "they," who do you mean?
 18 A. Well, Alan Chambers and these other people,
 19 Christopher Young, Warren Throckmorton.
 20 Q. But you discussed this letter before --
 21 A. Yes.
 22 Q. -- it was finalized?
 23 A. Yes, yes.
 24 Q. Who did you discuss it with?
 25 A. Alan Chambers.

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1 Q. And what do you recall about those
 2 discussions?
 3 A. Well, I told him I was in agreement with it,
 4 we needed to make some statement publicly. And this was
 5 the best that we could think to do that we disagreed
 6 with.
 7 Q. That you disagreed with --
 8 A. The bill.
 9 Q. Why did you think it was necessary to make a
 10 public statement?
 11 A. Because it was wrong.
 12 Q. Because you believed the bill was wrong?
 13 A. We believed the bill was wrong.
 14 Q. And why did you believe that you had to make a
 15 public statement about your beliefs about the bill?
 16 A. Well, the pile of hate mail that I received
 17 and what Alan Chambers received was enough reason to make
 18 some statements. So we could say publicly, this is what
 19 we've said; this is where we stand.
 20 Q. So you wanted to make it clear that you
 21 disagreed with the bill?
 22 A. Correct.
 23 Q. Were there any particular aspects of the bill
 24 that you wanted to make sure that you expressed your
 25 disagreement with?

[Page 75]

1 A. Well, the entire bill.
 2 Q. Including incarceration for --
 3 A. Yes.
 4 Q. -- gay people?
 5 A. Yes.
 6 Q. Was this letter actually sent to the president
 7 of Uganda?
 8 A. Yes. Yes, it was.
 9 Q. Did you receive any response?
 10 A. I did not personally receive any response from
 11 this.
 12 Q. Do you know if anyone else received any
 13 response?
 14 A. No, I don't.
 15 Q. Do you know if any other letters were sent to
 16 the president of Uganda by Exodus?
 17 A. No, I don't. I don't know of any.
 18 Q. Did you make any other public statements
 19 yourself about the bill?
 20 MR. PETERSON: Form.
 21 MR. MIHET: Join.
 22 THE WITNESS: Any public statements --
 23 BY MR. MCNEELY: Q. About the Uganda bill
 24 that we've been discussing apart from this letter.
 25 MR. MIHET: Form.

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1 MR. PETERSON: Form.
 2 THE WITNESS: In what form? Do you mean
 3 just --
 4 MR. PETERSON: To who, what or in what -- at
 5 what time? It's very general and very vague.
 6 And of course, it doesn't include comments
 7 with your attorney.
 8 MR. MCNEELY: Which would not be public.
 9 BY MR. MCNEELY: Q. You said that you sent
 10 this letter --
 11 A. Right.
 12 Q. -- because you needed to make a public
 13 statement --
 14 A. Correct.
 15 Q. -- in opposition to the bill, right?
 16 A. Correct.
 17 Q. Apart from this letter, did you make any other
 18 public statements in opposition to the bill?
 19 A. Not that I can recall.
 20 MR. MCNEELY: Mark Exhibit 14.
 21 (Exhibit 14 was marked.)
 22 MR. MCNEELY: Can you take a brief moment to
 23 review what's been marked Exhibit 14, Mr. Schmierer?
 24 (Brief pause.)
 25 BY MR. MCNEELY: Q. Do you recognize Exhibit

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EXHIBIT 94



Scott Lively <sdllaw@gmail.com>

invitation from Alexey Ledyayev

4 messages

vadim privedenyuk <vadng@hotmail.com>
To: scott lively <sdllaw@gmail.com>

Wed, Dec 3, 2008 at 2:41 PM

Dear Scott,

I hope you doing well. As we planning our 2009 annual NG conference in Riga to be on Jul 2-5, Alexey would like to invite you to minister. This will be "Watchmen on the walls" conference. We've also invited some leading pastors from Europe to participate and enlarge WOW influence. We will cover the cost of your airfare and your stay in Riga.

Please, respond ASAP, so we can start advertising this event. Our budget allows us to cover only speaker's cost, nevertheless, you can bring someone with you on their own.

Thank you and God bless!

Vadim

You live life online. So we put Windows on the web. Learn more about Windows Live

Scott Lively <sdllaw@gmail.com>
To: vadim privedenyuk <vadng@hotmail.com>

Wed, Dec 3, 2008 at 3:41 PM

I accept gladly. Is Jul 2-5 a firm date?

Two other items.

1) Sergey Velbovets is nearly finished editing The Pink Swastika, Russian edition, and we can have books ready for that conference. Does Alexey want to invest in the printing? We could split the cost and the profits.

2) I am talking with the Ugandans about doing a conference in Kampala next year. Would Alexey like to be a part of it?

Blessings,

Scott

[Quoted text hidden]

vadim privedenyuk <vadng@hotmail.com>
To: scott lively <sdllaw@gmail.com>, "NG Riga, LV" <newgen@mailbox.riga.lv>

Thu, Dec 4, 2008 at 11:50 AM

Scott,

Here is few things to be updated.

1) The Pink Swastika (Russian edition) - is very timely translated and edited. We are convinced it will be great tool, that's why we already invested in this edition by covering translation cost. The office staff just reminded us about this today and seems like budget will not allow us to invest in printing of the book right before conference.

2) When is conference in Uganda planned to take place? What is the agenda? Who will participate? Any budget to cover expenses? There are plans to start NG Church in Ethiopia by Kasahun (you met him in Riga). So as we may need to go there in August we may connect this two african event. What do you think?

Vadim

P.S. Opening of the conference changed to Jul.1, as we have many speakers this time, including A.Madubuko, R.Renner, G.Bakalov, A.Stepanov, M.Maximov, P.Gudo and others...

Date: Wed, 3 Dec 2008 15:41:06 -0500
From: sdllaw@gmail.com
To: vadng@hotmail.com
Subject: Re: invitation from Alexey Ledyayev
[Quoted text hidden]

Send e-mail faster without improving your typing skills. Get your Hotmail® account.

Scott Lively <sdllaw@gmail.com>
To: vadim privedenyuk <vadng@hotmail.com>

Thu, Dec 4, 2008 at 1:15 PM

Hi Vadim,

I will try to raise funds for printing the Russian version and shipping to Riga. I will certainly not forget New Generation's generous investment in the translation process and I'm sure we can all share in the profits it will generate. I need to include my Jewish co-author in this also.

The Uganda conference is in early planning stage. At this point it looks like it will be small, and I will use it for training Christians how to fight the homosexual agenda. But we can enlarge it if Alexey wants to join in, but the Africans don't have money. I am sending them some books to sell to help raise my travel costs.

I like the idea of planning it to coincide with the Ethiopian conference. We could do them back-to-back. Maybe Anselm would be willing to host a Nigerian conference also and we could do three in a row? I would like to participate in the Ethiopian conference even if Alexey doesn't want to go to Uganda.

Many Blessings,

Scott
[Quoted text hidden]

EXHIBIT 95



EXHIBIT 96



Scott Lively <sdllaw@gmail.com>

uganda

11 messages

Allen, Mike <Mike.Allen@wsj.com>
To: "sdllaw@gmail.com" <sdllaw@gmail.com>

Fri, Dec 4, 2009 at 1:25 PM

Hi Scott, just wanted to let you know I'm headed to Uganda. I have a 6 pm flight. Do you have a moment to chat before I leave? Thanks, Mike

Michael Allen
Wall Street Journal
w-212-416-3506 c-917-930-5068

Scott Lively <sdllaw@gmail.com>
To: "Allen, Mike" <Mike.Allen@wsj.com>

Sat, Dec 5, 2009 at 1:26 AM

Sorry to have missed you. I can chat by e-mail or you can call me from there.

Scott

Following is my editorial on the topic:

The Death Penalty in Uganda

By official count 22 young men were executed under Uganda's law on homosexuality. The law in question required that all men and boys in Uganda be willing to submit to the homosexual seduction of it's ruler, King Mwanga. When Ugandans began to convert to Christianity in the 1800s, a group of Catholics, led by Charles Lwanga, refused to allow themselves to be sodomized by the King. Enraged, King Mwanga had them toruously bound, marched 37 miles and then roasted alive in a fire pit. The date of their execution was June 3rd, 1886, and is today a national holiday commemorating Uganda's rejection of homosexuality and commitment to Christian values.

It should be no surprise, therefore, that modern Ugandans are very unhappy that homosexual political activists from Europe and the United States are working aggressively to re-homosexualize their nation. Ugandan citizens report a growing number of foreign homosexual men coming to their country to turn desperately poor young men from the slums into their personal houseboys, and that some girls in public schools have being paid to recruit others into lesbianism. Foreign interests have exerted intense pressure on Uganda's government to compromise its laws regarding sexual morality, often using their control over foreign aid funding for leverage.

Over the past decade a growing pro-family movement has begun to insist that Parliament do something about this problem. This year, Parliament answered the call. Unfortunately, the bill they are now debating represents a serious overcorrection, including, for example, the death penalty for certain forms of "aggravated homosexuality" (such as knowingly spreading AIDS).

As a Christian attorney and international human rights advocate who has worked closely with Uganda's pro-family movement, I have a special interest in this issue. In my view, homosexuality (indeed all sex outside of marriage) should be actively discouraged by society -- but only as aggressively as necessary to prevent the mainstreaming of alternative sexual lifestyles, and with concern for the preservation of the liberties of those who desire to keep their personal lifestyles

private. Marriage-based culture served humanity very favorably during the centuries when homosexuality was disapproved but tolerated as a sub-culture in America, England and elsewhere. It has obviously not fared well in the decades since the so-called sexual revolution kicked open Pandora's Box and unleashed both rampant heterosexual promiscuity and "Gay Pride" on the world.

In March of this year I had the privilege of addressing members of the Ugandan parliament in their national assembly hall when the anti-homosexuality law was just being considered. I urged them to pattern their bill on some American laws regarding alcoholism and drug abuse. I cited my own pre-Christian experience being arrested for drunk driving. I was given and chose the option of therapy which turned out to be one of the best decisions of my life. I also cited the policy in some U.S. jurisdictions regarding marijuana. Criminalization of the drug prevents its users from promoting it, and discourages non-users from starting, even while the law itself is very lightly enforced, if at all. Additionally, I urged them to actively promote the marriage model in their schools as a form of inoculation to the anti-family messages flooding their country through Western media.

All of my suggestions were ignored (despite which fact I am being blamed for the proposed law as written by certain major media outlets and the "gay" blogosphere.) Nevertheless, I commend the courage of the Ugandan people. During the past decade or so, Uganda has been one of the few countries of the world that has firmly resisted the enormous power and relentless pressure of the international "gay" lobby, while other developing nations such as South Africa and Brazil have been systematically homosexualized. This is one of the reasons that Uganda's AIDS rate went from the highest to the lowest in Africa during this same time period.

Let me be absolutely clear. I do not support the proposed anti-homosexuality law as written. It does not emphasize rehabilitation over punishment and the punishment that it calls for is unacceptably harsh. However, if the offending sections were sufficiently modified, the proposed law would represent an encouraging step in the right direction. As one of the first laws of this century to recognize that the destructiveness of the "gay" agenda warrants opposition by government, it would deserve support from Christian believers and other advocates of marriage-based culture around the world.

In the mean time, despite all of the hysteria in the liberal media, it is important to remember that there is no death penalty for homosexuals in Uganda, only a bill under debate that will hopefully be modified before passage. The only Ugandans who have been executed for their beliefs and actions about homosexuality have been Christians.

[Quoted text hidden]

Allen, Mike <Mike.Allen@wsj.com>
To: "sdllaw@gmail.com" <sdllaw@gmail.com>

Sat, Dec 5, 2009 at 2:32 AM

Clever lede. I'll touch base when I arrive. Do u know is rev. Langa will see me? Chrs, mike

Sent from my BlackBerry Wireless Handheld

[Quoted text hidden]

Allen, Mike <Mike.Allen@wsj.com>
To: "sdllaw@gmail.com" <sdllaw@gmail.com>

Fri, Dec 11, 2009 at 4:54 AM

Way to go, you made rick warren's hit list. I've had some very interesting conversations with martin ssempa. He of course totally disagrees with the notion that he's anybody's puppet. In fact, seems to me he sees it the other way around: the u.s. Evangelical leadership has gone "soft" on gays and he's trying to stiffen their spines. Do you see anybody rallying to his flag in the u.s., or is he off the reservation? The leadership certainly seems to be deserting him in droves. I wonder though

<https://mail.google.com/mail/u/0/?ui=2&ik=a92cd818c2&view=pt&q=Langa&qs=true&search=query&...> 4/10/2014

about individual church members who may be willing to separately follow their conscience, ie their own personal interpretation of levticus 18:22. Separately, I want to meet langa but don't know how. Any ideas? Best, mike

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: "Allen, Mike" <Mike.Allen@wsj.com>

Fri, Dec 11, 2009 at 7:39 AM

Hi,

Thanks for the Rick Warren tip. I do NOT deny the Holocaust!! How did that get in there?

I don't know of anyone who is supporting the Uganda bill as written

I'll forward your message to Stephen and he can decide whether to contact you.

Scott Lively
[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: Stephen Langa <stephenlanga@yahoo.com>

Fri, Dec 11, 2009 at 7:44 AM

Hi Stephen,

Mike Allen of the Wall Street Journal is in Kampala. He wants to interview you. I think he's a genuine journalist and not a leftist ideologue.

Blessings,

Scott
[Quoted text hidden]

Stephen Langa <stephenlanga@yahoo.com>
To: Scott Lively <sdllaw@gmail.com>

Fri, Dec 11, 2009 at 11:18 AM

Dear Scott,

Thanks for the info about Mike Allen. I have been inundated with press interviews the last couple of weeks. I will wait to hear from him. I hope he knows how to reach me.

God bless.

Stephen Langa

--- On Fri, 12/11/09, Scott Lively <sdllaw@gmail.com> wrote:

From: Scott Lively <sdllaw@gmail.com>
Subject: Fwd: uganda
To: "Stephen Langa" <stephenlanga@yahoo.com>
Date: Friday, December 11, 2009, 4:44 AM
[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: Stephen Langa <stephenlanga@yahoo.com>

Fri, Dec 11, 2009 at 12:22 PM

<https://mail.google.com/mail/u/0/?ui=2&ik=a92cd818c2&view=pt&q=Langa&qs=true&search=query&...> 4/10/2014

Cc: mike allen <mike.allen@wsj.com>

He doesn't. What is your phone number

[Quoted text hidden]

Stephen Langa <stephenlanga@yahoo.com>
To: Scott Lively <sdllaw@gmail.com>

Fri, Dec 11, 2009 at 3:38 PM

My cell phone is 256-772-476071

--- On Fri, 12/11/09, Scott Lively <sdllaw@gmail.com> wrote:

From: Scott Lively <sdllaw@gmail.com>
Subject: Re: Fwd: uganda
To: "Stephen Langa" <stephenlanga@yahoo.com>
Cc: "mike allen" <mike.allen@wsj.com>
Date: Friday, December 11, 2009, 9:22 AM

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: mike allen <mike.allen@wsj.com>

Fri, Dec 11, 2009 at 4:42 PM

----- Forwarded message -----

From: **Stephen Langa** <stephenlanga@yahoo.com>
Date: Fri, Dec 11, 2009 at 3:38 PM
Subject: Re: Fwd: uganda

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: Scott Lively <psalm37nasb@gmail.com>

Thu, Apr 10, 2014 at 12:58 PM

----- Forwarded message -----

From: **Stephen Langa** <stephenlanga@yahoo.com>
Date: Fri, Dec 11, 2009 at 3:38 PM
Subject: Re: Fwd: uganda

[Quoted text hidden]

EXHIBIT 97



EXHIBIT 98



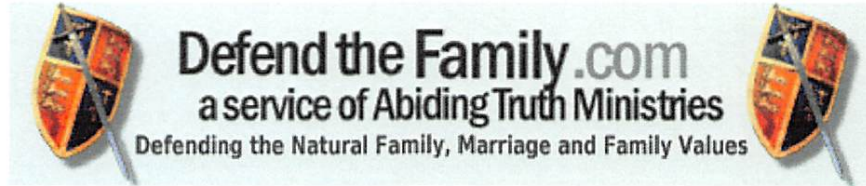
Scott Lively <sdllaw@gmail.com>

Dr. Scott Lively vs. SMUG Activists

1 message

DefendTheFamily.com <noreply@defendthefamily.com>
To: Scott Lively <sdllaw@gmail.com>

Fri, Apr 25, 2014 at 11:51 AM



DefendTheFamily.com Alert

Friends,

For over two weeks now I've been slogging through the very burdensome discovery process in my Sexual Minorities Uganda (SMUG) lawsuit. I'm a little over half-way through.

Their suit cites as evidence a radio show I did about the case back in 2012, and I've had to go back and listen to it again to respond to one of their document requests.

What a great show! If you want to know what's really going on regarding events in Uganda and this lawsuit, take a listen. And send this along to others. It is titled:

Dr. Scott Lively vs. SMUG Activists

roadkillradio.com/2012/04/17/dr-scott-lively-vs-smug-activists/

The fact that these lefty activists at the (so-called) Center for Constitutional Rights think this show supports their assertion that I am a "Criminal Against Humanity" tells you all you need to know about them.

As we know, what the devil intends for evil, God turns to the good of those who love Him. You can be a part of overcoming this particular evil by simply encouraging your friends to listen to this show. It will do our side good to hear it.

Blessings,

Dr. Scott Lively

PS. Please be in prayer for us. While I'm up to my eyeballs in paperwork, Anne is in the hospital recovering from spinal surgery. It's a tough week, but we're both keeping hold of our joy in Christ.

This information is brought to you courtesy of DefendTheFamily.com, daily news updates and extensive [free resources](#) on the homosexual issue from a pro-family perspective. Please do not reply to this email; if you would like to contact us, visit our [contact page](#).

If you would like to be removed from our mailing list, please use our [unsubscribe page](#).

Donations to Abiding Truth Ministries are tax deductible—and necessary for the continuation of our work. Please [donate here](#).

EXHIBIT 99



Scott Lively <sdllaw@gmail.com>

RE: PLEASE ASSIST ON HUMAN RIGHTS

3 messages

Stephen Langa <stephenlanga@yahoo.com>
To: Scott Lively <sdllaw@gmail.com>

Thu, Mar 12, 2009 at 3:47 PM

Dear Scott,

I know that you must be taking a holiday now after such a marathon schedule in Uganda.

I however have a quick request on human rights. Please give me the list of historical human rights documents that you mentioned. Also, what defence can one give to homosexuals who come in the guise of human rights? I need to prepare for a presentation I will be making to the biggest newspapers in a few day's time. If there is a document that throws light on these questions, I would be grateful to have it.

God bless.

Stephen Langa

Stephen Langa <stephenlanga@yahoo.com>
To: Scott Lively <sdllaw@gmail.com>

Thu, Mar 12, 2009 at 3:49 PM

Dear Scott,

I know that you must be taking a holiday now after such a marathon schedule in Uganda.

I however have a quick request on human rights. Please give me the list of historical human rights documents that you mentioned. Also, what defence can one give to homosexuals who come in the guise of human rights? I need to prepare for a presentation I will be making to the biggest newspapers in a few day's time. If there is a document that throws light on these questions, I would be grateful to have it.

For your information, I sent the document on how to defeat the gay arguments using simple logic to the Uganda Human Rights Commission and I have just received information that it has been circulated to all staff members.

God bless.

Stephen Langa

Scott Lively <sdllaw@gmail.com>
To: Stephen Langa <stephenlanga@yahoo.com>

Thu, Mar 12, 2009 at 6:53 PM

<http://www.defendthefamily.com/intl/>
[Quoted text hidden]

EXHIBIT 100



Scott Lively <sdllaw@gmail.com>

Hello Brother Stephen

1 message

Scott Lively <sdllaw@gmail.com>

Thu, Mar 26, 2009 at 10:33 AM

To: Stephen Langa <stephenlanga@yahoo.com>

The battle rages on and I pray the Lord is adding to our victory in Uganda.

Can I get copies of my messages which you recorded? Especially the KPC sermon, and my 3 seminar segments.

Many Blessings,

Scoy

EXHIBIT 101

Wednesday, 1 April 2009

Parliament met at 3.07 p.m. in Parliament House, Kampala.

PRAYERS

(The Deputy Speaker, Ms Rebecca Kadaga, in the Chair.)

The House was called to order.

COMMUNICATION FROM THE CHAIR

THE DEPUTY SPEAKER: Hon. Members, I want to welcome you to today's sitting. I would like to apologise for the late start. Today the Appointments Committee sat until 2.20 p.m. hence the delay, but we shall try to catch up. Thank you for coming.

3.08

MR LATIF SEBAGGALA (DP, Kawempe Division North, Kampala): Thank you. Madam Speaker, I rise on a point of national importance. In today's *New Vision*, there is a front page picture showing gay activists addressing a press conference. To the best of my knowledge, homosexuality is illegal. I know that our cultural norms, our religious norms, and even our Constitution do not allow homosexuality. However, these people have now been given the opportunity to address press conferences. I am quite disappointed that the Minister of Ethics and Integrity can allow these activists to address journalists and at the same time we are saying that this is contrary to our cultural and religious norms.

My fear is for our young generation - our sons and daughters - especially those in schools. We have heard that there are some foreign NGOs that are funding these activists. It is also alleged that the government is turning a deaf ear to what is going on. We know that these countries, it was alleged, are threatening to stop giving us foreign aid if government intervenes.

I know that as we speak now, we are funding 70 percent of our budget. If we are funding 70 percent of our budget, let us be dignified beggars. If there are some conditions these countries are putting on us, we should say, "no". This is because what these people are doing is contrary to our Constitution, cultural norms and religious beliefs. I believe that next time these people will be addressing journalists at the Media Centre.

I beg that the Minister of Ethics and Integrity comes out on this. If we are protecting our sons and daughters in schools, and if these activists have gone to the extent of having ambassadors in various schools and we are seeing the government very silent, maybe this is silent approval that these people can now do whatever they want. Next time we will be witnessing situations where rebels, thugs and thieves will be addressing journalists. Madam Speaker, that is my plea.

3.12

MS BEATRICE LAGADA (NRM, Woman Representative, Oyam): Madam Speaker, I rise to ask a question to the Deputy Attorney-General. On the 5th March, the Minister of State for Gender gave a statement to this House on International Women's Day celebrations. As debate arose, the Attorney-General assured Ugandan women that before the end of March, he would bring to this House the gender related Bills. Today is the 1st of April, when is the Deputy Attorney-General going to bring to this House the gender related Bills, that is, the Domestic

Violence Bill, the Marriage and Divorce Bill and the personal Moslem administration law as he promised?

Secondly, before we went for the December break, the question of people collecting money and operating illegally was discussed in this House. The organisations I refer to are Dutch International, Team, COWE and African Christians in Development (ACID). I remember the ruling was that in two weeks' time, the Minister of Internal Affairs together with the Ministry of Finance would present a statement to this House as to what government is doing. To date, I have not had that response.

I am very concerned because ACID collected a lot of money from my constituency, Oyam. Those are people who have just come out of camps and they are extremely poor. Each person paid Shs 54,000 per child. There are people who registered as many as five to 10 children, and that was starting October 2006. Today, ACID has disappeared in thin air. I am aware that they are operating in many districts in this country. What is the Ministry of Internal Affairs doing? Why have they not responded to the ruling of your Chair? Thank you.

3.15

MS GRACE OBURU (NRM, Woman Representative, Tororo): Thank you, Madam Speaker. I rise on an urgent matter of national importance. Last weekend I attended Women's Day celebrations in Paya sub-county and among the reports that I received from the LC III chairman was that from January to 28 March, 124 girls had been defiled. This is in one sub-county, and those are just reported cases but there are cases which go unreported. This case has been talked about. The officers in the parliamentary research office are carrying out a study on the dropout rate of girls and this was among them - teachers are engaged in defiling girls.

When a child leaves home, the other parent to that child is the teacher but now the teacher is the one defiling this girl. What is this teacher instilling in this girl as a person of moral authority? I am requesting that when these cases get reported, they are dealt with without fear or favour. Now they get reported, people get arrested but it just ends there; they are not followed up and people go scot-free. So, that is why there is a lot of defilement going on. People know that after all, there will be nothing done to them. I am requesting government to actually ensure that those who defile children are punished accordingly. Thank you.

THE DEPUTY SPEAKER: I do not know whether the Leader of Government Business wishes to say something about this matter?

3.18

THE SECOND DEPUTY PRIME MINISTER/MINISTER OF PUBLIC SERVICE (Mr Henry Kajura): Thank you, Madam Speaker. Let me start with the first two issues that were raised. May I call them the anti-women *-(Laughter)-* as you know, government is certainly very pro-women and it has in fact proceeded quite actively in trying to respond to this matter. Two draft Bills are now almost with us. We hope that in the next few days, we shall be able to present them to the House. They were passed by Parliament so government is actively pursuing the matter.

On the issue of the molestation of young people, it is a pity that our society has declined pitifully. This is a matter which is of great concern to all of us, whichever side of the House we happen to be. We have had discussions with the Ministry of Internal Affairs to legislate in an effective manner that will ensure that all those who are caught involved in these matters will be treated severely.

As you will have read in the press, the Inspector-General of Police has been in Kiboga with his dogs and you know what he has done. You know the number of people who have been arrested, and he continues to be there in search of such criminals. So, the decision has been taken that government will –(*Interruption*)

MR KASSIANO WADRI: Thank you very much, Madam Speaker. I wish to thank the Leader of Government Business for having given me this opportunity to seek this clarification.

One of the reasons why cases of defilement are not successfully prosecuted is because of the mandatory or legal requirement that after such an act, the victim should be subjected to a medical examination by a police surgeon, and these things are not free. Of late government came up with a promise that it has now made medical examinations in Mulago Hospital available free of charge. Could the Rt Hon. Prime Minister explain to this House whether they have been able to decentralise this free service to the other district hospitals so that a child who is defiled in Paya in Tororo District does not have to come all the way to Mulago in search of free medical services? That is one of the reasons why the cases do not succeed in the course of prosecution; the victims are expected to pay money.

You know what it is. It is not an ordinary crime like theft where you can come and say, “Yes, I have stolen and I am being arraigned”. This is a crime of moral turpitude and people always fear going to medical units for examination, more so when they are asked to pay money on top of the injury that they have suffered. Is that possible? Can you please explain to us? Thank you.

3.23

THE MINISTER OF HEALTH (Dr Stephen Mallinga): Thank you very much. Madam Speaker, whenever a crime is committed and there is need for an examination by a doctor, a policeman can ask - in a way order - any doctor to carry out an examination without being paid - (*Interjections*)- let me explain. In case of molestation, if there is rape and someone reports to the police, that policeman can take that person to the nearest hospital and that person is examined freely; they do not have to come to Mulago. That doctor will be required to go and give evidence in court without being paid. They might pay for his transportation. That is the law.

THE DEPUTY SPEAKER: Hon. Members, let me give some information. I was in Kapchorwa last year on the 30th November for the annual Cultural Day. After the ceremony, I sat with the civil servants and they told me that there is no police surgeon in the district of Kapchorwa. If there is a case of murder, they must go to Mbale, get somebody from Mbale and they must pay for the transport of that person. So the law is different and the reality is different. There are no police surgeons in the districts.

DR MALLINGA: A police surgeon is a title but any doctor can examine any person who has been wronged. If in Kapchorwa there is a need for somebody who has been wronged to be examined, the policeman goes to the hospital, finds the doctor to carry out the examination and that doctor is bound to come later and give evidence in court. So there is just a misunderstanding.

THE DEPUTY SPEAKER: No, the victim must fund the transport back and forth. The victim has to fund the transport of that doctor and the police, back and forth. That is the problem.

MS LAGADA: Madam Speaker, I am convinced that the Minister of Health is not on the ground in matters of defilement and what people go through. These police surgeons I think are at regional

level. The people of Lango have to go to Gulu to find a police surgeon and I am sure it is the same case in all the regions.

The Committee on Gender just went to the Northern region and what we found there was terrible. You cannot ask somebody in Pader whose child has been defiled not only to transport the victim but the policeman to Gulu as well. The whole process is so complicated that it is just not worth the bother. Can the minister please tell us whether he really knows what Ugandans whom we represent are going through?

DR MALLINGA: I have seen more cases of defilement, I have examined more cases of defilement and I have given evidence in cases of defilement more than the hon. Member of Parliament can ever see in the whole of her life. I am an obstetrician and gynecologist and that is my area. *(Laughter)* So, for the hon. Member of Parliament to say that I am not on the ground; this is part of the training of a gynecologist, to be able to deal with cases of defilement and rape! We just have to put things in order and let them be streamlined. To say that I am not on the ground is very unfortunate. *(Laughter)*

MR REAGAN OKUMU: Madam Speaker, I just want to give some information because hon. Lagada made reference to Gulu. Actually, there are a lot of rape cases in Gulu and these so-called police surgeons are nowhere to be seen to address them.

Secondly, with these rape cases that are taking place, the most vulnerable are the poor. These doctors in hospitals have procedures and processes that are not transparent and the victims do not get the justice they deserve. At the end of the day, even the examinations are never promptly done. The referral takes time and at the end of the day, the victims suffer.

Lastly, this defilement does not only affect girls, even young boys are being defiled by mature women. I thank you, Madam Speaker.

3.29

MR HENRY BANYENZAKI (NRM, Rubanda County West, Kabale): Thank you, Madam Speaker. I am very concerned when serious issues are raised by Members of Parliament and then ministers do not take them seriously. This is the reason why we are having such kind of anarchy in this country.

On a question of enforcement of laws, why should the Minister of Health come here and start defending. This is within the ambit of the Minister of Internal Affairs. We are talking about Police; we are not talking about the Ministry of Health. When you come to start defending such kind of actions within the Police who are not enforcing the laws, that is why we have homosexuals addressing press conferences and that is why we have children being sacrificed and nobody cares. All they have to do is come here and deny. Why are you living in denial? Own up!

I feel that as Parliament, we should pronounce ourselves against these ministers who do not own up to these issues. Maybe we should move a motion of displeasure because that is how they will learn. If we do not do this, we shall keep on raising such issues and all they will do is come here and make fun of our concerns. This is very unfair and we need to [HON. MEMBERS: "Move."] at an appropriate time I will move. *(Laughter)*

MR KAJURA: Thank you, Madam Speaker and honourable members. The issue before us is a grave one indeed and there is no intention of underrating it. I would like to promise the House that this matter will be given active consideration and action will be devised. We should be able

to report within three weeks as to what programme we shall follow in combating this evil practice. I thank you.

MR SEBAGALA: Madam Speaker, I have been waiting for my response on the official government position on the issue I raised concerning homosexuals - the freedom they have been given that they can address press conferences as and when they want. I would like the Prime Minister to give us the official position. There may be silent approval by the government that these people are free and can practice whatever they want.

MS KAMYA: Thank you, Madam Speaker. I am going to give information related to the laxity at best or outright incapability of the Ministry of Internal Affairs to enforce the law. It seems to me that all the matters of public concern that have been raised this afternoon point at government's incapacity to enforce the law.

A few months ago in this House when we were talking about human sacrifice and what was happening to children, the Deputy Attorney-General, sitting there, stood up and actually told us that sorcery - witchcraft - is illegal in the books of Uganda. We have witchdoctors who advertise publicly on radios, billboards, everywhere. They say that they practice sorcery, that they send *mayembe* away and so on. They do that everyday in the media and yet the Deputy Attorney-General stood there and told us that sorcery and witchcraft are illegal in Uganda.

So when you see known homosexuals, known defilers, known murderers like Magara and known rapists on the streets walking, then it is not surprising that homosexuals are addressing press conferences. It is not surprising that we have advertisements of such criminal activities.

I just wanted to give the honourable member information; it is not only homosexuals that are addressing press conferences but sorcerers as well - openly. I needed to give that information.

3.34

THE GOVERNMENT CHIEF WHIP (Mr Daudi Migereko): I thank you very much, Madam Speaker. First of all, on the issue of homosexuality, the Minister of Ethics and Integrity has been very clear on this matter. He has come out with the government position on this matter on a number of times.

It is also true that to hold a press conference, you do not need to get permission from anyone. These homosexuals decided to go for a press conference and they have exposed themselves. Now those in charge of law enforcement can be in a position to follow them up. Otherwise, on homosexuals, government is very clear; it is illegal here and I want to assure you, hon. Latif Sebaggala and hon. Betty Kamya, these guys will be followed up by state agencies.

Secondly, on the issue of native doctors - the issue of witchdoctors - our position on is also very clear. However, it is also true that we happen to have native doctors who use native medicines - *(Interruption)*

MS KAMYA: Hon. Government Chief Whip, it was thoroughly discussed here and we did make a distinction between traditional healers that use herbs, which most of us use, and witchdoctors that sacrifice and claim to deal in spirits. We are talking about that. We are not even discussing the position of government; we are discussing the law in our Penal Code. There is a law that says that it is illegal. However, these people go ahead and advertise themselves as people that deal in spirits, as people that can handle spirits and as people that solve spiritual matters. They do it everyday. You drive by them everyday yet there is a law against them.

To wind up this matter, surely, hon. Migereko, if it is true that these people have exposed themselves and that they should be handled by the law enforcers, why are we discussing this? Why is the Front Bench defending some of these things? There is the Minister of Health who instead of showing anger and saying “I will go after those people” he is saying that we should do the impossible, which we all know that you cannot do. Are you aware that to get a Police report in this country you have to pay Shs 60,000? If I want to give free information that some people stole a *boda boda* in Kampala, I have to pay Shs 60,000. So, people just live with suffering in their houses because they cannot raise Shs 60,000. It is not a bribe because you get a receipt, but it keeps people away from the protection of the law.

MR MIGEREKO: I would like to thank hon. Kamyia for that information. Our position as government is very clear and unequivocal. Homosexuality is illegal and those involved in homosexuality will face the long arm of the law. This press conference *-(Interruption)*

MR ODIIT: Madam Speaker, I know that hon. Daudi Migereko is the Government Chief Whip and his mandate is quite clear but he is usurping the roles of the responsible ministers. A few minutes ago, I saw the Minister of Ethics and Integrity outside this Parliament. Now he is trying to fight hard to speak on behalf of those responsible ministers who should account for their laxity within their sectors here.

Is he right to do such a job instead of looking around for these ministers to come here and respond to queries and concerns of Parliament? He has forgotten that he is no longer in charge of a ministry but he is a chief whip whose work is to coordinate and make sure that the Members of Parliament from government side are present and state the position of government.

THE DEPUTY SPEAKER: But there is also collective responsibility in the Cabinet. Let him answer.

MR MIGEREKO: Madam Speaker, thank you very much for your guidance. I even do not know under what rule you are raising that kind of procedure.

On the issue of witchdoctors and those involved in human sacrifice, government has clearly mounted a campaign against those guys who are involved in human sacrifice. A number of arrests have been made in several places in the country and this hunt is going to continue. The Minister of Internal Affairs will soon be coming to the House on this matter.

Similarly, on the issue of homosexuality, hon. Nsaba Buturo will come and appraise Parliament on the steps that are being taken to ensure that the country is not taken over by rapacity. I thank you.

MR REAGAN OKUMU: Madam Speaker, I want to seek some small clarification from the Leader of Government Business. There is talk that when this issue of homosexuality came, there are some donors who threatened us – they threatened to cut aid. I want the nation to be put to rest. At what cost are we going to get these donor funds? Should we even undermine our own morality and destroy our cultural norms and bases just because we want to get donations from some countries?

I am reliably informed that there are some donors who made very strong statements when the President made a strong statement that he was going to arrest the homosexuals. The President then cooled down and coiled. So, let the nation be assured that we are not dancing to the dictates

of the donors but that we are running our country basing on our values - the values of our society, today, tomorrow and for the future generations to come, but not basing on the donations from abroad.

THE DEPUTY SPEAKER: Well, I do not know if the Leader of Government Business can assure the country that we are not being held hostage.

3.43

THE SECOND DEPUTY PRIME MINISTER AND MINISTER OF PUBLIC SERVICE (Mr Henry Kajura): Thank you, Madam Speaker. Our ethics of conduct in this country are very well known. I do not know whether there is any society in Uganda that does not abhor things like homosexuality, the molestation that is going on and all the other things that we read of in the press.

I want to assure you that government will show its teeth in the very near future in handling these matters. We have no wish to compromise on our morals. We are Ugandans, we are Africans and there is no reason why anybody should push us. It happened once; the President was not in Uganda and there was an exchange between him and some groups which wanted to promote that bad practice. Those who are here now know our stand. Please assist us by providing information which we can follow up so that we can punish and deal very firmly with these not so respectful individuals. Thank you.

MOTION FOR CONSIDERATION AND ADOPTION OF THE REPORT OF THE PUBLIC
ACCOUNTS COMMITTEE ON THE REPORT OF THE AUDITOR-GENERAL FOR THE
YEAR ENDED 30TH JUNE 2003

3.45

THE CHAIRPERSON, PUBLIC ACCOUNTS COMMITTEE (Mr Nathan Nandala-Mafabi): Thank you Madam Speaker and honourable members. This report was distributed to you, so I will just give a few highlights and the rest you can read and debate.

Madam Speaker, rule 148(2) of the Rules of Procedure of Parliament assigns the Public Accounts Committee the duty of examining audited accounts showing the appropriations of the sums granted by Parliament to meet the public expenditures of the central Government and the Judiciary on behalf of Parliament and report its findings to this august House. This is done in fulfillment of Article 163(5) and Article 164(3) of the Constitution of the Republic of Uganda which mandate Parliament to monitor all expenditure of public funds and report excesses of government as observed by the Auditor-General.

This is the report of Public Accounts Committee on the Auditor-General's report for the year ended 30th June 2003.

In the performance of its mandate, the Public Accounts Committee interacted with all accounting officers who had queries to answer during the year in question. However, this report is not only based on the findings of the Auditor-General for the financial ended 30th June 2003 and its final accounts, but also includes close scrutiny of policy matters relating to financial management, compliance with the Constitution, the Public Finance and Accountability Act, Public Procurement and Disposal of Public Assets Act, the Budget Act, the Appropriation Act and other laws governing the management of public affairs and points of reference in our discussions with concerned accounting officers

The committee made effort to uphold accountability in the use of public funds and the delivery of goods and services.

Terms of Reference

The Public Accounts Committee proceeded with its work under the following terms:

1. Evaluating the effectiveness, efficiency and economic value of governmental projects and programmes according to their set objectives.
2. Assessing the consistency of budget outlays in relation to the increasing over-spending by ministries and departments of governments, which act amounts to violation of the Constitution and the commitment control system.
3. Demanding, in writing, from the concerned ministries/departments all information and all public documents deemed necessary in the assessment and fulfillment of its oversight function.
4. Assessing the accounts of ministries/departments and the overall management of public funds with special attention to allegations of fraud, corruption, waste, abuse, diversion and all sorts of irregularity that may constitute abuse or misuse of monies charged on the Consolidated Fund.

The committee used the report of the Auditor-General as its primary source of investigations for questioning the concerned accounting officers.

The committee is, therefore, happy with the additional technical staff or support it received from the Auditor-General, the office of the accounting generals – that is Treasury Directorate, Office of the Clerk to Parliament, and Criminal Investigative Department - during its work.

Allow me also to pay tribute to the members of the Public Accounts Committee for their tireless efforts to have this work done. I can report here that the committee has worked hard and as I talk now, we have three more reports waiting to be presented. The names of the members of the Public Accounts Committee are attached at the end of the report.

The committee interviewed the accounting officers of various government ministries in the process and set out time to meet with the Ministers of Finance, Planning and Economic Development, Public Service, the Attorney-General and Solicitor-General to clarify policy matters that arose in the process.

Observations and Recommendations

Diversion of Project Funds

Madam Speaker, the committee noted that most ministries had resorted to borrowing funds meant for project implementation to fund their other budgets. Although these funds are borrowed for purposes of funding urgent needs of the ministries, they are not refunded for the implementation of the activities they are meant for.

The committee observed that the practice of borrowing project funds hampers the timely implementation of project activities and leads to failure in achieving the project objectives.

Recommendations

1. The committee recommends that this act is destructive, costs the taxpayer, and should stop forthwith.
2. Any accounting officer who acts to the contrary will be charged with abuse of office and corruption.
3. The committee also observed that some accounting officers are yielding to pressures from politician for activities like travel and always take decisions that are contrary to the commitment control system.
4. The committee directs that accounting officers would first seek the authority of the permanent secretary/secretary to treasury before diversion of any project funds and the agreed effects of such diversions should be made known to the secretary of treasury, who in turn should inform Parliament.

Advances Not Accounted For

Madam Speaker, one of the main problems in ministries is non-accountability for money advanced to public officers. The accounting officers give advances to various beneficially but fail to give accountability at the end of the financial year.

During the year under review, over Shs 439 million was advanced by accounting officers. The ministries/departments involved include: Gender, Labour and Social Development, State House, Local Government, Prisons, Office of the Prime Minister and Police.

A closer scrutiny of these advances by the committee showed a tendency by public officials to loan themselves public funds to fund their private activities. Unfortunately, even the political leadership of these ministries/departments have fallen in the trap of this evil. By the time of writing this report, for example, hon. Semakula Kiwanuka still owes the Office of the Prime Minister unaccounted for advance totalling to Shs 365,812. (*Laughter*)

The committee reiterates that all advances be accounted for by the end of every financial year and on failure, the accounting officer responsible will be held accountable for abuse of office and will be made to refund the funds accordingly.

The officers who take advances and not account for them should be charged to theft and corruption.

The committee observed further that the accountability should be done at the time of the audit. Failing to account at the time of audit shows the extent of poor management of public funds in the ministries.

It noted that long delays in accountability undermined and compromised the management of public funds and makes it difficult to pursue any disciplinary action.

The accounting officers should be able to track all the advances unaccounted for in their ministries/departments appropriately and be able to take firm stand where accountability is questionable.

The committee recommends that advance ledgers be maintained to track performance and accountability.

Madam Speaker, substantial amounts of money continue to be lost by government on payments which could be avoided for fright decisions that are taken by those who are supposed to manage public funds.

These are many losses associated with court awards, payment on demurrages, compensations and default on contracts. During the year under review, for example, Shs 6.9 was awarded by court to an individual who had won a case against the forest department for illegal confiscation of his timber. The case was not adequately defended in court by the Attorney-General who would not even seek information regarding the ministry, nor did he ask the ministry to give evidence in court.

Under Ministry of Defence alone, over Shs 800 millions was lost under nugatory payments. In Uganda Police, Shs 120 millions –(*Interruption*)

MR KAKOBA ONYANGO: Thank you, Madam Speaker. I stand up to seek your guidance in accordance with Rule 28 of our Rules of Procedure; that is on the issue of presentation of papers. My understanding of this rule is that the paper was supposed to be presented without reading the report. But the way I see it, the report is being read. I seek your guidance on rules 28 and 29.

THE DEPUTY SPEAKER: Actually, as you stood up, I was also trying to check the rules to see – I do not know exactly what you are doing. You were supposed to present it, make a small explanatory statement and leave it for the House. Give just the highlights.

MR NANDALA-MAFABI: Madam Speaker, this is not a paper. The procedure has been that we give this and then we come and give a summary. The whole report is read later by Members; and that is what has been happening.

THE DEPUTY SPEAKER: Give just the highlights.

MR NANDALA-MAFABI: Thank you, Madam Speaker. In Uganda Police, Shs 120 million was lost against four cases of breach of contract, unlawful detention, shooting a civilian and loss of a minibus under Police custody.

Under the Office of the Prime Minister, it was reported that failure by the office to clear Emirates items led to the payment of over Shs 42 million. As noted above, these are losses to government that arise out of failure by the respective departments –(*Interruption*)

MR KUBEKETERYA: Thank you, Madam Speaker. I am rising on a point of procedure. According to rule 29 on presentation of papers it says: “*Mode of presentation of papers*” – (*Interjections*)– yes, he has raised it, but is it procedurally right for hon. Nandala to continue reading the whole report when it is supposed to be a short explanatory note? He is actually making a presentation.

THE DEPUTY SPEAKER: Hon. Nandala, you are an accountant and you know how to summarise things; just say there is this and that.

MR NANDALA-MAFABI: Madam Speaker, I am an accountant and I am happy to note that you are aware. Unauthorised expenditure totalled to Shs 68 billion in ministries; it is yet to be accounted for. Over Shs 1.4 trillion was lent to individuals which government seeks to have written off. And the committee observes that there are a few members of the society and it is not right to write them off as this benefits a small group of the population.

There is need to reconcile the Consolidated Fund Reserve Account because it showed balance of over Shs 6 trillion and in the next financial year, they opened with only Shs 99 billion. The difference is not known.

The committee is of the view that the Auditor-General audits accounts in bank of Uganda which it manages on behalf of government to see all these discrepancies because we have seen many central banks being involved in frauds.

In conclusion, the decisions and recommendation and most of the omissions by the Auditor-General have been highlighted in the body of the report, which you have. The committee requests you to read and debate it from a well informed point of view. I would like to thank all Members of PAC for the tireless effort they put in to make this work a success.

Madam Speaker, I beg to move that this report be debated and adopted and the recommendations therein be implemented immediately. *(Laughter)*

THE DEPUTY SPEAKER: Thank you very much, hon. Nandala and the Public Accounts Committee in general. I note that the presentation has improved with the text being in a well-written font. So, I would like to urge the Members to read this first, before we set a date for debate.

MR EPETAIT: Thank you, Madam Speaker. I think my colleague inadvertently went away; he had to lay the document on the Table. *(Laughter)*

MR NANDALA-MAFABI: Madam Speaker, I hereby lay the report on the Table.

THE DEPUTY SPEAKER: Okay, hon. Members, I understand that there are copies outside. I know that it is a voluminous report, but as I said, the font is quite big, you can take some time off to read it before we appoint a date for debating it next week.

PRESENTATION OF PAPERS

REQUEST OF GOVERNMENT TO BORROW US \$10 MILLION CREDIT FROM THE INTERNATIONAL DEVELOPMENT ASSOCIATION OF THE WORLD BANK GROUP FOR THE AVIAN AND HUMAN INFLUENZA PREPAREDNESS AND RESPONSE PROJECT

4.02

THE MINISTER OF STATE FOR FINANCE, INVESTMENT (Mr Aston Kajara): Madam Speaker, the government has negotiated a loan of US \$10 million from the International Agency for Development Association of the World Bank Group. This loan is intended to finance the Avian and Human Influenza Preparedness and Response Project. I request to lay the terms of the proposed financing on the Table for study, scrutiny and approval at an appropriate time. Thank you.

THE DEPUTY SPEAKER: Hon. Members, the request is committed to the Committee on National Economy for scrutiny and report back.

CONSIDERATION AND ADOPTION OF THE REPORT OF THE AD HOC COMMITTEE
ON THE CONCERNS OF THE AUDITOR-GENERAL ON THE ALLEGED DISTRIBUTION
OF PUBLIC LAND

THE DEPUTY SPEAKER: Hon. Members, you remember that yesterday we received the report in regard to this and adjourned so that we can debate it today. Yes, hon. Obua.

4.03

MR DENIS OBUA (NRM, Youth Representative, Northern): I thank you, Madam Speaker, for the opportunity to make a contribution on the report of the ad hoc committee of Parliament.

As we consider and adopt this ad hoc committee's report on the concerns that were raised by the Auditor-General on the alleged distribution of public land, I think I will restrict my submission to the legal implication of the sale of land vis-à-vis the legality of the issues raised by the committee in its report.

I would like to give a piece of information to this Parliament. I hope this is not going to pre-empt the report as presented to us yesterday: on 16 March, the Social Services Committee of Parliament took a visit to Butabika National Referral Mental Hospital with the overarching goal of assessing health services' delivery. In the course of our discussions with the hospital staff, this question of the alleged sale of Butabika land also came in, although we had gone there only to assess the health service delivery.

In that meeting, we were told three things regarding this particular land, by the acting director of Butabika National Referral Hospital. The first point was that under the laws of Uganda, Butabika National Referral Mental Hospital had never owned land legally. What we were told was that the 670 hectares of land present there were in the name of Uganda Land Commission, which was holding the titles in trust of the Government of Uganda.

The other thing that we were told was that at the moment, arising from the sale of public land, and because powers are vested in the Uganda Land Commission, Butabika National Referral Mental Hospital has acquired its own title on a piece of land measuring about 190 hectares. That is the piece of information that we got from the acting director.

Madam Speaker, that now takes me to the provision of the Constitution especially Article 238, which establishes the Uganda Land Commission. Though this Article establishes the commission, part IV, Sections 46 to 55 in the Land Act, Cap 227, gives the details of the establishment, membership, tenure, functions and the powers of the land commission. For example, one of the functions of the Uganda Land Commission that is contained in Section 49(a) is to hold and manage any land in Uganda, which is vested in or acquired by the government in accordance with the Constitution. When you get to Section 49(c), you will see that it talks about the commission being empowered to procure certificates of title for any land vested in or acquired by the government. That means that this commission has got a lot of powers. And this takes me to my last point.

To be honest with you, hon. Members, that land has gone and will never be recovered; that is the legal argument. I am saying this because the title was in the name of the Uganda Land Commission, holding it in trust of Government of Uganda. That brings me to the last point that all

public land in Uganda seems to be having titles in the name of the Uganda Land Commission. This commission has a lot of powers given to it by this Parliament. I am equally afraid - I am not a prophet of doom, but I am going to come out with my prophecy - that even the land where this Parliament is located, I do not know who owns the titles? Otherwise, I am afraid that if the titles of this land are in the name of the Uganda Land Commission with all the powers given to it by this Parliament, one day we will wake up - I still see a lot of vacant space within the premises of Parliament - and find part of this land is sub-leased to an investor because we have given Uganda Land Commission the powers on public land. That is my submission, Madam Speaker. I thank you for the opportunity.

THE DEPUTY SPEAKER: Thank you, honourable commissioner.

4.09

MR LIVINGSTONE OKELLO-OKELLO (UPC, Chua County, Kitgum): Thank you, Madam Speaker. I am not actually ready to debate this report, but I want to give some information and make a request as well.

I was the commissioner of land registration for ten years, ending in 1996. During my tenure, many illegal titles were issued over this Butabika land, but we cancelled all of them to preserve this land for Butabika Hospital. I do not know what has changed since I left.

If the Uganda Land Commission had a title in its name, which I believe it had, it was holding this land in trust for the people of Uganda not for sale to any private person. When you are a trustee, you do not sell off the property you are holding for the beneficiary, under our law!

Madam Speaker, I have looked at the two reports; one from PAC and one from the ad hoc committee and I believe there is some vital information, which is still missing. I would request that we stand over this matter to get more information. I am saying this because, in my view, if we pass this thing it will be the second time this Parliament is validating corruption, the first validation having been done during the Temangalo time. I think it is very dangerous for Parliament to go in this direction. If we validate corrupt practices, where will the people of Uganda go? Who else will be there to fight corruption if we join in? I request that we stand over this matter to get more information. I think there is some vital information that should be brought to light. I thank you.

THE DEPUTY SPEAKER: But, hon. Members, yesterday I heard that this report was made in April last year; that it has been in our hands for almost one year. I do not know why this vital information has not been brought. Having said that, I would like to say that as a Member of the National Resistance Council, I was assigned the responsibility to investigate some fraud in the land office. And as far as back 1991, we recommended that all government land be issued with title deeds; that was as far back as 1991. I think nothing has happened. I think life goes on with nothing happening.

So if there is no title deed, who is the owner? What are we going to correct by delaying? Why do we not move forward and instruct the Minister of Lands to do something now and give them a timeframe? Why don't we save what is in the future? As the honourable commissioner has said, maybe Parliament is going to be sold. I do not know what you think, but I do not see what benefit there is in going back. Why do we not move forward? Anyway, it is up to you. I am just throwing my ideas around. Hon. Kagwera, I am happy to see you in one piece. Welcome back to the House. *(Applause)*

4.14

MR STEPHEN KAGWERA (NRM, Burahya, Kabarole): Thank you, Madam Speaker. I entirely agree with my brother, hon. Obua's statement that this country has problems especially when we stand here as Members of Parliament and say, "Do not do this" and a certain body continues to do it. I am saying this because in this report it is indicated that at one point Parliament stayed the sale of this land. And I believe the land commission, as put by hon. Okello-Okello, holds this land in trust - remember that they should be knowledgeable about the land use.

Butabika is a mental referral hospital, but the land commission, in its own wisdom, decided to give away this land to investors. How can these two things live alongside one another? Supposing people wanted to put their bars there, would such businesses run in such a place? That is why I am saying that there is a problem in this country. But, as Parliament, we must stand up and be frank to ourselves and to the people of this country that there is a problem. *(Applause)*

If the Uganda Land Commission can lease out public land to any willing tenant regardless of anything, why shouldn't we come up as Parliament to look at the future of this country? Otherwise, whoever was involved in this - you may play around with the law, but you are on the wrong side of history. Thank you.

4.16

MR FRANCIS EPETAIT (FDC, Ngora County, Kumi): Thank you very much, Madam Speaker. I am first going to react to the issues raised by the ad hoc committee, which morally shot down all the arguments that had been advanced by the Public Accounts Committee regarding the Butabika Hospital land. If you may refer to page 8 of the ad hoc committee report on issue No.1, whether there was a sale of land for Butabika National Referral Mental Hospital land, you realise that the land for Butabika Referral Hospital is clearly stated as being on Blocks 237 to 238, Plot No.2, Kyaddondo.

But when the ad hoc committee concluded on that matter, they simply said that the allegation that Uganda Land Commission sold out land belonging to Butabika Hospital was baseless. I did not see anywhere where the ad hoc committee states which land the land commission leased out. Which land did the land commission sell? I would not want to believe that the director of Butabika Hospital was writing all those correspondences demanding for the land title out of the blue.

I remember in one of the meetings that we held with the Ministry of Health over the Butabika Hospital land, the minister, who is right here, hon. Richard Nduhura, told the committee that he was quite surprised that after having got a land title for Butabika Hospital and handing it over to the director, I think shortly before he reached, the Minister of State in charge of Lands had gone to Butabika to withdraw the title and they chopped off some other acres only to take it - *(Interruption)*

MR NDUHUURA: Thank you very much, Madam Speaker and thank you very much, colleague for giving way. I would like to put the record clear. What actually happened on the referred to occasion was that I was invited to Butabika Hospital to receive a land title from the Minister of Lands. Indeed, the Minister of State for Lands then, hon. Kasirivu, turned up, handed over the land title to me and I in turn handed it over to the director.

What I do understand is that there was an official of the Uganda Land Commission at the function, who later took away the land title. So, it is not the Minister of Lands who took away the

title after he had handed it over to me. Rather, it is an official of the Uganda Land Commission and that is what I reported to the committee. I thank you, Madam Speaker.

DR EPETAIT: Thank you very much, honourable minister, for that further clarification. When we later pressed the Minister of State for Lands as to why the title had to be withdrawn he said, “No, that title was too large, we had to chop off some parts because it did not belong to Butabika Hospital.” I wanted the ad hoc committee to help us. Which land, therefore, did the land commission give out?

In infrastructural development and in the case of an institution of that nature, that is, a national referral hospital, we ought to leave room for future expansion perhaps for a school. But now if we just besiege all our infrastructural facilities and leave no room for future expansion, are we planning properly?

In my opinion, I would like to concur with what hon. Okello-Okello has proposed, that there is need for us to really stay over this matter. If we adopt this report the way it is, posterity is going to judge us harshly. In fact, the recommendations of the Public Accounts Committee then, to me, are what we should go by.

There were other terms of reference of the ad hoc committee about whether there was breach of the Leadership Code Act. I think even the IGG has to be attracted to this matter.

Madam Speaker, I think the way land is given out, not only in Butabika Hospital and several other institutions, is grossly irregular. We are not planning and we are really putting posterity in danger. I thank you, Madam Speaker.

4.22

MR CHARLES ANGIRO (Independent, Erute County North, Lira): Thank you very much, Madam Speaker. I think we are talking about power and when we are talking about power, we have visible power, invisible power and hidden power. Which one did the land commission use to give away the public land? Which one do we have that we cannot stay this alleged give away of public land? Because I see that there are now three problems.

The first one now to us, which is a priority, is the investors. Anytime any investor shows interest in Uganda, it is a priority. Our public land is no longer a priority *-(Interruption)*

MR NANDALA-MAFABI: Thank you very much, Madam Speaker and I want to thank hon. Gutomoi. Yes, there were some I think four big investors but the remaining land was given away in form of quarter an acre, half an acre, two acres to officials mostly from the Ministry of Lands and others. Therefore, the so-called investors took the biggest portion, but there were also local investors in form of small ones.

MR ANGIRO: Thank you very much, for your information. You can now see the types of investors who have taken up this public land. Why can't we therefore take action now?

As I said, our first problem is an investor, and now we are making the power of Parliament to also be a problem. And then the giving away of public land by the land commission is also a problem to us. But I think we are disillusioned. Let us solve it by staying as has been proposed by the committee. There is no other option.

I went to Butabika sometime before this land was given away and I met the in charge who showed me the land and proposals for expansion for the future as well as those facilities which are still lacking at Butabika. So when we begin to give it away, are we serious? If it is this Parliament, in our time, giving it away, are we serious? I think I have just come to say that let it be stayed and then those smaller investors, if they are from Uganda, they will have to excuse us and walk away from that land. We have the powers to request them to do so.

If the hon. Okellos of those days could not allow the land to go, but thereafter the new commission has come in and given away the land, what is the difference between the Okellos of yesterday and the current commissioners? I think this is an abuse of power. So, to me, there should be no giving away of any public land forthwith with this kind of arrangement. Thank you very much.

4.26

MR REAGAN OKUMU (FDC, Aswa County, Gulu): Thank you, Madam Speaker. I just have something very brief.

First of all, I have heard the concern of Butabika Referral Hospital. The report of the Public Accounts Committee is not coming from the blue; it had a basis. However, yesterday when I listened to the report of the ad hoc committee as it was being read by the chairperson with all the confidence, I felt that there was something wrong with this country. This is because I was in this House when the report of PAC was read and if my recollection is still correct, the concern of the Speaker was that the issues raised in PAC needed some legal clarification.

In particular, the clarification that the Speaker wanted was to get the legality of cancellation of land titles. That is why a team of lawyers from amongst Members of Parliament was drawn up to look into this. When I listen to this report, it saddens me because it went on to look at the entire report of PAC while belittling it sentence by sentence, word by word and paragraph by paragraph. I think that there is something wrong in this country. We have a responsibility as Members of Parliament and this is why the Uganda Land Commission reports here.

The question of government land is becoming a big problem all over; it is not only Butabika. The moment we handle Butabika with kid gloves, land elsewhere will also go. Most government land is not titled and it has been the recommendation of this Parliament year in and year out that -
(Interruption)

MR ODIT: Thank you, honourable colleague for giving way. The information we now have is that even land at Gulu University has been allocated to investors. New as it is and while it is demanding a lot more land, the land has already been given out. Even part of Mulago Hospital land has been sold out. Likewise, the land of Kirinya Prison, Kigo and Kinyara Prison farm have also been taken away. If these pieces of land are being held by Uganda Land Commission in trust and at this rate, we are going to be in trouble. I thank you.

MR OKUMU: Madam Speaker, some clarification and information. The Kigo land actually belongs to Buganda Kingdom. As regards Gulu University land, government has never acquired it. The land belonged to the local people but before government acquired it, the university administration sat down and decided to allocate what they are trying to acquire from the people for the university to investors. So I think that there is a problem in this country. We must act responsibly otherwise the future will judge past leaders very harshly. I would not mind if government land was being taken for government activities. If the Ministry of Defence land was being given to Ministry of Health, I would not mind this. If prison land was being given to the

Ministry of Defence, I would not mind because all would be serving government but the rate at which we are going, I do not think that government is going to have any land left.

We really have to be careful. Sometime back, the Sixth Parliament proposed that government should build offices. Government then came up with a proposal of building offices but somebody within government said, "No, it is very expensive to maintain offices, it is cheaper to rent". Yes, it was in this Parliament! Government then decided, at that time, that it would be too costly for them to build. Sincerely speaking, are we serving this country or are we serving our private and personal interests? Because if you are serving this country, everybody knows that it is cheaper to build and maintain than to stay away and rent.

Regarding the question of land, I don't agree with the entire recommendations of the ad hoc committee. Their task was simple: to get the legality of cancellation of land titles and it was sad for them to go into details and areas where we had no problem with the PAC report.

Lastly, when a committee of Parliament presents a report on the Floor of Parliament, it is not final. It is also not a condition that government must implement all the recommendations that we give to them. Rather, government will go and implement those ones, which they are able to implement and they will report back to Parliament with reasons as to why they were unable to implement the rest. I thought that this is how checks and balances work between the Executive and Parliament. If we are to start throwing out all the recommendations of Parliament and creating ad hoc committees to handle committee reports then I don't think that we are going to achieve much. Thank you, Madam Speaker.

4.32

MR BEN WACHA (Independent, Oyam County North, Apac): Thank you, Madam Speaker. I am a Member of the ad hoc committee, I signed this document and for the time being, I stand by its content and the recommendations.

Early this afternoon hon. Okello-Okello talked to me and gave me some information, which I seriously wanted to share with my chairman. Unfortunately, we did not meet. I think you saw me going in and out of the Chambers as I was looking for him.

It is my considered opinion that if the information that hon. Okello-Okello gave to me is true then it is going to fundamentally alter the very basis of this report. I would therefore urge you, Madam Speaker, that if it is not too much, we should stand over this matter, go into the details of the information or ask hon. Okello-Okello to assist us to go into the details of this information and see whether it is necessary for us to include an addendum or even ask Parliament so that we can come up with some other report. It is my sincere wish that we stand over this matter for some time.

THE DEPUTY SPEAKER: Hon. Wachu, if you had stood up when we called the item, I would have listened to you but you sat there, we started debating - now you make it appear as if we are running and you wanted to walk. I don't know what the chairperson has to say. Hon. Wachu says that he has information, which he would like you to receive. Hon. Nyombi?

MR NYOMBI: Madam Speaker, I cannot be intimidated by Members who say that if I stand by this report it will be thrown away. We were given this assignment as lawyers. We considered the issues in the report as lawyers. The terms of reference that were given to us by the Speaker - I have his letter here, because hon. Okumu Regan did say that instead of considering the assignment we had been given, we meandered into other issues.

I have the letter of the Speaker here and we were to consider the concerns of the Auditor-General as spelt out in the report of PAC. We studied the issues and addressed the issues as lawyers. You cannot reinvent the law; the law defines when you can cancel certificates of title, because it was one of the recommendations. Within the report of PAC, was that the titles should be cancelled and so as lawyers we looked at the law and had to decide whether it was possible to cancel these certificates of title.

It did not mean that we did agree that the land be given away, but we had to look at the law. Now the certificates having been given, is it possible here as Parliament, can we sit here and say that we can cancel these certificates? And so, we addressed these issues.

If we want these certificates of titles cancelled, we will have to look at the laws that regulate the cancellation of certificates of titles. One of them is the Land Act. It means we will have to amend the Land Act in order for the registrar of titles to cancel these certificates of titles, because we quote the section that gives the registrar of titles powers to cancel these certificates of titles.

Secondly, the registration –

THE DEPUTY SPEAKER: Hon. Members, let the chair explain their terms of reference and how they wrote their report.

MR NYOMBI: Secondly, the Registration of Titles Act also provides as to when the title deed or a certificate of title is void. None of the circumstances that were spelt out in the report of PAC did qualify the cancellation. Now we were discussing the report of PAC as lawyers because the recommendation was to cancel the certificate of titles. It was not that we justified the actions of the Uganda Land Commission.

What the Speaker wanted of us is advice. Can these certificates of titles be cancelled and we gave that advice. Now if we are going to cancel these certificates of titles, we must be prepared to look at the Land Act and then have it amended in order for the registrar of titles to cancel the certificates of titles. That is up to you. We have no problem with that.

If you want to amend the Registration of Titles Act so that these title deeds can be rendered null and void, fine. I do not think as an ad hoc committee we had any stake in that. We were merely helping by giving legal advice. As to whether Parliament can sit here and wish away these certificates of titles is another thing.

Now it has again and again been said that the Uganda Land Commission sold land. Selling land and leasing land are two different things. When I sell, it means I have given out totally. When I lease, it means I retain some residual interest in the land. What actually happened is that the Uganda Land Commission leased land, and again it is not for me to justify that the Uganda Land Commission should lease this land, to these people. For us we were given the assignment to give legal advice, so we should not be condemned for spelling out the law clearly.

Madam Speaker, I think hon. Obua stated that under the laws of Uganda, Butabika Hospital has never owned land. As far as we were concerned from the report, Butabika Hospital sits on land designated Kyaddondo Block 237-238 Plot No. 2. That is the land over which Butabika Hospital sits. What was leased out was not Plot No.2. It is the adjacent land and we know it as lawyers, once there is a title deed, you cannot create a second title deed over the same land. Now, Butabika

Hospital, the title deed is there. What was leased out was the adjacent land. We as an ad hoc committee had no hand in this -(*Mr Okello-Okello rose*_)

THE DEPUTY SPEAKER: But hon. Members, I wish you could allow him finish. The honourable members were given an assignment and terms of reference. He is explaining to the House what they did. Listen to him when he has finished, then you can contribute.

MR NYOMBI: So, as far as we are concerned, according to the report of PAC, this is not our invention. Butabika Hospital is the sitting tenant of land Plot No. 2 Block 237-238; whether they leased the adjacent land we as an ad hoc committee we were asked to give advice as to whether the title deeds can be cancelled. And maybe let me mention this -

THE DEPUTY SPEAKER: Hon. Members, why don't you listen? Please, listen to his explanation and then you can respond.

MR NYOMBI: Madam Speaker, the question has been raised as to what happens when land is leased to an institution? When land is leased to an institution, it is held by the Uganda Land Commission but the title deeds, the Uganda Land Commission normally holds has Uganda Land Commission – Ministry of Health in brackets. At Mbuya, Ministry of Defence has land on top of the hill and the title deed is in the names of the Uganda Land Commission brackets Ministry of Defence. So, it is possible for the ministry or a government institution to hold land through the Uganda Land Commission, but Uganda Land Commission holds land and in brackets they spell out Ministry of Health, Ministry of Defence so that is possible.

Even Parliament, they say Uganda Land Commission then in brackets Parliament. Then it is known that that land is intended for the Parliament of Uganda or belongs to Parliament because Uganda Land Commission is the one holding it.

Hon. Okello-Okello said Uganda Land Commission should not have sold out this land. He worked in the Ministry of Lands for a very long time and I believe he knows very well that the Uganda Land Commission does not sell, it leases out land. And it is also -(*Interruption*)

MR OKELLO-OKELLO: Madam Speaker, I never used the word "sold". I only said that Uganda Land Commission holds land in trust for the people of Uganda and I said if you are holding in trust, you cannot dispose of whatever you are holding in trust because it is not yours. I never said that it should not have sold the Butabika land.

MR NYOMBI: Hon. Okello-Okello has made the situation even worse. The Uganda Land Commission has title deeds for land in Uganda and as long as it is not earmarked for a ministry or an institution, it can lease out to any willing tenant. And then hon. Okello-Okello said the title deeds should be cancelled. I do not mind whether they are cancelled; I have no stake in these title deeds. But you see in order to cancel the title deeds; you must follow the Land Act because Section 91 of the Land Act spells out as to when you can cancel a title deed. You just cannot wish it and then cancel a title deed. Short of that -(*Interruption*)

MR OKELLO-OKELLO: I am not sure that the honourable chairman of the ad hoc committee was listening when I was speaking. I only asked for standing over this matter to get further information. I never said that any title should be cancelled. Is he in order to put his own words into my mouth?

THE DEPUTY SPEAKER: There are many words which have been said concerning the title deeds; he is responding to all of them.

MR NYOMBI: I was recording notes as members submitted regarding this issue. And the honourable member said there is a problem; indeed there is a problem. As long as government does not have the land belonging to institutions surveyed and title deeds made for those institutions - and we did point this out in the report. We said if land belongs to the Ministry of Information, let government have that land surveyed, a title deed be made in the names of Uganda Land Commission and then it is spelt out that, "This land belongs to Ministry of Information". If that is not done, an intending lessee will apply for the land and Uganda Land Commission will lease out this land.

So it is important and we did recommend that government should take steps to ensure that land is surveyed and title deeds created, that is in the names of Uganda Land Commission but indicating what ministry. Uganda Land Commission has many title deeds but as long as it is not earmarked for a particular ministry, it is part of public land that Uganda Land Commission can lease out to any willing lessee.

Dr Epetait asked: which land was sold? First of all, there was no sale; there was leasing. I have already said you cannot create a second title deed over another one. The land that was leased out was outside Kyaddondo Block 237-238 Plot 2. It was not part of the land over which Butabika Hospital sits. You cannot even create a second title over the same land. As an ad hoc committee, it is not that we support –(*Interruption*)

MR OKELLO-OKELLO: Madam Speaker, hon. Nyombi Peter is saying that you cannot issue a title when there is another title. This is not the case. The title that Uganda Land Commission normally holds is a free hold and it is out of that title that Uganda Land Commission creates leases. It is wrong for him to mislead the House by saying that you cannot issue a title when you have another title. Is he in order to mislead the House?

THE DEPUTY SPEAKER: I think leave these small matters. First explain the reasons why you wrote that report and the rationale for it. Then the members can answer.

MR NYOMBI: I entirely agree with hon. Okello-Okello and that is why I said Uganda Land Commission normally holds a large title deed from which it leases out. We totally agree.

I want to invite you to read the letters that were written by the directors of Butabika Hospital and the PS Ministry of Health. We actually quoted them verbatim. They were complaining about the preparation of a certificate of title of the land on which Butabika Hospital sits. If you read those letters carefully, note the adjacent land. The land that was leased out was land that was adjacent to the land over which Butabika Hospital sits.

Again as an ad hoc committee, we were not concerned whether it was justified or not; for us we were giving legal advice. It would be wrong for hon. Reagan Okumu to say the chairman talked confidently; should I have wept?

And it has been suggested that we stand over this matter, if we were to stand over this matter, we must bear the law in mind. Even if we stand over this matter, shall we be able to cancel these certificates of title? As an ad hoc committee, we neither justified nor did we support but we were merely giving advice. But according to the Land Act, there are circumstances when the Registrar

of Titles can cancel certificates of title. Even if we stand over this matter, unless those statutes are amended, we won't be able to.

The better option, in my opinion, Madam Speaker, is for government to take steps as you said to have land that is intended for institutions surveyed and title deeds made for those institutions. I thank you, Madam Speaker.

THE DEPUTY SPEAKER: Now, let us hear from the man in charge of the lands; let us hear from the minister what he wants us to do because he has been listening. Maybe the minister has a solution.

4.54

THE MINISTER OF STATE FOR URBAN DEVELOPMENT (Mr Urban Tibamanya): Thank you, Madam Speaker. I associate myself with what the chairman has just said. However, in order to take into account what hon. Wacha has said, and by the way I hold him in high esteem, and in order to have harmony within the ad hoc committee, and in order not to create the impression that government is hiding something, we as a ministry have no objection to having a stand over and this matter is looked into further *-(Applause)-* that is if the rules allow it. Thank you.

THE DEPUTY SPEAKER: We are here to serve the people of Uganda but you know I am still in the dark about this secret which is between hon. Okello-Okello and hon. Wacha. Can I for the record of the *Hansard* know what it is that I am sending back to the committee? I want to know that secret which you shared between the two of you *-(Laughter)*

MR OKELLO-OKELLO: Madam Speaker, I think it would be very risky to disclose what we want to find out here; the information could be blocked. It is better we investigate. If we fail to find out; we come back and say that we have failed. But we believe there is vital information. I think one week is enough.

4.56

MRS ROSEMARY SENINDE (NRM, Woman Representative, Wakiso): Thank you very much, Madam Speaker. I am just seeking clarification: I remember when we presented our Social Services Committee report on the policy statement we clearly brought out this issue. And when we presented that report, we requested Parliament to set up a committee to look into these issues of Butabika. I must appreciate on behalf of the committee that yes it has been done and I thank the committee because it has raised these issues.

However, I remember very well we made it clear to this House that initially the total acreage of this land was 670 acres; it was reduced to approximately 300 acres. There was a function at which the Minister of Health handed over the title and it was withdrawn by the Commissioner of Lands but was later returned when the land had reduced to 190 acres [HON. MEMBERS: "Eh! Shame!"] and the committee took an initiative to put the Ministry of Lands to task to explain where the other land – the balance had gone. And the clarification we got is that the other land was a swampy area. Whether it was a swampy area or not, as Ugandans we thought that that was land for an institution where all Ugandans benefit. *(Applause)*

Nevertheless, in the request we presented before this Parliament we requested that whichever committee will be put in place to look into this issue, it must help us find out whether the other land, which was deducted was actually a swamp. But unfortunately when I was reading thorough

this report I have not seen that clarity. So, as the committee goes further to look into this, I would like to request that this issue should also be clarified.

Finally, like the chairperson, hon. Nyombi has said, in my observation our hands are going to be kept tied unless we amend the law. Because even if we pass or remove good resolutions we shall end at that if the law is not amended. Thank you very much, Madam Speaker.

THE DEPUTY SPEAKER: Hon. Members, there are two things: one, is the issue of defilement; that one there is no problem but I want to hear from the minister, when are you going to title the land of the Uganda Land Commission all over this country, which is being chewed? And we have been asking you and your predecessors; when are you going to issue titles properly to secure the land of the people?

4.59

THE MINISTER OF STATE FOR URBAN DEVELOPMENT (Mr Urban Tibamanya): Madam Speaker, we have put in place what is required to have all government land titled. It is that they had no resources to carry out the exercise. Since the budget is coming very soon, I would request Parliament to vote us the resources and the job will be done.

THE DEPUTY SPEAKER: Maybe hon. Alaso is on fire over the land titles; say something. *(Laughter)*

5.00

MS ALICE ALASO (FDC, Woman Representative, Soroti): Thank you very much, Madam Speaker. I am indeed on fire. First of all, to think that the arguments of the chairperson of the ad hoc committee that are really based on the legalities as in our framework - while he seems to really emphasise the tied hands, I want Parliament to think that we have a moral responsibility beyond our legal framework. Beyond our legal framework, there is a moral obligation to this country to be fair. Can you imagine, at this rate we are actually just encroaching on the marginalized of the marginalized of our society. People who are mentally ill; those are the ones we have gone for? And I think that is terrible as a nation! You know, they walk naked; they are in all sorts of problems and the last thing they have is a mental facility and we dare go for that mental facility!

Having said that, before I say what I want in very strict terms, I also wrote to a friend of mine in the House and I said: *"The blood of the people in the mental facility will not be on my hands and I hope it won't be on the hands of this Parliament."* Madam Speaker, I want to disagree with the chairman of the ad hoc committee because here in his own report he refers to provisions in the Land Act where he says under Section 91(2)(e): *"If the title is legally or wrongfully obtained."* So, don't you consider the processes that went into the acquisition of these titles as illegal or wrongful? If that be the case, I would like to think that the chairperson of the ad hoc committee should not make our lives hard by making us feel like there is no hope to regain the Butabika land.

I also would like to know from him who the initial owners of the adjacent land were if he did investigations? I am saying this because he keeps saying that the land onto which Butabika sits - this gives me an impression that this land had mark stones and buildings; that is all he calls Butabika land. What about the fields and the adjacent land? Who owned that land before the new owners who the land commission leased it to got the titles? We must establish that. It is possible that that adjacent land, which we are now wishing away was actually part of this land and there should be evidence. But most importantly, I think the responsible minister should first come to

this House with that land title of the so-called Butabika land – perhaps somebody has a photocopy of the old one before adjustments were made, which will help us to compare the two.

On a lighter note, and this is not meant to insult the chairperson, but listen to this. Somebody once said that a certain lawyer died and when a man passed the cemetery he said, “Here lies the good lawyer,” but somebody else said, “There are two people buried in this place.” I do not want us to think that because of our hard position as lawyers - you kept emphasizing the lawyer in you and that we can sacrifice the good man in you. We should be seen to be good. Otherwise, people will question us as to whether there are two people in the same grave, the lawyer and the good man. Thank you very much. (*Laughter*)

5.04

MS JANE ALISEMERA (NRM, Woman Representative, Bundibugyo): Thank you, Madam Speaker. I have read the report and when I listened to hon. Obua and compared to what hon. Nyombi has been telling us, it is like we are crying over spilt milk.

If Parliament continues at this rate with the land commission giving out land for institutions like schools, hospitals, prisons, defence and so on yet we know that our government has been saying all the good things about population explosion - how is government trying to prepare for the population that they are interested in, if they start giving away land that belongs to institutions like schools? How are they going to do that, if they are giving away land that belongs to hospitals, to investors? How has the land commission been choosing the individuals to take such land? How do they identify them? I am asking these questions because in the Seventh Parliament we got a rumour that Butabika land was being given away. In fact we moved up and down to safeguard this land, but we could not. But when the list came out, we realised that the land had been given to an investor to build a factory. All of us wondered why anybody would think of building a factory near a mental hospital.

MR OKELLO-OKELLO: Madam Speaker, I was not in the Seventh Parliament, but when the Butabika land issue came up, I wrote an article in *The Monitor* newspaper. After the article had been published, a senior personality in the ministry called me on telephone and said: “Why are you wasting your time writing in the press? Why don’t you come here and we give you one of the plots?” Maybe that is how they get people to give the plots to. (*Laughter*)

MS ALISEMERA: Thank you, for the information. Madam Speaker, we should not start regretting as Parliament; we should quickly enact a law to safeguard our institutions because we are already in trouble. And if we continue like this we shall soon have no land. You have just heard what hon. Nyombi has said, the land where Butabika sits – you know, when you say where you sit, the way you are seated, I presume that is the only part you own. (*Laughter*) So, is that what hon. Nyombi is meaning? You mean Butabika Hospital is not supposed to have verandas? Do you mean the people who are sick are not supposed to have a compound onto which to move? Why should that happen, yet you know that this Parliament and many Ugandans are potential clients for that hospital? (*Laughter*)

When we visited Kayunga we got a 78-year old woman who said she has been crying over land for the last four years. I think we must handle the issue of land very carefully otherwise we are going to cause problems to our people. Thank you.

THE DEPUTY SPEAKER: Okay, I think it is the desire of this House that this matter be stood over for one week to allow the retrieval of special information. Can you reconvene your committee with hon. Okello-Okello and report back to us next week?

MR WACHA: Madam Speaker, is it in order for hon. Odit to state publicly that a committee that has been appointed by this House is useless? *(Laughter)*

THE DEPUTY SPEAKER: Hon. Members, it is the Speaker who appointed this committee and I know that all the members enjoy my confidence; they are in charge. So I will not reconstitute the committee. Only bring in hon. Okello-Okello; the committee is still in place.

MR PETER NYOMBI: Madam Speaker, when hon. Okello-Okello stood up, he made an allusion that I also have heard elsewhere of plots of land being given probably to Members of the ad hoc committee. But I would like to say that I was brought up in a Christian family and I am a committed Christian. When I am given an assignment, I do it judiciously. I worked in the Office of the Inspector-General of Government for 15 years *-(Interjections)-* and nobody can point a finger at me. Nobody can point a finger at me as having taken any bribe.

When we were handling this matter, our concern was not whether the leasing of the land was justified or not; we were assigned the responsibility of advising on the legal issues that were raised in the report by PAC and that is what we did.

We have pointed out some of the problems that we may face. The main recommendations we have made are that Government should identify funds, have land surveyed and title deeds made for land that is meant for institutions.

I also want to point out that one of the members of this ad hoc committee, hon. Asuman Kiyingi, has been elevated to the position of a minister. So, the committee is less *-(Interjections)-* by one member. As such, you may think of adding another member to the committee *-(Laughter)*

THE DEPUTY SPEAKER: I will do my duty. So, the matter is deferred for one week. We shall expect your report next week.

BILLS SECOND READING

THE PREVENTION OF TRAFFICKING IN PERSONS BILL, 2009

5.13

MS WINIFRED MASIKO (NRM, Woman Representative, Rukungiri): Madam Speaker, I beg to move that the Prevention of Trafficking in Persons Bill, 2009 be read the second time.

THE DEPUTY SPEAKER: It has been seconded.

MS WINIFRED MASIKO: Madam Speaker, the Prevention of Trafficking in Persons Bill has got some objects. Please allow me to highlight the issues.

One of the objects is to combat trafficking in persons, a contemporary manifestation of modern day slavery whose victims are predominantly women and children. It provides legislation necessary for criminalising the offence of trafficking in persons and prosecution of offenders.

The Bill provides for the prevention and suppression of the offence of trafficking in persons.

It provides for the protection, assistance and support to victims of trafficking in persons with full respect of their human rights.

The Bill also promotes cooperation among countries in combating trafficking in persons.

The Bill is divided up into different parts. Part one, provides for the commencement of the Bill and interpretation of the words and phrases used in the Bill.

Part two prohibits trafficking in persons by introducing the offences of trafficking in persons and aggravated trafficking in persons as well as the penalties of imprisonment upon conviction. This part also creates offences and penalties for acts that promote trafficking in persons, offences related to trafficking in persons, engaging the labour or service of a victim of trafficking and failure to disclose a conviction, and imposes a duty on the community to report suspected cases of trafficking.

Part three looks at the protection of victims of trafficking in persons. This part provides for the protection, assistance and support of victims of trafficking in persons. It provides for non-discrimination of victims of trafficking on any basis and protects them from being penalised for crimes committed as a result of their trafficking status. It provides for protection, assistance and support of victims by way of giving them information and providing them with opportunity to express themselves on matters concerning their cases, and victim friendly investigations, court proceedings, including confidentiality of their identity. It also creates a waiver on filing fees for such cases.

Part three also provides for the repatriation of the victims to and from Uganda, processing of the necessary documents and referring repatriation victims in appropriate cases. It also provides for restitution and compensation of victims of trafficking in persons, payable by the offenders.

Part four provides for the jurisdiction of Ugandan courts in cases of trafficking in persons including extra territorial jurisdiction with the consent of the Attorney-General.

Part five looks at the prevention of trafficking in persons' office which has to be designated by the minister.

Part six of the Bill looks at the miscellaneous issues.

Madam Speaker, trafficking in persons is indeed modern day slavery. The Bill defines it in detail as recruitment, transportation, transfer, harbouring or receipt of persons by means of threat or use of force or other forms of coercion, abduction, fraud, deception, the abuse of power or of a position of vulnerability, or the giving or receiving of payments or benefits to achieve the consent of a person having control of another person for the purpose of exploitation.

This is a timely Bill. It is high time we looked at this modern-day slavery which has transformed itself into this kind of form, and provide legislation which has been missing. Because Uganda lacks a comprehensive piece of legislation, this Bill would go a long way to reduce the suffering of the children and women in this country and also in other countries. It is a move that at least all countries work very hard to prevent this kind of havoc that is covering many areas in this country.

So, Madam Speaker, I beg to move that the Bill gets a second reading.

THE DEPUTY SPEAKER: Hon. Members, I put the question that the Bill be read the second time.

(Question put and agreed to.)

THE DEPUTY SPEAKER: Chairperson!

5.21

THE CHAIRPERSON, COMMITTEE ON DEFENCE AND INTERNAL AFFAIRS (Mr Mathias Kasamba): Madam Speaker and honourable colleagues, on behalf of the Committee of Defence and Internal Affairs, I would like to present the report of the Sessional Committee on Defence and Internal Affairs on the Prevention of Trafficking in Persons Bill, 2009.

The Prevention of Trafficking in Persons Bill, 2009 was read for the first time on 18 March 2009 and it was committed to the sessional Committee of Defence and Internal Affairs for consideration under Rule 133(a) and Rule 116 of the Rules of Procedure of Parliament of Uganda.

The committee held meetings with the civil society organisations involved in child trafficking issues like Uganda Development Link, Law and Advocacy for Women in Uganda, the Ministry of Gender, Labour and Social Development and that of Internal Affairs, Uganda Women Parliamentary Association, the International Organisation on Migration, Uganda Child Rights NGO Network in partnership with the United Nations Children Fund (UNICEF), and the American Embassy.

The committee also held a workshop and discussed the Bill clause by clause.

The laws consulted were: the Constitution, the Children's Act, the Citizens and Migration Act, the Penal Code Act, the Convention on Rights of the Child, and international instruments pertaining to the rights of the child. The committee made on-spot visits to rehabilitation centres of trafficking in persons victims and held interviews with some of the victims who were affected.

The Bill is geared towards combating trafficking in persons, a contemporary manifestation of modern-day slavery whose victims are predominantly women and children; and providing legislation necessary for criminalising the offences of trafficking in persons and prosecution of the offenders. It also aims at providing for prevention and suppression of the trafficking in persons' offence. The Bill further provides for protection, assistance and support to victims of trafficking in persons with full respect of their human rights and to promote cooperation among countries in combating trafficking in persons.

Currently, Uganda has no specific legislation on trafficking in persons. The term TIP or human trafficking does not feature anywhere in our statutes.

The Prevention of Trafficking in Persons Bill comes amidst growing concerns about the gradual increase in the number of women, men and children trafficked within and outside Uganda.

Global estimates indicate that approximately two million persons are trafficked per year, of which 1.2 million are children.

Although there are no national estimates in Uganda, the International Labour Organisation estimates indicate that the Lord's Resistance Army has, since 1990, abducted 25,000 to 30,000

children; 1.5 million children are working; 12,000 children are engaged in commercial sex exploitation; 10,000 children live on the streets and several children are engaged in cross-border trade, agriculture and fishing.

Uganda has been classified in tier 1 as a source, transit route and destination country for men, women and children trafficked for purposes of forced labour and sexual exploitation.

In Uganda, children are trafficked within the country as well as across borders. Some of the destination countries include but are not limited to Canada, Egypt, United Arab Emirates, Sudan and Saudi Arabia for forced labour and commercial sexual exploitation.

The committee noted that there is strong evidence that trafficking in persons exists in Uganda. It was observed that although cross border trafficking is a growing phenomenon in Uganda, domestic trafficking is a much bigger problem especially from rural areas to urban areas.

It was noted that trafficking in persons includes four stages, namely recruiting, harbouring, transportation and receipt.

Statistically, the United States report of 2005 on human trafficking estimates that 600,000 to 800,000 persons are trafficked across international borders each year. Approximately 80 percent are women and girls and up to 50 percent are children. In Uganda, statistics are difficult to ascertain except the little known information about child soldiers.

Uganda qualifies as a sending/source and transit country for children from Rwanda, Burundi and DRC Congo, and also a receiving/destination for children mainly for labour and sexual exploitation.

The push and pull factors responsible for trafficking in persons are HIV/AIDS, poverty, conflict and wars, dysfunctional families, inadequate legislation, poor law enforcement, porous borders and migration patterns, child sacrifice, cattle rustling, early marriage, sex slavery and urban informal activities.

The committee observed that the traffickers include the following: individual women and men; religious institutions; transport agents; pimps/brothels; employment bureaus; agents who use loudspeakers in towns and village farms; fishermen at landing sites; placement of adverts, especially on radios; NGOs plus business persons and organisations.

The traffickers offer promises like employment/jobs, better life, money, school fees, marriage, good clothing, accommodation and remitting money to the parents of the victims.

The methods of recruitment were noted as enticement, kidnap/abduction both in war and non-war zones; force by parents and guardians as well as intoxicating victims.

The exploitative activities carried out by TIP victims are domestic work, street vending, bar/lodge/restaurant attending, fishing, casual labour, sex work, working on agricultural plantations, smuggling, metal scrap collection, child soldiers and housewives.

Over 30,000 children were abducted in the Northern Uganda conflict over 20 years; 8000 of these are unaccounted for. Those abducted in the war are involved in fighting, carrying heavy luggage, cooking, fetching water, nursing children and serving as sex slaves to commanders. There have

been cases where children have lost their lives and others have been exchanged for guns and other merchandise to people in Sudan and the Middle East.

The destinations of trafficked persons especially children are Kenya, which is ranked high, followed by Sudan, Tanzania, Rwanda, Democratic Republic of Congo, Europe - mainly by relatives who have contacts - and the Middle East. The victims are faced with hazardous and risky activities like fishing in the wee hours of the night, carrying heavy luggage, working long hours, drug abuse conduits, abusive language, violence, smuggling, child sacrifice, removal of body organs for sale and death.

In Uganda, there is less public education, rescue, restoration and rehabilitation. Child soldiers have received more attention though they are still faced with many challenges in delivery of intervention. Government efforts in addressing the issue of child trafficking are largely wanting and intervention in this evil by government thinly exists.

Government needs to establish a strong recovery and rehabilitation centre with the necessary facilities. In addition, civic education has to be strengthened in Uganda where there is less public education. Of late, there has been an influx of children from Karamoja on the streets of Kampala and other urban areas. As such, government is faced with a problem of resettlement.

Recommendations

There is need for amendment of the law regarding registration of births and deaths so that government knows its citizens and the local authorities are able to identify their people.

There is also urgent need for national identity cards.

Government should set up measures on sensitising its citizens about this evil since the majority of its citizens do not appreciate its existence in society.

Government should strengthen the fight against poverty and create income generating projects, which will prevent youth from leaving the rural areas in search of better lives in the city and other urban areas and eventually fall victim of trafficking.

The Uganda Government should make efforts to ratify the Palermo Protocol to prevent, suppress and punish trafficking in persons to which it is a signatory. This is a United Nations protocol to which Uganda is a signatory but we have never ratified it.

Government should also constitute a national task force composed of all the relevant ministries, agencies and stakeholders to ensure effective coordination and put in place a national plan of action to address the phenomenon of trafficking in persons in Uganda.

Madam Speaker and hon. Members, the committee supports the motion for the second reading of the Bill. I will, at an appropriate time, move the proposed amendments to the Bill, which are attached to this report. I beg to report, Madam Speaker.

MRS LOI KIRYAPAWO: Madam Speaker, I thank you very much but before I say anything; is it in order for us to debate this important Bill when government is just represented by two ministers?

THE DEPUTY SPEAKER: The Prime Minister is here.

MRS KIRYAPAWO: But this is very important. When we were debating the other Bill, this bench was almost full. This shows that government does not take this Bill as important yet the people we are talking about are Ugandans. They are voters and are the future generation of this country. Is it really in order for the Front Bench to be almost empty, Madam Speaker?

THE DEPUTY SPEAKER: Hon. Members, I see the Leader of Government Business and the Minister for Youth here. I think that the more we delay this Bill citing technicalities we shall continue to allow children to be trafficked in this country. The Prime Minister is here, the minister in charge is here and we are here. Please, let us move. We are in order to proceed.

5.34

MR DENIS OBUA (NRM, Youth Representative, Northern): Thank you, Madam Speaker. As a representative of the young people in Northern Uganda, a region that has seen a series of young people taken, I have no option but to give overwhelming support to the report of the committee, which is also in support of reading the Bill for the second time in Parliament.

According to this report, trafficking in persons has been described as modern-day slavery and I want to agree with the content. As a Parliament, I think it is important because when we look at the population statistics of Uganda, one realises that we have an extremely young population. So there is need to put in place legislation to protect the fundamental rights and freedoms of this very young population that we have in this country.

The population statistics available reveal that about 75 percent of the total population of Uganda are young people below the age of 30 years, and this is a very strong force even in terms of voting. If here we are saying ministers are not there but the Leader of Government Business and the minister is around, we must know that it is indeed this age bracket that determines whether we should sit on the right side of the Speaker in this Parliament or on the left side.

This country is a signatory to a number of conventions on the rights of children. As a Parliament, it is important for us to have legislation with deterrent sentences to people who traffic young people from Uganda. Specifically, I want to put forward my humble appeal to government through the Leader of Government Business. The committee has gone ahead to give specific countries where, in their opinion, most of our young people who are trafficked are taken. Apart from putting in place this legislation, we must also have or establish diplomatic talks with governments of these respective countries to ensure that in situations where these people can be identified and brought back to the country, we have those who participated in trafficking succumb to this law that we are going to pass. I think that will also be important.

Diplomatically, when we talk about these countries and we do not engage them in diplomatic talks, this can bring certain political problems between them and the Uganda government. Otherwise, I support the report and I urge Parliament to pass this law. It is good for our country and for the young people. It will protect them and give us a good way forward in this country.

5.39

MS JANE ALISEMERA, (NRM, Woman Representative, Bundibugyo): Thank you very much, Madam Speaker. I rise to support the Bill. It is very good. It is timely because of some of the conditions we are going through like wars and trade. Trafficking in persons means recruitment, transportation, purchase and sale. So, if we are trafficking, we are selling and recruiting people and these are mainly the vulnerable groups, the children and the women.

I had an opportunity of visiting one of the brothels in Thailand where young children are sold. Those who have bought them exploit them by giving them out to people who want to exploit them sexually. The young people are paraded in glasses and the old women who have overstayed, who went there when they were young, are also there. People come and choose the persons they want and those children are used as many times as possible, in the interest of the business person. It is so bad.

As soon as you leave the airport, the taxis are there; they show you where you can go if you are interested in using some of these young people. It is very sad to see our own children also from Uganda, from Africa, going to be sold somewhere. Some are sold for child sacrifice; we have seen it. I hope the chairperson will insert something in the Bill to deal with child sacrifice. They are not only being exploited sexually or being used as labourers but they are also being used for ritual sacrifices.

I would like to call upon this Parliament to support this Bill. It is for a good cause. Before we get our young girls going to be used as sex workers in those countries, to be put in glasses like dead bodies, we need this Bill in place. I support this Bill.

5.42

MS HUDA OLERU (Independent, Woman Representative, Yumbe): Thank you, Madam Speaker. I would to appreciate the work done by the committee and I also want to support this Bill. If it was not because of the Parliamentary Rules of Procedure, this Bill would have been passed yesterday. We are therefore late. It has not been done because of these procedures we have.

Last year the forum for children in this Parliament went to Masaka and we were so disappointed to find a Ugandan lady from Mbarara who was involved in trafficking a child from Rwanda. I do not know whether this Bill will also protect the children being trafficked from other countries to Uganda, because all of them are human beings and they must all enjoy their rights. Because we had no law at the time, what we did was just to instruct the police and we gave some numbers of agencies here, which could help that young boy to be transported back to his country. I hope this Bill will consider such situations.

Madam Speaker, there is too much trafficking in Uganda because of these porous borders of ours. In fact, Uganda has become so amorphous that it becomes very difficult to know where the borders are. Any person comes in at any time and leaves at any time. So, there is no doubt that we shall lose our women and our children at any time, which is not the case with our neighbouring countries. It is very difficult for you to go to Tanzania or Rwanda, for example. Our people are really suffering. Those who go there are tortured, but those people come to our country as they wish. Therefore, I appeal that now that we are enacting this Bill, whichever Bill is coming should consider our border issues.

I also suggest that this Bill considers putting up of psychosocial centres in this country. We already have many people who have been trafficked and we hope that we shall get them back. However, when we bring them back they need to go through psychosocial training and counselling so that they become human beings. The activities they are involved in where they are now are inhuman. Those people are not human beings now, so we need to bring them back.

I sit on the Committee on Foreign Affairs and last week while meeting our ambassadors, one of them reported that we have girls who are desperate in Egypt. We should look for a way of bringing those girls back. The ambassador told us that when those girls are there, they are not

even allowed to expose themselves such that they can get an opportunity to explain how they went there and what they are going through. When they reach those countries, they are completely enclosed. I do not know what we are going to do to get back those ladies who are suffering.

Even this trafficking relates to Ugandans who are in China now. Some of them did not know the people who in fact deceived them so when they reached there they ended up getting into more problems. To me this law is very important. We should pass it to avoid some of these problems Ugandans are facing.

THE DEPUTY SPEAKER: But hon. Members, if the ambassador in Egypt is aware that there are some Ugandans there, isn't it the responsibility of the government to arrange for their return? Prime Minister, the Ugandans who are stuck there should be facilitated to come back.

5.48

MS ALICE ALASO (FDC, Woman Representative, Soroti): Thank you, Madam Speaker. Again I would like to applaud the Uganda Women Parliamentarians Association for this initiative and particularly our outgoing chairperson, hon. Masiko, for bringing this Bill and having it in Parliament.

Let me begin by expressing my fear; my fear is funding for the operationalisation of this Bill. It is common practice that certificates of financial implications are brought here but that does not mean that there will be money to operationalise the processes, and if we are thinking of getting back the children you have just talked about and the women in Egypt and the minister arranging for their return, if we are thinking of such incidents, then it is important that government commits itself to making sure there is money to help get back some of the people who are victims of trafficking in persons.

Having expressed my fear, I would like to state that trafficking in persons just like HIV/AIDS, poverty, child sacrifice, has the face of the Ugandan woman. By passing this Bill and making it an Act finally, we will have gone a long way into empowering the marginalised sections of our community.

I would like to state that looking at the committee report and thinking about the 8,000 unaccounted for children following the LRA war in Northern Uganda, I am beginning to have a bit of hope because during the peace process pleas were made to the LRA to free the children. Unfortunately none of these 8,000 children were freed. Probably some of them are dead. And I am hoping that those that are alive - because there are claims that a number of these children are in the Sudan, in Libya and in parts of the Arab world - I am hoping that the provisions that address international relations to do with human trafficking should be able to help us get some of those children who are still alive.

I also hope that by discussing this tonight, the Government of Uganda will be refreshed to look more into peaceful methods of conflict resolution before we go into details of war which becomes so protracted that we end up with the innocent women and the children being trafficked away from our borders and subjected to a life of slavery.

I also want to observe and emphasise that we need to include in this trafficking in persons the use of children as baby sitters and maids. I know that there are provisions in the law to do with the children statute, to do with labour laws but these have been very inadequate on their own to stop

the powerful working women of this country from bringing children aged five, seven, eight years from villages and making those children their baby sitters and house helps.

One just negotiates with a parent and because of the poverty in this country, people go to the country side, negotiate with this lady, pull the child out of school even when we have universal primary education, then they buy a *gomesi* for the mother and this child is subjected to all forms of abuse. They beat them; they harass them and they will never grow up into all round citizens as you would want them to be.

My thinking is that at an appropriate time, part of the definitions should include the use of children as baby sitters. If you go around this city, you will find so many of our children condemned to a life of no education and no future by people who have gone through an education system themselves. They were not deprived at any one point and now they are depriving these other children so that their children will have a future. That is the irony; you pick this poor child from a village in Serere where I come from so that she carries your child who in turn will go to a good school and this child is totally condemned. I think these matters should cause all of us to be concerned and we should address them.

Having said that, I support this Bill and I hope that it will go a long way into addressing issues of child and human trafficking in this country. Thank you.

THE DEPUTY SPEAKER: Hon. Arumadri, okay let me finish this side; three minutes each, please.

5.54

MS REBBECA AMUGE (Independent, Woman Representative, Lira): Thank you, Madam Speaker for having always given your time wherever we call you to look at this and that. I want to thank the chairperson UWOPA and her executive for the commitment and the chairman for the defence.

The beginning of this problem goes to Uganda having no registration of their citizens. We have taken too long to have the national identity card and we cannot move on without that. This traffic has come in and out unnoticed and they recruit our own people to continue doing their work. I want us as Parliament to look at the area of national identity card and if possible this financial year.

I want to give some testimonies so that you know how serious this case is. In one country which I will not mention, I got two Ugandan girls: one was 13 years and the other was 15 years. These children were taken by people who pretended to be religious people. On reaching there, the children were put in the brothels and were being used three, four or five times in a day. They were only discovered by a Ugandan lady, medical personnel, when they went for treatment and they were both HIV positive; that is the level -

In another country, I discovered – we are talking of the Ugandan children who are girls - I discovered the boys were trafficked and they were being used by dogs; not even human beings this time. Madam Speaker, we cannot proceed like this. Even in our own country sometimes we say we are victims but we are also perpetrators. In my place I have discovered the Congolese girls who were brought in and they are hanging. They do not know where to go; they were trafficked into this country by our Ugandan soldiers. We are also perpetrators. If we do not look at this, Ugandan children are going to be a basket from where terrorists are going to be recruited. Because when our children are trafficked, we do not know what they are used for. Those who

come from abduction will tell you that they have been trained even in terrorism. We are sitting on a time bomb if we do not pass this law.

I would like to request that we put in a provision that by the time this law is passed, those who are out should be repatriated because we have our missions abroad; we are not going to say that we have heard about them and we cannot bring them back. They can still be repatriated. I support this Bill and I want to say that it must be passed and in totality. Thank you, Madam Speaker.

5.58

DR FRANCIS EPETAIT (FDC, Ngora County, Kumi): Thank you so much, Madam Speaker. First, I would like to commend the Committee on Defence and Internal Affairs for the expeditious style in which they attended to this Bill. It was read for the first time in this House exactly 13 days ago. How I wished we could handle all other business in this style; we would do a lot of work in a short time; I commend you, Mr Chairman and your committee.

I would like to start from a point of - maybe on a lighter note - there are some fears that some issues of the certificates of financial implications may become impediments to this Bill. I am also saying that whoever will attempt to oppose this Bill, I will very fast categorize such a person as a perpetrator of trafficking in persons. And, therefore, whoever will come up with any statement to oppose anything in this Bill, we shall have to impose some investigations.

The estimates that the chairperson read in his report are conservative because there are a number of unreported cases; some Members have already attested to this. There are a number of people suffering out there incommunicado; they have been locked up and so there is no clear information available as to how many victims of trafficking in persons we have now. And in fact we talked about international trafficking and also local trafficking. Thank God that possibly when this law comes into commencement maybe some people will have escaped because even locally here you all remember this popular programme of recruiting children into the army. These are facts but now that there may be no application in retrospect maybe some will escape.

Madam Speaker, allow me say one other thing: among the drivers or the push and pull factors for the trafficking in persons, I noted silently that there was something missing and that includes drug abusers. In fact I am aware of a Narcotics and Psycho traffic Control Bill before this same committee. You know it takes a lot of courage for one to start thinking of abducting, taking somebody and selling a human being; it takes a bit of courage and some of these drug abusers actually have that kind of courage. In their drunken state they can do anything.

Therefore, I would like to appeal to the Chairman of Defence and Internal Affairs Committee now that I have given you some praises, I would like you to use the same gear in handling the Narcotics and Psycho traffic Control Bill so that it helps to reinforce this particular Bill of Trafficking in Persons.

Lastly, there are a number of protocols that this government enters into; so many protocols but locally here, they are not popularised. I think there is need for government to take a bold step whenever it signs any protocol; it must be popularised in the local media so that people get to know. I have to confess that it is today that I am hearing about the Palermo Protocol. On that same note, I would like to say that this particular Bill will not have to wait for it even to come into law; we should start right away and popularise the provisions in the Bill on all local radio stations and demand that media houses should put some specialized messages like we did with HIV/AIDS control. Popularise the messages before or after all local news broadcasts in all languages so that people are in the know.

And in fact the punitive measures that we should put in this Bill when we eventually go to consider clause by clause, the punitive measures should be so deterrent that the whole project of trafficking in persons should be detested and rendered repugnant for everybody who has such an appetite. Thank you.

THE DEPUTY SPEAKER: Yes, hon. Arumadri.

6.03

MR JOHN ARUMADRI (FDC, Madi-Okolo County, Arua): Madam Speaker, last week when this Bill was on the Floor of Parliament, I sought guidance from the Speaker about human sacrifice. I wanted, in this Bill, the element of sacrifice to stand out clearly. Somebody can traffic human beings while knowing that they are going to be sacrificed. That is actually pre-meditated murder. I am praying that this matter comes out on its own so that the penalty is spelt out more clearly. It should be heavier than for those who are thus trafficking for other purposes.

Currently in neighbouring Tanzania there is a high demand for albinos and those who will want to ship albinos to Tanzania knowing very well that they are going to be sacrificed should be mentioned, spelt out properly so that their penalties are so deterrent that they will not even venture into this business. Madam Speaker, I pray.

THE DEPUTY SPEAKER: Okay, let us have hon. Nampijja, hon. Kanya and then hon. Wacha.

6.05

MS SUSAN NAMPIJJA (CP, Lubaga Division South, Kampala): Thank you, Madam Speaker. I would like to thank hon. Masiko and her team and even the Committee on Defence and Internal Affairs for this initiative.

This Bill has come in at the right time when many young men and women are being subjected to prostitution, child labour, child sacrifice, commercial sex and so forth. As we debate this Bill, I would like to get some clarification on the definition of a child. In our Constitution, under Article 34(5), a child is a person under the age of 16 years. But I think there is conflict between our Constitution and the Children's Act. That inconsistency is likely to allow abuse and violation of children rights. We need to harmonise the two laws.

Secondly, I wonder why the committee did not put in a provision to target human sacrifice. Human sacrifice, you know very well, is an issue that is escalating today with many children being sacrificed; with many children being subjected to murder and their body parts being hacked off. Others have been beheaded and their body parts dumped, but government is keeping quiet. There is no law to target the ritual murderers. It is a pity, Madam Speaker. I would request that the committee considers this as an important issue.

You know very well that trafficking in-persons is profitable business in Uganda. People do it to get money. But if we can consider a case where a person is being trafficked - how are we going to go about it? If a child is trafficked, for example, to Rwanda - because different countries have varying agencies for different purposes - how are we going to go about this? We already have an office under Police, which handles all cases of trafficking and human sacrifice. If we strengthen Police by facilitating them, recruit competent and well-trained staff; form a computerised system, we will be linking to other law enforcement departments like Interpol. I think this way we shall be able to address the problem of trafficking in persons.

I would also suggest that since the Bill mentions - the minister would set up an office to deal with issues of trafficking in persons. I would also suggest that if this office is established, the people who will be in charge should be responsible of coming up with annual reports, which they will submit to Parliament for consideration. These reports should show the state of trafficking in persons in Uganda. They are supposed to be submitted to Parliament for scrutiny. Madam Speaker, that is all and I would like to thank those who initiated this Bill. Thank you very much.

6.05

MR BEN WACHA (Independent, Oyam County North, Oyam): Madam Speaker, I support the introduction of this Bill into our statutory books. I also wish to thank UWOPA, which conceived the idea of this Bill and I want to thank other people who may not be in this House.

Specifically I want to thank Law Reform Commission of Uganda, which I know put together a group of drafters to draft and redraft this Bill to the position where it has now come before this House. I think they did a good job, and I also want to ask the honourable Chairperson for UWOPA to please, pass our thanks to those people who drafted this Bill.

While addressing our minds to the various clauses of this Bill, I do not want us to lose sight of the fundamentals which cause the problem of trafficking. I want us to direct our minds to the issue of poverty.

Because of the high level of poverty within our society, parents can willingly part with their children without knowing what is going to happen to those children. Because our people are so poor, parents can be deceived that the child is going to be taken to school in Kampala, for example, and then in good faith they part with that child. The example that hon. Otengo talked about could have arisen because somebody who was abroad deceived some person here that he was going to give the children a better life than they were having.

Recently, you heard in the press of a pastor in Gulu who was in the habit of collecting children and deceiving the parents that they were going to be brought to Kampala for education. However, for two, three, four years these children have never gone back to Gulu. This is because of poverty. It is important that government looks much more deeply into the causes of poverty in our society and try as much as possible to deal with it.

The other issue is the issue of dropping out of school; the issue of education. It is also tied to poverty. Children drop out of school and then as a shortcut; they find themselves doing odd jobs. And because they become frustrated in the households that they are doing the odd jobs in, they become open candidates for prostitution. This is a shame. We should try to find a way of getting our children some education which can make them self-sufficient even if they do not go for formal education.

Government has been talking about this modern secondary technical education and creating two technical schools per sub-county. I think that should go a long way in ameliorating the problem of dropping out of school and the children going back to stay in the villages without any prospects of any better life.

Then there is the issue of conflict in society like it happened for 20 years in Northern Uganda with the LRA and in Western Uganda with the ADF. Let us try as much as possible to settle our problems without ending up in armed conflict since that is the surest way of opening avenues for trafficking.

Also, somebody raised the issue of implementation of this Bill. I do not want us to imagine that we did not have any laws about this issue that could have protected us. I do not want us to leave this Chamber thinking that this is a panacea. We had a lot of laws. We had offences created under the Penal Code; we had provisions in the Immigration Act and we had provisions in the Children's Statute. All those laws were there but they had their own shortcomings. For example, they were not dealing adequately with the central issue of exploitation of the trafficked; exploitation of the child; exploitation of the woman; exploitation of the man who has been trafficked. That was one of the shortcomings.

There is also the problem of adducing evidence. For example, in trafficking you tend to depend on the evidence of the victim because this is an offence which is carried out against an individual and you will not find too many people knowing about it. But there are certain offences which need corroboration and if you are going to depend on corroborative evidence, you are not going to get anybody under trafficking laws.

Then there is the element of jurisdiction. Most of our Penal Code offences only deal with offences which are committed within Uganda, except for example political offences like treason. However, a number of these trafficking offences, as you will come to find out as we deal with the Bill, deal with extra territory offences. So we thought it was necessary that we should have a Bill which will go across the border so that even if you commit this offence in Kenya, in the UK or in India, as long as you are a citizen of Uganda, or a resident of Uganda, wherever you are, whenever you come back, you can still be dealt with under this Act.

So, Madam Speaker, I thought I should say those few things. The issue of human sacrifice will be handled as we come to the amendments. I thought that I should handle straight away the issue of the child under the Constitution vis-à-vis, the provision under the proposed Bill. What the honourable member was talking about, under Article 34(4) and (5) of the Constitution is actually self-explanatory. The child referred to under 34(4) is limited to 16 years because of the employment nature which is being created under Article 34(4). Let me read: "*Children are entitled to be protected from social or economic exploitation and shall not be employed in or required to perform work that is likely to be hazardous or to interfere with their education or to be harmful to their health or physical, mental, spiritual, moral or social development.*"

And then the child is defined under Article 34(5). "*For purposes of clause 4 of this Article, children shall be persons under the age of 16 years.*" That is limiting.

The Constitution also defines a child under the interpretation section to mean a person under the age of 18. This is also provided for under this Bill. I thank you, Madam Speaker.

6.21

MS BETI KAMYA (FDC, Lubaga Division North, Kampala): Thank you, Madam Speaker. I join my colleagues to thank the chairperson and the committee, and of course UWOPA, especially the former chairperson of UWOPA.

Like my colleagues, I also think that this Bill was needed yesterday and should have been passed yesterday because the most painful thing that a responsible adult can witness is a suffering and abused child. For that matter, I stand to support the motion.

However, I have a few matters of concern that I wish to raise. One is the widespread concern about government capacity or will to enforce laws. We have a lot of laws in our books but they are not enforced and we just said that at the beginning of this session.

Madam Speaker, what are we going to do with the general failure of government to enforce laws, with the failure of Ugandans to respect laws as well as the abuse of laws through corruption and other methods? We sit here and make laws but enforcement becomes a problem. As a result, we have traffic problems, hospitals, prisons and police cells that are full and vehicles in dangerous mechanical condition on the roads. It is terrible. There is just no respect or enforcement of the law. As we consider this Bill, I think that at some point as a country we have to consider very seriously the question of law enforcement.

I have also noted another concern in this Bill, which is the lack of statistics. This makes us debate a very important Bill without knowing the extent of the problem. The methodology on page 1 says the committee held meetings with civil society organisations involved in human trafficking and they are so many eminent and international ones. They look very committed, including the Ministry of Internal Affairs, Uganda Women Parliamentarians Association and others. Don't any of these organisations have statistics in Uganda and outside that they could have given us to get a feel of the extent of this matter? Research and sample studies conducted normally; opinion polls are conducted –(Interruption)

MR EPETAIT: Thank you very much, Madam Speaker and I want to thank my colleague for giving way. It was an oversight and I think for purposes of the record we should clearly define what these civil society organisations are involved in. I think what the committee meant is that they held meetings with civil society organisations involved in the fight against child trafficking and not involved in child trafficking. This is for the sake of clarity in our records.

THE DEPUTY SPEAKER: Hon. Members, you know for instance that information regarding the issue of children in Northern Uganda is in the public domain. Who doesn't know that over 30,000 children have been trafficked from that part of the country alone? Isn't that justification enough to make a law?

MS KAMYA: Thank you, Madam Speaker. There is a figure of 30,000 as you say. We all know that there are 30,000 children that have been missing because of the war but there are many other incidences. The war will end hopefully but this problem will not go away because children will still get abducted. There are many other reasons that we should know. War, I think, is one thing that we can understand easily but there are many other cases like children that are taken from the villages and towns.

I think that these organisations would help by availing this information. War is one category but what about all the other categories? It would be a good thing to know that –(Interruption)

MRS SENINDE: Thank you very much, Madam Speaker. I do appreciate the spirit in which hon. Kamya is raising this issue of statistics. However, I think that the committee has endeavored to show us the estimates. If you look at pages 2 and 3, they have tried to categorise the numbers and I feel that they have really tried their best to give us this data otherwise if anyone would like to go and get the specific totals, it may not be so easy because there are those who come and go without documentation. So the estimates I think should be appreciated.

THE DEPUTY SPEAKER: Hon. Kamya, supposing I asked how many children have been trafficked from Kooki where I know you come from into the city of Kampala in the last one year, would you be able to tell me? This is internal trafficking, forget about cross border.

MS KAMYA: Madam Speaker, I appreciate that a lot of work has been done but if I think that more can be done, there is no problem in raising the matter. I do appreciate the work but I could have done with more. That is all I am saying and I don't think that there is anything wrong with that.

There are also problems of statistics in this country. We cannot depend on them. You can walk into any office and walk out with a document. You can walk into the registrar's office and walk out with a marriage certificate, a death certificate, a passport - some people carry several passports. We need to know how to handle these things. There are adults who have so many children because they hold birth certificates. They get them from the villages and are taking them to London and so they get a birth certificate and make claims. What are we going to do about this forgery or lack of seriousness in documentation? I think that we need to know how to handle this.

I would also like to have more information on adoption laws, whether we have such a law and how much of it is considered because like someone said, they go to the village, bring a child, get a birth certificate in their own names and claim that this is their child. I know it happens often but how do they get around the adoption laws if we have any?

Finally, I would also like to consider the question of poverty. Most of these children are lured and not really abducted or captured. They are lured to go with the perpetrators because of promises of greener pastures. The question like my colleague asked is: how are we going to handle the question of poverty? If someone sells or gives up their child and they are rescued, where are you going to take them if their mother or father is the one who asked them to be taken in the first place, or are we considering building rescue centres? If the parents are the ones that are selling them for a *busuuti* or for money, if you rescue a child under this law, where are you going to take the rescued child? There are many questions that need to be asked.

But all in all, I wish to thank the committee and add, like my colleagues did, that we need to save these children for the future of this country. Thank you.

6.31

MS JUDITH AKELLO (FDC, Woman Representative, Pader): Thank you, Madam Speaker. Allow me to speak on behalf of the opposition in my capacity as the deputy chief whip not as –

THE DEPUTY SPEAKER: Oh, congratulations. I didn't know that.

MS AKELLO: Thank you. Not as a member of the committee. Madam Speaker, I want to commend highly the great work done by hon. Masiko. All her efforts are being answered today. I am very glad that today we are debating this Bill. Thank you so much, hon. Masiko. We are going to live to remember you.

Allow me to also thank the chairperson of the Committee on Defence for all the effort put into this. In addition, I would like to thank all the women Members of Parliament for all the effort that they have been putting across because I have been following the way they have been sitting in round table talks about this Bill and these efforts are being rewarded today. I want to thank you so much. Of course our male counterparts; thank you also so much for the support.

I want to say that this Bill is a very straightforward Bill for anyone who has been following the debate and as the Opposition; we have no problem with it. I am also glad that the shadow Minister in charge of Internal Affairs has wholly embraced it. He has reported to our office that there is no problem with the Bill and he fully supports it.

Therefore, I want to call upon both sides of the House to display commitment. I don't want to hear tomorrow that the Minister of Finance says that there is no money to put in place the necessary measures. I want to call upon government to be very vigilant in operationalising this Bill.

Because of the concerns that have been raised from other members, in case of any loopholes in the amendments and because I know that at an appropriate time the chairman will come with some amendments, I am not ruling out the fact that perhaps members of both the Opposition and government side may have some input. Otherwise, I want to thank you so much and also thank Madam Speaker for the support. Thank you.

6.34

MR FRED BADDIA (NRM, Bujumba County, Kalangala): Thank you, Madam Speaker. I also want to thank the initiators of this Bill and any person who has done anything to make sure that the Bill is on the Floor of Parliament today. I also want to thank all the Members that have debated before me and who have supported this Bill. I also want to support the motion.

In modern times, one might think that slavery is non-existent. I want to inform you that slavery does exist but in a more organised form. I have two scenarios that I have witnessed, which I want to share with you. One is internal and in my home district.

A number of children have been taken to different islands and made to work extraordinary hours. They are sexually abused, denied education and the people keeping them disguise themselves as adopters. Some of them say that they are relatives but these children are kept against their will. They are locked up on islands and in fishing villages where they cannot cross at will to come back and join their relatives. So, I think that this Bill is going to intervene in such situations and that is one reason why I support this Bill.

Another scenario that I have experienced is external. There are some organised agents in Uganda that take people to other countries. They are so organised that they even process visas for those people. They are seduced and promised good jobs but when they reach there, they are made to work long hours like on farms. They are also given conditions for example that they are supposed to work on those farms for about five years without looking for alternative employment. They are faced with stringent conditions like not being allowed to marry. In effect, they are denied conjugal rights as well as other rights.

I think that this Bill has come at a right time and I request all Members of Parliament to support it. However, I have a word of caution and it is that this Bill cannot work in isolation. Therefore, I want to request government to make sure that other related laws are implemented like the Child Act, the Labour laws and also policies that address poverty. This is because many of these people who are trafficked are just seduced by way of promises of money and good jobs. Madam Speaker, I support this motion and I thank you.

6.38

MS ROSE MUNYIRA (NRM, Woman Representative, Busia): I would like to thank you, Madam Speaker, and also thank my colleagues who have put a lot of effort into ensure that this Bill is at this stage. I remember way back in 2006 when we had a workshop with people from the American Embassy to sensitise us about this Bill as women Members of Parliament; we have been looking forward to the time when it would come to the House.

I think that this law will be welcomed by the public because it has come at a time when the issue of human sacrifice is making headlines in the media. This law is therefore going to be very useful.

One other thing that I would like to bring out is that our government also needs to embrace its responsibilities. For example, in this country we have a lot of orphans and vulnerable children in the community. You find that this responsibility has been delegated to well-wishers and relatives. Our institutions do not provide for these children and I find that this is fertile ground for child trafficking because you find that many people in our communities are living at the mercy of others and yet these people also have rights. Government should address this issue so that we develop institutions that cater for orphans and vulnerable people.

For example, today we have been talking about issues of land and institutions. We have an institution like Kampiringisa that has never been expanded and it is not coming out to embrace problems of vulnerable people. Maybe in a way it would also assist us to avert the problem of trafficking of our people to other places.

I come from a border area and I would like to tell the House that this problem is real and we live with it. You find that in the communities, it is known that children have disappeared; people have vanished, in the name of going to offer help to certain other families; in the name of getting income for their own families; in the name of going to serve in brothels. So this problem is real. This law has actually come at the right time.

Another perspective that I would like us really to focus on is that we have grappled with the issue of our local leaders not having income. So you find that when some of these cases come up, they are easily silenced by some little pay; they will accept some gifts, they will even sign immigration documents, authenticating citizens, those who are trafficked in from other countries will easily be accepted and allowed to settle in and whatever follows, nobody really knows.

Looking also at the perspective of countries that receive children from our country, I am sure they also have a problem receiving a new and big population into their economies. So on both sides, that is on our side as receiving countries and those countries that get populations from our country, it is a problem that we need to address. For that matter, I would like to support the motion. It is long overdue and I would like to urge my colleagues that we support it to become law. I thank you very much.

6.43

MR WILLIAM NSUBUGA (NRM, Buvuma County, Mukono): Thank you, Madam Speaker. I thank the committee and the mover. I thank everybody who has contributed to this motion. I just have a few concerns. I would like to say that unless - through the Ministry of Internal Affairs - we have national identify cards, this Bill will not really work. Because in most cases, if you cite defilement cases that have been failed because of parents conniving – because if a child is 15 and the mother says she is 18; there is no data.

I want to really urge the chairperson of the committee to take this issue very seriously. This morning we had a meeting with the Permanent Secretary of the Ministry of Internal Affairs. He has actually told us that they have a road map for the national identity card. They have already presented it to Cabinet, it is only awaiting funding. For us as Members of the Public Accounts Committee, we urged the PS to put it in the coming financial year so that Parliament can really fund it. I want to assure Members that if we do not have national identity cards, with all the data, we shall be having very good laws but they will not work.

It is true there is poverty. However, government is trying to eradicate poverty. It might take years but if we have laws and we have institutions we can really get rid of child trafficking. So, I really want to emphasise the issue of national identity cards, to make sure that - we could even set a target as Parliament as we are passing this law. Because without national identity cards, whatever we are debating at the rate at which poverty is, even a child of 12 years will be upgraded to 18 because people have got something small.

Madam Speaker, last week on Tuesday I happened to be on a team which went to Ssesse islands to inspect the palm plantations. I want to confess that on the ship we went with a team of about 20 to 30 children up to the island. These children were guided as animals. All of them had taken a minimum of three days without bathing, and even some of them were child mothers. As MPs, we wondered where these children were being taken. I just want to confirm -

THE DEPUTY SPEAKER: You were moving from where to where?

MR WILLIAM NSUBUGA: They boarded from Entebbe, Nakiwogo up to Kalangala and when they reached Kalangala I do not know where they actually proceeded to.

MR BADDA: Madam Speaker, it is good hon. Nsubuga is supporting the kind of witness I was giving you. You know, there are a number of children mainly from the districts of Kampala, Wakiso, Mukono and Masaka who are trafficked to Kalangala to isolated islands and they are mainly girls, who are taken to work in bars, restaurants and for sex trade. And the only portion, the only one that hon. Nsubuga saw on the ship is just a small population. Many of them are transported in boats, to very far off destinations in isolated islands. So the problem is grave.

MS AOL: Thank you, Madam Speaker. I would like to get a clarification from hon. Nsubuga, because as a leader I once also participated in rescuing children who were taken from Pader and Kitgum. Could you clarify to us you leaders who were there, after knowing that these children were really being taken illegally, what step did you take? Really you already told us the problem and it was bad. What step did you take to make sure that you rescue these children?

MR WILLIAM NSUBUGA: Thank you, my colleague, for the clarification. If you have been attentive, the first weakness was they looked to be young; if we had laboured interrogating them, they would have been above 18. I was with the Minister of Agriculture and we were a full committee but we would have done nothing much because they had no identification and even communication – the language. Many of them were talking in Madi – a language from West Nile. The issue is we need to have identification because it would be telling the date of birth and the origin.

MR BADDA: As I told you, Madam Speaker, these business people are very well organised. When they are transporting these children, they have even documents from LCs and some even have letters –

THE DEPUTY SPEAKER: I think I am disappointed in you, hon. Nsubuga and the Committee of Agriculture. You are now creating excuses why you did not intervene. How could you and the Minister of Agriculture travel for three hours with these children suspiciously and you did nothing? I am disappointed in you.

MR WILLIAM NSUBUGA: Allow me to continue because I was just giving an example of Kalangala but I also represent islands. Whenever I visit these islands, I find child labour. It is

true. I have been talking to the traffickers themselves and we even have police posts on every island. How do you want me, Nsubuga, to go on arresting the employers – I cannot. There is Police. Even if you report –(Interruption)

MR DENNIS OBUA: Thank you honourable for giving way. The information I would like to give is that under our laws, I think apart from Police, I can cause an arrest if I suspect someone has committed a crime or is about to commit a crime. I have all the powers, not even as a Member of Parliament - even if I am not in this Parliament, I have the powers and authority to effect an arrest. And in this case, if they had a minister, all ministers have escorts who are Police. These people would have been arrested and this is the position of the law. Whether you are a civilian and not even a policeman or woman, you have powers to cause an arrest and you would have arrested these people.

MR MIGEREKO: Thank you, Madam Speaker. I would like to thank hon. Masiko and the committee for bringing up this report so that we can be in a position to access this kind of information.

We are having a lot of problems particularly in regard to children who register for UPE and while so many start primary one, in many cases we find that the bulk of them cannot complete primary seven. Clearly these are some of the leakages in the system. The information we have received is information we should be able to take up and be able to act on particularly in regard to what is taking place on the islands because it appears there is something that we do not quite understand which is taking place that is worth following up. But it has also helped MPs who did not know that they also happen to have powers of arrest despite the fact that they may consider themselves not policemen and ordinary citizens in the country. I thank you and we shall be able to take up this matter.

MR WILLIAM NSUBUGA: Allow me to conclude. I want Members to bear with me because when I talk about islands - and it is good the minister has just raised it - many pupils of school going age are fishing. I have a small boat; how do you expect me to arrest the bourgeois, put them under my boat and you cruise for four hours? People are talking because they think you just go to the street down there - if Kampala can have street children even around here what about for us hard-to-reach areas?

THE DEPUTY SPEAKER: Hon. Nsubuga, supposing hon. Masiko had not brought this Bill, when was this House going to hear about this matter?

MR WILLIAM NSUBUGA: Madam Speaker, if you could check the *Hansard*, my cry has been a school for every island because some of the islands do not have schools.

THE DEPUTY SPEAKER: No, we are talking about islands; do not divert us into the schools. We are talking about trafficking which you accept has been going on.

MS FRANCA AKELLO: Madam Speaker, following the information hon. Nsubuga brought up that most of those children are from West Nile - this is a very appalling issue. As a responsible Member of Parliament, you would have taken action immediately. And I am glad that the Government Chief Whip has promised they are going to take action. I only pray you take the action as immediate as possible because this is very appalling. And the other bit of the story where you said some of them are holding letters from LCs yet you know that LCs I and II are not working; they are illegal. I want to call upon the government for immediate action. Thank you.

MR WILLIAM NSUBUGA: Madam Speaker, let me conclude by saying that there is need. I agree that without this law, we would have addressed the issue of child labour but the question is why has child labour been persistent especially on the islands? It is because other law enforcing institutions are not doing their work. Buvuma is in Mukono - I do not think everybody would believe that the DPC and all law enforcers do not know what is going on in the islands – they know. Parents give away their girls at the age of 15 and they are aware of the law. But they have been frustrated because of lack of identity cards. When you go for registration, birth and death, whatever you tell them is what they insert.

So I just want to conclude by urging government to make sure that we have a national identity card, which can capture all: date of birth and also let us try to make sure that we eradicate poverty. With the persistent poverty, people will be disguising and doing all sorts of child trafficking. I thank you.

6.59

MRS LOI KIRYAPAWO (NRM, Budaka County, Budaka): I thank you, Madam Speaker for giving me this time to say something. I also add my voice to my colleagues' who have spoken before me to thank the presenter and the committee together with all those people who drafted this Bill.

Allow me start from where hon. Nsubuga ended. From what I heard from him, the argument he was putting up, it is about the attitude which we have. We must own the children in that every child you see should be taken as your own child. Anything which is done to that child must concern you as your own child would concern you because either it should have been reported immediately to the Police on the island or here in Parliament so that action is taken.

The other thing I would like to talk about are the push and pull factors; these children are given out by their parents willingly to come and work because they think that if they go in the urban areas it is better life. And one day I argued with a very important person and the argument he was putting up was that because when they leave the villages and go to urban areas they get better accommodation; he has a mattress; he has been sleeping on a mat or a papyrus mat and now here he gets better meals; is well looked after - so that is the attitude we have. Unless we change and it is good that this law is now coming and I am sure we shall pass it. What disciplinary action shall we put there? Or what punishment should we give a parent who willingly, especially under UPE, gives away a child to go and work?

Another thing also which we have to look at are these early marriages because some of the parents we are talking about are children themselves. And that brings me to the enforcement of the laws we have. We have a law which says nobody should marry a person who is below the age of 18 and whoever is below 18 is a child and should not go into marriage. But then you find that most of the mothers especially on the side of the girls those who are 12, 15, 16; they are mothers. Sometimes you find a girl with a baby and you think that it is either a brother or a sister but when it is her child.

So, I hope government will see that there is enforcement of this law because if there is no enforcement we shall make a law which shall be shelved. It shall be shelved and then once it is shelved, very few of us will know that there is even a law.

That is why I am glad that the Front Bench has improved because we needed even the Minister of Finance to assure us that the law will be enforced. We must have programmes of sensitisation of the population, and how will that one be done? We need maybe drama groups to do the

sensitisation in the rural areas. We need radio programmes to make sure that everybody knows; everybody understands that there is a law and if you are found to have broken that law, this is the punishment; at least something to deter somebody who is doing it.

Madam Speaker, I wanted to talk about parents' denial of their responsibility, especially now with UPE where somebody does not mind; they call those children government children, others call them Museveni's children. There those who go outside for commercial sex; as they are taken, there are some groups which may be here; they recruit them promising them better jobs abroad – in developed countries and when they arrive there, the first thing that they do is to take away their passports. They take away their passports and push them in a house where there is even a reception especially for the girls. So they go as if somebody who has gone into a bar and orders what they want to drink. They end up without any way out since they do not have their passports on them and are in a foreign country.

It is just like home here under these fenced houses; when you go in those fenced houses it is the same story. These are children who are taken and are not allowed to go back home. And the parents do not mind to say that they have taken two or three years without coming back so long as the person who took them gives a *gomesi* and some Shs 20,000 or Shs 30,000 to the parents and they comfortable. So these are the situations when we talk about trafficking in persons. What is really happening?

And you know sometimes when it is commercial sex; they do it to them through the mouth - (*Interjections*)- you can imagine somebody being in such a situation. So I am glad that this law is going to be passed but I am also worried about enforcement. If the Minister of Education were here, they would also tell us what has happened to vocational training for those who drop out. At least to minimize the push and pull factors. If there are vocational trainings, some would do tailoring; some would go in craft making; some would go in tie and dye at least if they are involved in an activity they would spend most of their time.

I would like to end by saying when they fail to work with these children; they throw them on the streets. There are some children who we took back home from my very sub-county and another sub-county next to mine. These were children - the first one was a child between six and seven years of age. When she failed to work for the person who had brought her to Kampala, she was given Shs 1,000 and told to go back home. This child moved, and when she got to Jinja Road, she tried to buy some groundnuts, but she failed to communicate to the seller. This attracted the attention of the policeman who later established that the child spoke Lugwere. While my husband was in his office at the ministry of gender, he just saw some people enter his office with this child having picked her from the street. We had to take that child back to her home.

There were other two, a girl and a boy; they were also picked from the street because they had failed to speak Luganda. The person who picked them took them to *Simba Radio* from where some employee took them to Kiira Road police station where we picked them to have them taken back to their homes. I thank you, Madam Speaker, for allowing me contribute to this report as we enact this law. I pray that we pass this law without any - except some amendments.

THE DEPUTY SPEAKER: Okay, Members, the motion has received overwhelming support from both sides of the House. I think I will ask the chairperson to give some concluding remarks.

THE CHAIRPERSON, COMMITTEE ON DEFENCE AND INTERNAL AFFAIRS (Mr Mathias Kasamba): Thank you, Madam Speaker. I would like to thank honourable colleagues for their sincere support to us towards passing this Bill into law.

However, allow me highlight a few issues. I think ever since we started debating this Bill and scrutinising it as a committee after the mover presented it in Parliament, there has been a lot of publicity so far, as far as child sacrifice is concerned. The mass media for example, have done quite a commendable job in bringing out the real issues regarding child and human sacrifice. Even the Ministry of Internal Affairs, through the Police Department, has tried its best in handling this issue.

As I talk there is already a unit in the police handling human trafficking and sacrifice. I think this law is going reinforce and put in place further enabling mechanisms to ensure the enforcement part, which I think all of us are still cautious about – we urge Government to make sure adequate resources are provided and the necessary action plan – actually we intend to make further amendments to put in place an inter-ministerial committee that will ensure that an operational work plan is put in place immediately this Bill is passed into an Act of Parliament. This will help in massive public sensitisation against the vice and the phenomenon.

Eventually we should put in place mechanisms to trace children right from their villages, to district and national levels so that we are able to prevent trafficking in persons. It is very unfortunate; it has been happening as Members have given test cases; it is real; it is happening beneath us, within us, amidst and even some of us are using children within our homes as house girls and boys. It is time for us to be aware; to fight it and bring about a lasting solution to this problem.

I would like to thank the mover of this motion and everybody who contributed to it. We need to work towards improving the welfare of our people. The biggest challenge is the poverty, which I think Government is trying to tackle; we shall continuously urge it to work towards eliminating poverty amongst our people to enable them live in better conditions.

THE DEPUTY SPEAKER: Hon. Members, I put the question that the Prevention of Trafficking in Persons Bill, 2009 be read for the second time.

(Question put and agreed to.)

THE DEPUTY SPEAKER: Hon. Members, we need to give time to the committee and the mover to incorporate new amendments – the Opposition said they have some amendments that they would like to move. So, we shall go to the committee tomorrow. The House is adjourned to 2 O'clock tomorrow. Thank you.

(The House rose at 7.13 p.m., and adjourned until Thursday, 2 April 2009 at 2.00 p.m.)

EXHIBIT 102

Wednesday, 15 April 2009

Parliament met at 2.38 p.m. in Parliament House, Kampala

PRAYERS

(The Speaker, Mr Edward Ssekandi, in the Chair.)

The House was called to order.

COMMUNICATION FROM THE CHAIR

THE SPEAKER: Honourable members, I welcome you to this sitting. I believe you had a peaceful Easter weekend and you are prepared to embark on parliamentary work. We have a lot to clear and a lot of our time will be taken up by the budget process. Unfortunately, I do not see the chairperson who would brief us on the arrangements they have made to deal with the issue of the budget.

Honourable members, I have received sad news that our colleague, hon. Mathias Kasamba, the Member of Parliament for Kakuuto, has lost a father. He died yesterday at Kalisizo Hospital. The deceased is Mzee Joseph Lwekunda, who will be buried in Kakuuto, Mayanja village, tomorrow. It is proper to observe a minute of silence.

(Members stood to observe a minute of silence.)

2.42

MS BETI KAMYA (FDC, Lubaga Division North, Kampala): Thank you, Mr Speaker, for giving me this opportunity to raise a matter of public concern.

It is exactly one year today that this House, on behalf of the country, mourned the death of 20 little girls that were gutted by fire in Buddo Junior School.

Mr Speaker, you yourself gave us an almost horrific eye witness account of what happened at the Buddo fire and government made promises that the culprits would be found immediately and brought to book.

Yesterday, on the 14 April, I attended a memorial service in honour of the little girls in Buddo in Kyikyamuli Gayaza where Mr and Mrs Kawuma, one of the bereaved families, built a memorial house in honour of their daughter, Juliet Nambalirwa, who died in the fire. Most of the bereaved families were there. They were disappointed that nobody from Buddo school turned up and no one from the ministry or government turned up. I represented the Parliament of Uganda and Owekitiibwa Ssewava Sserubiri represented the Government of Buganda.

Mr Speaker, the parents took as through a heart breaking one-year-old down memory lane account of what they have been through in trying to get to the truth about the death of the little ones. Of particular interest to this House and to the country at large was the expression of total disappointment in all the three arms of government. Of the Executive, they are disappointed that when the President visited the scene of crime a few days later and met the parents, he promised them that the report would be out in four days. He indeed turned to the chief of police and demanded that he needed a report in four days. He also promised some *mabugo*, a consolation package.

The Minister of Education, hon. Namirembe Bitamazire, later also commiserated with them and promised that government was going to do its utmost best to console the parents. Mr Speaker, government's best so far has been Shs 500,000 to each of the bereaved families, totalling to Shs10 million to the 20 families.

Mr Speaker, the parents had a list of people that have seen the kindness of the state when they have been faced with problems. They remember business people who have been bailed out to the tune of Shs 20 billion when their businesses were ailing. They remember government institutions, businesses and individuals who have seen the kindness of government when they have been sick and needed to go out.

Mr Speaker, the bereaved families also had no kind words for Parliament. They noted that they brought a petition to Parliament and followed it up with three letters seeking that Parliament sets a timeline through which a report should be submitted by Police to the country. They are still waiting.

Of the third arm of government, the Judiciary, they are very disappointment. They mentioned in no uncertain terms the rudeness with which they received at the hands of none other than Gen. Kale Kayihura who they said at one time almost threw them out of his office and shouted at them saying, "This kind of investigation can even take 200 years." They feel sure that the former headmaster of Buddo, Mr Kayongo, knows a known politician funder - I am quoting their words - who knows a lot about this inferno but they are disappointed that he was let off so lightly on bail.

Mr Speaker, they confirmed –

THE SPEAKER: Now, what is their problem because this is an urgent matter and you have limited time to say what you want? What is it?

MS KAMYA: Thank you, Mr Speaker. It was a very sad time. I did promise them that I would report what transpired to this Parliament. But in the interest of time, they confirmed that the two dead bodies of male adults were there but the parents and the teachers were threatened by police not to mention these things again.

Mr Speaker, I think if we do not talk about this thing on this day when we sat here and mourned the death of these children, they might think we are as insensitive as they took us to be.

When the parents insisted on a preliminary report from the police their spokesperson, Prince Kabumbuli, was invited alone to go to CID where attempts were made to persuade him to accept -

THE SPEAKER: Honourable, what do you want to report?

MS KAMYA: Mr Speaker, finally, as they expressed their total disappointment in the three arms of government they decided that they are going to take this matter to the International Criminal Court. (*Laughter*) You may laugh but in the four hours that I spent with them I would not take them lightly. The time I spent with them, the NGOs that were there, I would not take them lightly, which Mr Speaker begs the following questions:

1. Who is police covering up for?
2. Why can police not table whatever report they have now or admit that they do not have any?

3. Mr Speaker, what position shall we take as a country if the ICC should issue a warrant of arrest to the President as they promised to sue him?
4. And finally, Mr Speaker, what is our position on warrants of arrest issued by the ICC? I think it is the right time now to have a position as a country on warrants of arrest issued by the ICC to our own leaders and even leaders from outside so that we do not ad hoc when it happens.

Is there anything that this House can do to restore the confidence of the parents on the three arms of government, and indeed the confidence of the people of Uganda because these 20 parents are not the only people who have lost confidence in the arms of government? Thank you.

2.51

THE THIRD DEPUTY PRIME MINISTER/ MINISTER OF INTERNAL AFFAIRS (Mr Kirunda Kivejinja): Thank you, Mr Speaker. I am not standing up to answer the statement by the hon. Minister but to only remind the House and the country at large that indeed investigations were carried out and the case is in court. Other investigations are continuing. Let us wait until the outcome of court.

2.51

THE LEADER OF THE OPPOSITION (Prof. Morris Ogenga-Latigo): Thank you, Mr Speaker, and I thank hon. Beti Kamywa for bringing the concerns of the parents with whom she interacted.

Mr Speaker, the loss of young people they way the Buddo children died can be very painful! It becomes equally important that in dealing with such matters, we calm the parents and focus on what must be done. I believe that we are all anxious that the investigations are quickly concluded or the issues are open to reassure the country that when things like these happen, they are actually handled above board so that all the suspicions that have been flying around are eliminated.

On our part, my party leaders, we put together some small funds to demonstrate our concern of the loss of these innocent children. I, as Leader of Opposition, also wrote to each of the parents expressing our deep condolences – (*Interruption*)

MR BANYENZAKI: Thank you, honourable, for giving way. Much as we appreciate that the matters of Buddo Junior Primary School are before court, there are many more schools that are being burnt including markets and some of these are not in court. Still in those cases, reports have been promised that they would come out soon. What is the position about these other infernos that have been happening in other schools? If we can say that Buddo is in court, what about other schools?

PROF. OGENGA-LATIGO: Thank you very much. That is a broader matter that would be better directed to the minister. But as I was saying, I did write on behalf of the Opposition in Parliament to each of the parents who lost their children. We remain deeply pained by the losses not only in Buddo but in all these other places where this has happened.

On our part, we assure the country that we will be available and committed to ensuring that the processes of investigation of all these incidences are open and transparent. Because there is too much suspicion in our country and government must take responsibility to do things in such a way that people get reassured that there is nothing being hidden. You heard the statement of hon.

Beti Kanya. You heard the suspicion of the parents as reported by her. You heard the pain and even the desperation that made them lump everybody together.

I believe that the Judiciary at this stage would probably be blamed prematurely. It is only when cases go to court that they deal with it. Of course, by their nature they will not express their concern and in their silence, they may be made to look like they do not care. I believe that the Judiciary would honestly handle this matter expeditiously but it is incumbent upon government to really make sure that concerns such as these do not keep appearing each time there is a matter. In other words, your presence and your reassurance is very important. Therefore, I do hope that the concerns that hon. Beti Kanya conveyed from the parents can be addressed appropriately.

Mr Speaker, this question of these two extra bodies, can this matter be sorted out and cleared so that we know that there is nothing because any claim, that there were two extra bodies and the matter is not cleared, creates the kind of suspicion that makes even a valid investigation be rejected if it does not reflect what people have assumed to be the case.

So, I thank hon. Beti Kanya for bringing this matter and once again we convey our deep sympathies to the parents of all these children and the school, Buddo Junior, for the loss, and to all those elsewhere in the country who have suffered losses because of these unexplained fires that have been rampant throughout the country. Thank you.

2.56

MR JOHNSON MALINGA (Independent, Kapelebyong, Amuria): Thank you. Mr Speaker, you recall in the year 2007 parts of our country were hit by floods and water logging. As a result, the President declared parts of Northern and north-eastern Uganda a disaster area. The most affected districts then were Amuria and Katakwi. As a result of this water logging and floods, we lost a lot of our food crops, and as if luck was not on our side, in the year that followed, we had a very long spell of drought and people were not able to plant and hence harvest. Moreover this was the time the people were returning home from the IDP camps as a result of the LRA incursions and cattle rustling.

As a result, we have a very acute food shortage now in the homesteads. The prices of food have skyrocketed in the area and other sectors of social life have been affected. We have high drop out rates of children at school. This is affecting even government programmes of UPE and USE.

Mr Speaker, as leaders of this area we have been trying to find a way of ameliorating this problem. We have partnered with members of the press –

THE SPEAKER: Hon. Member, you remember when you came to see me this afternoon you said you had an urgent matter you wanted to report to the House and that this would take two or three minutes. Can you please introduce that matter?

MR JOHNSON MALINGA: This is the matter I am introducing, Mr Speaker.

THE SPEAKER: Yes, I agree but I thought you told me of the famine which is in the area. This is what we want to hear.

MR MALINGA: Yes, Mr Speaker, I have come here to report to the House that we have a very acute food shortage and I have come here to appeal to this august House, especially the Members of the Executive who have the authority to manage the national resource envelope, to find some money and buy food and help the people who are in dire need.

I have also come here to take this opportunity to remind His Excellency, the President that during the flooding, he promised Shs 100 million to the affected areas, which money has not been remitted until today. And now that we have another problem, this money could be remitted to those districts that are highly affected and they purchase food for these people.

Finally, Mr Speaker, I would like to appeal to the humanitarian agencies in and outside Teso to come to the rescue of our people.

My dear colleagues, one part of our country is bleeding. I really appeal for your support. I thank you, Mr Speaker.

3.00

MS FLORENCE EKWAU (FDC, Woman Representative, Kaberamaido): Thank you very much, Mr Speaker. I stand on a matter that I assume to be of grave importance to this nation. This concerns the Ministry of Public Service.

Mr Speaker, I happen to be following the pension of some senior citizens of this country but I am disappointed with the way the Ministry of Public Service handles the senior citizens. Most times I have gone there between 9.00 a.m. to 10.00a.m and by this time there is no one in the offices that I have been directed to go to. And at one point I was told that it was because of the traffic jam. So, the traffic jam affects only members of the offices of public service in this country.

The most affected blocks that raised and instigated my disappointment were the pensions block and the accounts block. You find people lining from one end to the other. The officers are not there and no one is there to attend to the people. You remember that the citizens concerned are of very old age. Some of them send their relatives to ply for them. Even after trying to come to Kampala myriads of times, to try to follow up their pensions, they are still treated that way.

I address this to the Ministry of Public Service, do Ugandans not deserve better? Can they not be treated a little better regarding the commitment and the first class service they gave to this nation? I would thank you very much, Mr Speaker.

THE SPEAKER: Minister of Public Service, do you want to say something?

3.02

THE MINISTER OF STATE, PUBLIC SERVICE (Ms Prisca Mbaguta): Thank you, Mr Speaker. I want to thank the honourable member for her question because the question helps us to improve. I want to say that we manage time and we keep time but in this particular case we shall investigate what could have happened on that day because as a ministry we do actually cherish time management.

In terms of focusing on the old people, I think as a ministry we have attended to old people but I also would like to say that when you are following up money, whatever answer you are given, you feel you want your money, and the officers do explain why some of the payments have not been made. They are related to documentation and in some cases the budget allocation for that particular month, quota, is finished and payments have been made and we are waiting for another release. Thank you.

MR ODONGA OTTO: Thank you so much, Mr Speaker. I have personally involved myself in dealing with the minister. I went up to the public service and I was given very good attention. I

made an appointment on phone, but unfortunately the appointment did not materialise. What I have seen in public service – I do not know if the minister would want to tell us if they have thought of privatising management of pension. It is a worthwhile idea so that we have several firms bidding to employees to ensure that their pensions are managed well for their old age. Otherwise, the problem as you have said is overwhelming.

So, has your ministry considered getting consultants to advise you on how a privatised pension scheme would work? To me, even NSSF is a little more liberal and accessible than the Ministry of Public Service and yet this is just a case that can be solved by privatisation. So would you consider that idea; either a workshop to solve this problem once and for all.

MRS SSEKABIRA: Thank you, Mr Speaker. I would like to find out from the minister what plans they have for our senior citizens to make it easier for them to meet the ministers and their services because the stairs are too many. I am talking about accessibility. I am not in that age group yet, but I suffer when I go there. I am a Member of Parliament and I have all the people who can assist me in one way or another - but this is a public office!

When is government planning to ensure that there is a lift so that we can all access the ministers and the public services whenever we need to? This is discrimination. The senior people they serve have similar problems; they will fall off the stairs and then get disabilities in their old age. Thank you, Mr Speaker.

THE SPEAKER: There are apparently several problems in your ministry, hon. Minister. Would you care to find out what is happening, especially on payment of pension which is not being done?

MR NANDALA-MAFABI: Thank you, Mr Speaker. You recall that we passed money for a pay reform to deal with handling pension; we gave them money twice. But recently in the budget, we passed money to pay all pensioners. So when the minister comes here and talks as if – these are the people who are letting President Museveni down! (*Laughter*)

MS MBAGUTA: Mr Speaker, we are not letting down H.E the President. This Parliament approved Shs 100 billion - I will come and present how that Shs 100 billion has been disbursed to our pensioners and the numbers we have paid.

Retiring is a continuous process and pensioners continue to come. It is only a matter of getting sufficient resources for us to pay. The arrears that are mainly for the very old people have been paid and we shall continue to pay until the last person in that category is settled.

But we will come and make a statement, Mr Speaker. I take note of the issue of accessibility, because the building that we are occupying was constructed sometime back. But I have taken note of hon. Ssekabira's concern of accessibility.

On the question of privatising pension administration, that is a bigger government policy but the Minister of Finance did present a Bill here for liberalising the pensions scheme. But when that is through, we shall come up to indicate the administration of public service pension and indicate how we shall fit into that programme of liberalisation. Our view is that the public service pension will remain most likely intact. The public service pension is a non-funded scheme. We would like to move to a contributory scheme. But we shall come and present those principles here once the Bill from Finance has been passed and accented. Thank you, Mr Speaker.

MR WACHA: Thank you, Mr Speaker. I raised this matter some time back during the budget debate. There are old people who come from upcountry and stay around Kampala, struggling to walk to the Ministry of Public Service every day for weeks, and yet they are not satisfied with the services in the ministry. Has the ministry ever considered decentralising payment of these pensions to the districts?

MS MBAGUTA: Pension processing is decentralised because public officers belong to ministries, departments and local government. And the triggering of payment starts with the ministries.

Mr Speaker, payment cannot be decentralised because it is decentralised to the individual public officer that has retired. The money is paid directly to the retirees' bank account; to their nearest bank. There is nothing to decentralise because pensioners indicate that pension is in their bank accounts by 20th of every month. It is a fact that you can investigate. The process is also decentralised. Thank you, Mr Speaker.

THE SPEAKER: What I would want to know, can your office send me my pension without me coming to Kampala to prompt them? Is there a need of prompting you before payment is made?

PROF. LATIGO: Thank you, Mr Speaker. The cases that the Members of Parliament are referring to are not straight. The minister is talking about cases that are straight; where things are processed and nothing gets lost.

I did not want to rise on this matter, but there is the case of my father whose pension was stopped in 1993. My late father died in 2004; I was already a senior lecturer at Makerere and I tried to pursue his pension. I became a Member of Parliament and still tried to pursue his pensions. We brought files twice and they said, "Well, the Auditor-General has to re-open the file." Up to now, as I speak, I am a whole Member of Parliament, Leader of Opposition, but my late father's pension that had to be paid has not been paid yet.

So, just think of many ordinary people who come to Kampala how they suffer. This is an area that the minister should address herself to because it is happening. There are people who will come and they do not even know where the documents are gone and there is no body to help them. It is so rampant in the pension's office. This is the area where you have a problem, Madam Minister.

THE SPEAKER: Let us end this matter. I think the minister has taken the point in that there is an outcry in the way pension is being handled. They should sit down and review the process so that people do not have to move from Kisoro to Kampala to demand for their pension. And as you said that you will make a statement, please bring this statement as soon as possible.

I see the chairperson of budget; do you want to make a statement or an announcement?

3.15

THE CHAIRPERSON, COMMITTEE ON BUDGET (Ms Rose Akol): Thank you, Mr Speaker. Parliament is currently in the process of scrutinising the budget frame work paper and we are supposed to be ready with our report by 15th May. So, I just wanted to give an update on how far we have gone.

Mr Speaker, we have already issued guidelines to all chairpersons of the sessional committees on how they should go about scrutinising the budget framework paper which is already with each Member of Parliament.

Secondly, on 9th March, I communicated to the sessional committee chairpersons on when they should appear ready with reports to the Budget Committee for compilation. And for the record, I would like to read this schedule.

- On 27th April, the Committee of Agriculture should be appearing to present its report to the Budget committee on the scrutiny of the national budget framework paper. In the afternoon, we will be having the Committee of Defence.
- On 28th it will be Natural Resources in the morning and the Legal Committee in the afternoon.
- On 29th it will be the Social Services Committee in the morning and the Committee on Tourism in the afternoon.
- On 30th April, it will be the Finance Committee in the morning and the Committee on Gender in the afternoon.
- On 4th May, morning is for Infrastructure and in the afternoon ICT.
- On 5th May, it will be the Presidential Affairs Committee in the morning and Foreign Affairs in the afternoon.
- Then, on 6th May, we shall be having Local Government in the morning.

Mr Speaker, I have given this timetable so that the sessional committees are also able to plan in advance on when they should be able to call meetings with any person whom they would want to appear in that committee including the ministers.

Now, since this national budget framework paper was laid on 1st April, Members of Parliament were only able to have copies mid-last week; that is by Wednesday. Mr Speaker, I would like to request that sessional committees be allowed to meet both in the morning and the afternoons with effect from 20th to 29th April to give them adequate time to go through the national budget framework paper in order to produce the required reports in time.

I would also like to inform the sessional committee chairpersons that the budget office has a budget officer allocated to each sessional committee. These budget officers have already prepared issue papers for each committee. So you should get in touch with your respective budget officers to help you in the scrutiny of the national budget framework paper. Thank you, Mr Speaker.

PRESENTATION OF PAPERS

3.19

THE MINISTER OF STATE FOR PRIVATISATION (Ms Rukia Chekamondo): Mr Speaker and hon. Members, I beg to lay on Table –(*Interruption*)

THE SPEAKER: Hon. Member from Arua, what is it?

MS ANGUFIRU: Thank you, Mr Speaker. I have urgent information to give to the Minister of Education and the whole government. I was in Arua -

THE SPEAKER: Can you make it tomorrow? Hon. Members, let this procedure be known. The other time I heard hon. Kibanzanga complaining on radio about the procedure of making a statement when it is not on the Order Paper: you have to see the Speaker and explain the nature of the subject that you want to air-out during the session. And that is going to be the procedure and we are not going to change it. Hon. Minister, please continue.

MS CHEKAMONDO: Thank you, Mr Speaker. Hon. Members, I beg to lay on Table a request to Parliament for government to borrow Units of Accounts 52.51 million from the African Development Bank for financing the construction of Mbarara-Nkenda and Tororo-Lira electricity lines project. Mr Speaker, I beg to lay.

THE SPEAKER: Hon. Members let the appropriate committee scrutinise the papers and subsequently report to Parliament.

MR ARUMADRI: Mr Speaker, whereas I am aware that this is not the time either to raise objectives or to debate the merits of the paper being laid, my heart bleeds that we are borrowing more money to provide electricity to areas which already have got abundant electricity and leaving some regions like West Nile in total darkness.

I would have liked part of this money to extend electricity from Kamdini to the West Nile region. I say this very strongly. We are part of this country, we are citizens and we pay taxes, so I cannot sit here idly watching money being given to areas where power already exists. The minister should withdraw this paper and include West Nile.

THE SPEAKER: Hon. Members, this is not the time to debate the subject matter, but there is merit in the issue you have raised. I think it should go to the appropriate committee, the Committee on National Economy, and he presents his grievances. They will be considered.

PROF. OGENGA-LATIGO: Mr Speaker, thank you very much. Since the Minister of Energy is in the House and this matter is truly a burning issue, given the fact that even the generator that was supplying power in West Nile closed and they are in darkness, could the minister help us so that his anger is mitigated with clear promises. The Minister of Energy is here.

THE SPEAKER: Hon. Members, this matter came up, I think last week, and a statement was made here by the Government Chief Whip promising another statement to come. This matter has already been here but he cannot come just now. It was raised last week, I think in your absence, and it was agreed that a statement will be made, not now.

PRESENTATION OF PAPERS

3.24

THE CHAIRMAN, PUBLIC ACCOUNTS COMMITTEE (Mr Nathan Nandala–Mafabi): Mr Speaker and hon. Members, I wish to lay on Table the Auditor-General's report for the year ended 30 June 2008 for value for money audits. This report has nine DFMs and it will be of interest that members take note and read them. They include: National Agricultural Advisory Services (NAADS) programme, distribution of water to urban areas, implementation of North-West Smallholder Agriculture Development project, prevention and control of livestock diseases, provision of water and maintenance of water facilities in district local governments, Uganda Aids Control project, management of health programmes in the health sector, Universal Primary Education programme and engineering audit of CHOGM activities.

Mr Speaker, I beg to lay it on Table.

THE SPEAKER: Thank you very much. Let the appropriate committee study the report and expedite the report to us.

3.25

THE CHAIRMAN, PUBLIC ACCOUNTS COMMITTEE (Mr Nathan Nandala – Mafabi): Mr Speaker and hon. Members, I wish to lay on the Table the performance report on the Office of the Auditor-General for the year ended 30 June 2008. I beg to lay.

THE SPEAKER: Thank you. Let the appropriate committee handle the subject.

MR KATUNTU: Thank you very much, Mr Speaker. These four reports came out at the same time, these two and the earlier one laid by the chairperson of the Public Accounts Committee, but I wonder why the Clerk does not include the Auditor-General's report on the local government accounts. They all came out at the same time and all of them are time bound. We are supposed to debate them within six months.

THE SPEAKER: Since these reports have been tabled by the chairperson, can you table the one which you have and we take it up by adjusting the Order Paper?

MR KATUNTU: I will lay it after the next because it is on its way. I was not on the Order Paper but I thought next time-

THE SPEAKER: It will be included tomorrow then, so that you prepare yourself.

PROF. OGENGA-LATIGO: Thank you, Mr Speaker. Last week we were due to receive two statements from the Minister for the Presidency. I had waited for the first statement so that I would also rise on a procedural matter.

Some time ago, I raised a matter which I believe is very serious and important to this country, on the statement that H.E the President made in Arua that the people of West Nile voted for Dr Besigye and at the next election there will be civil war. This matter was referred to the appropriate minister, who promised that a statement would come last week. The statement never appeared and now, even the two statements that were on the Order Paper last week from the Minister of the Presidency have disappeared. We are seeing statements on homosexuality when the other minister was ready for these statements.

I believe that the issues that were raised on patriotism and on the threat for violence if the next election is voted for differently in certain places were really important. Could we know from the Leader of Government Business when we can get these statements? We were promised and I think Government should stick to the promises they make.

THE THIRD DEPUTY PRIME MINISTER AND MINISTER OF INFORMATION AND NATIONAL GUIDANCE (Mr Kirunda Kivejinja): Mr Speaker, all questions put to Government will be brought in time. *(Laughter)* *(Prof. Ogenga-Latigo rose_)* Just hold on. I am standing and I am explaining. Just give me that chance. I am not used to that method of work. The pending questions will be answered but we wanted the specific ministers to answer them. I will undertake that they are answered next week.

THE SPEAKER: Since this matter was before us last week, it has been two weeks and we hope the statement is available. I think it should be included tomorrow so that the minister makes a statement.

3.30

THE MINISTER OF STATE, OFFICE OF THE PRESIDENT, ETHICS AND INTEGRITY (Dr James Nsaba Buturo): Mr Speaker, I request that copies of the statement be distributed to honourable members.

Hon. Members will recall that both the National Anthem and the Motto of Uganda are about God and Uganda. As much as possible, most Ugandans strive to be guided by standards that God has prescribed. To the best of my knowledge, those standards do not include the promotion of anal sex at the expense of heterosexual sex as a means of maintaining human reproduction.

If Government were to legalise marriage between men and men, and women and women, we would be talking about a threat to human civilisation. In such a marriage, either of two individuals decides to act as a husband or wife to the other. This situation is what is known as homosexuality or same-gender marriage.

Lately, Mr Speaker, some international groups and countries have been demanding that Uganda should legalise homosexuality. Those behind this abnormal, unhealthy, unnatural as well as illegal lifestyle have argued that doing so would be a human right and in defence of freedom. In Uganda, UNICEF, Amnesty International, Human Rights Watch, Frontline Human Rights Defenders, and East and Horn of Africa Human Rights groups have been in the forefront of a campaign to legalise homosexuality.

The groups above have been assisted by local NGOs that depend on them for funding this propaganda among our population. In fact, ten years ago UNICEF helped in the funding and distribution of books to schools, which were unknown to the Ministry of Education and Sports, and they were popularising homosexuality. Following UNICEF's unwelcome intervention, I recently wrote to the Minister of Education and Sports to express our resentment of their promotion of illegality and called for a tough response that would curb such intrusions.

Mr Speaker, the 1995 Constitution, Article 31 (1), provides: "*Men and women of the age of 18 years and above have the right to marry and to found a family and are entitled to equal rights in marriage during marriage and at its dissolution.*"

Clause 3 of the same Article further provides thus: "*Marriage shall be entered into with the free consent of the man and woman intending to marry.*"

Mr Speaker, permit me to draw the attention of the hon. Members to the fact that the 2005 amendment of the Constitution created a new Article 31 (2) (a), which specifically prohibits homosexuality. The law therefore is clear.

The position of the Government in excluding same sex individuals from marrying is comprehensively and unequivocally against homosexuality. The scope of this exclusion undoubtedly includes the sexual act. The Government, however, goes beyond this and constitutionally bars homosexuals from entitlement to the enjoyment of rights conferred to married persons under the law.

The law criminalises homosexuality under section 145 and 146 of the Penal Code Act of Uganda, Cap 120, Volume 6 of the Laws of Uganda. It states as follows:

“Any person who-

(a) Has carnal knowledge of any person against the order of nature; or

(b) has carnal knowledge of an animal; or

(c) permits a male person to have carnal knowledge of him or her against the order of nature; commits an offence and is liable to imprisonment for life.”

The difference in the two sub sections is that in (a) the offence is in respect of both male (gays) and females (lesbians) engaging in unnatural acts, while subsection (c) is in respect of only a male committing the offence, which we call sodomy. Section 146 of the same Act further criminalises and penalises those persons that attempt to commit the unnatural offences stated in Section 145 mentioned above. The sentence for this felony is imprisonment for seven years. Therefore, the law under Section 145 (c) of the Penal Code Act of Uganda clearly provides for the offence of homosexuality in as far as it penalises any person who permits a male person to have carnal knowledge of him against the order of nature.

Mr Speaker, for the information of hon. Members, there are over 70 countries that have categorically outlawed homosexuality. That means there are many countries around the world that see things our way. They are prepared to lead the rest of the world in insisting that nature must not be tampered with for the sake of the philosophy that anything goes. That said, both promoters and apologists of homosexuality are using all the tricks in the book to have it legalised in countries such as Uganda where it is outlawed. The latest is the attempt to use the United Nations to pass a resolution they hoped would be binding to all countries in the world.

At the United Nations, there are attempts by some countries to highlight sexual rights, which we believe will be used to promote homosexuality and pornography. Uganda is in a unique position to stop all this since she is a member of the G-77 voting block. Our representative to the UN, Dr Ruhakana Rugunda, currently chairs the Organisation of Islamic Countries conferences on the Commission that is leading certain negotiations.

It is important that we do not compromise on the values that we stand for. Uganda must stand firm, whatever our friends say. The world is looking to Uganda for leadership on this vital question of human reproduction. *(Laughter)*

Mr Speaker, two weeks ago, I wrote to Ambassador Dr Ruhakana Rugunda and reminded him of Uganda's position, which opposes legalisation of homosexuality. It is the duty of Ugandans to be vigilant because agents of immorality are busy using all lies and deception to hurt our society. Such lies include claims that some people are born homosexuals. The truth of the matter is that there is no scientific evidence that supports this outlandish claim. If their claim were true, they would not be busy buying their way into our schools and other sections of society, enticing the people there to become homosexuals. Let it be remembered that many former homosexuals have denounced their deviance and reverted to their original normal condition.

Government is aware that some non governmental organisations are recruiting our youth and taking them abroad under the pretext of giving them education, when in fact their motive is to turn them into homosexuals who will then come back and spread the vice. There are many others as well as individuals that are in this country quietly recruiting our people into this illegal, unnatural and abnormal practice of homosexuality. Government will take appropriate steps to rectify this dangerous development.

Uganda will not be forced to legalise a practice that we consider illegal, unnatural and abnormal. It is not a practice we can defend, if we are to protect our families. Having known that the current law on homosexuality is weak, Government will instead proceed to enact a more comprehensive one, which will treat as illegal, among other things, the promotion of homosexuality and membership to homosexual groups.

Because pornography and homosexuality are bedfellows in their campaign to render apart our way of life, a Bill on pornography will be presented to this august House very shortly. Soon after that, a Bill on homosexuality will also be tabled.

Mr Speaker, Government appeals to Ugandans to remain vigilant because quite a number of our schools have been penetrated and havoc is being rendered there. It has gone to other institutions as well. Promoters of this abnormal practice work discreetly and include people in positions of responsibility in our land.

Government also calls upon religious leaders to work with Government in fighting this type of immorality. Our appeal to the media is clear - they should not give oxygen or publicity to these groups which are operating on fringes of our society.

Lastly, Mr Speaker and hon. Members, I would like to say that Government does not hate homosexuals; Government only hates the act of promoting anal sex by gays or use of gadgets by lesbians. To this end, Government will do everything possible to counsel and support victims of homosexuality with a view to encourage them to resume normal life.

It is worth noting that even goats are capable of distinguishing between he-goats and she-goats. *(Laughter)* Why should homosexuals want to relegate human beings to a level where they are incapable of differentiating between a male and a female and vice versa? If we were to legalise homosexuality, wouldn't it spell the end of human civilisation as we know it today? Where would children come from to take over from us when we all go away from this earth? What about God's command that we should reproduce for procreation? Government believes that the traditional family must be protected from those who wish to destroy it. Thank you, Mr Speaker. *(Applause)*

THE SPEAKER: Thank you very much. Let us have hon. Kibanzanga.

3.43

SHADOW MINISTER OF INFORMATION AND NATIONAL GUIDANCE (Mr Christopher Kibanzanga): Thank you very much, Mr Speaker. I thank the minister for his statement though it gives sad memories and situations.

Mr Speaker and hon. Members, I would like to debate this statement using a moral rule, which states that there shall never be human rights and freedoms against humanity. We cannot respect your human rights and freedoms if they are against humanity. Homosexuality is evil; it is a sin and a crime. Why do I think so? It is because it goes against God's will, against the law of natural justice and against our national values.

In Africa and the world at large, we value families. What is a family? Can you generate a family by being a homosexual? Can you produce children? Can a society reproduce itself because men are sleeping with men?

Mr Speaker and hon. Members, our Constitution does not allow this practice. Our laws do not allow this and our cultures do not allow homosexuality. I do not know where the Minister has

found problems in dealing with it. What is the problem? Is the Government immoral itself? I am saying this because the law is in place to curtail this vice. We know that you have opened up society unnecessarily, but that cannot permit extermination of the human race. You can imagine if all of us were homosexuals, you will have exterminated the human race and there would never be society tomorrow.

Hon. Minister of Ethics and Integrity, why don't you fight this *-(Interjections)-* No, this statement is not enough. The other day I failed to explain to my children a picture of homosexuals that had appeared on the first page of the *New Vision* - a government paper! I think it appeared two weeks ago. They were addressing a press conference in some hotel on Acacia Avenue. The police was not there to follow up this matter and neither was the minister nor the entire Government. Now, some of us who are parents and are responsible were at pain to explain to our children what was happening. Imagine a child asking you, "Daddy, explain to me how a man can sleep with another man"; what do you say as a parent?

As a Shadow Minister in charge of national guidance *-(Laughter)-* you have my support to stop this vice from entering our society. *(Applause)* We must exterminate homosexuals before they exterminate society.

We know you have received everything from the West including rotten and counterfeit goods, and you have opened up the country for all those sorts of things, but we cannot afford to open up our society to homosexuality. We must exterminate them. I thank you, Mr Speaker, and I thank you, hon. Members.

3.48

MS BEATRICE ANYWAR (FDC, Woman Representative, Kitgum): Thank you, Mr Speaker. I thank the minister for coming up with this statement. As a parent, I think it has been long overdue but well, better late than never.

The issue of homosexuality in this country scares us as parents and as a nation because the future is really being contaminated. It worries me when I read this statement and find that big international bodies which we have been looking to have been mentioned, for example, UNICEF - the defenders of children. What is it? This has scared me because I look at UNICEF when we are talking about children. Now, I think we must think very seriously about our country. I hear even the UN is being lobbied for evil.

It should not surprise us that normally the poor in society are the most vulnerable hence Uganda is almost at the top of it.

I would like the government not to only mention these bodies - because these are big international bodies - but there should be some diplomatic ties we have and communication to that effect. As a mother, I would be comfortable if you engaged these bodies, for the interest of this country and for the interest of the future of these youth, and saw to it that we are dealing with people who are ethically cautious.

They want to say, "One man's meat is another man's poison." It could be okay maybe outside this country, but as Ugandans we are saying that this is poison for the future generation as well as the current generation. We are dealing with people we do not understand and whose psychology we cannot determine.

The minister has outlined that we have laws in place as per now, but he also admitted that they have been really weak. All this time that we have had these laws in place, have we successfully even prosecuted two people who have been engaged in homosexuality or has the whole set of laws in place been a failure? If they are a failure, it is very urgent that we immediately change these laws to address the need of our society. We need to prosecute people who are contaminating the African society. We have cultural values that we have to protect. If these laws are weak, please urgently come to the Floor of Parliament so that we do something about it. We should not just be saying, "We shall look at it." When? It is urgent.

It was also outlined on page 5 that we have gadgets in this country - although the minister did not mention the gadgets so I remain guessing what type of gadgets we have- that are being used by the lesbians. If these gadgets are here, can we have an immediate ban on their importation into this country rather than just lament about them and let them circulate among our people? I believe we do not manufacture these gadgets. I call upon the Government to immediately ban their importation. We glorify investors bringing in fake things but we do not deserve it all. We should be able to say, "No" to those which are contaminating our society.

I would also like to salute the church leaders who have stood very firmly to say that we do not need help from dirty hands, from those who we think are doing bad things. They should not blindfold us by giving us gifts. I think as a country, we should also stand up if some countries are sending poison to our country. However, because we are beggars, we continue not calling a spade a spade because we need help from them. We should detest help from such friends who bring it with double-edged swords. We do not want them to give us help and at the same time contaminate our society.

I want to see this Government identify people we are dealing with who are ethically upright. We do not want to deal with people who will give us help and at the same time distribute books in our schools which are contaminating our children.

Lastly, Mr Speaker, we would like to call upon the government to partner with all those who care to eradicate this evil. We, parents, know that there are some schools, especially the single sex schools, where children do horrible things. A long time ago, there was a school where one child was killed because he never brought water for another child yet he was supposed to act like a wife.

I want us to partner with institutions like schools and put stringent laws. Churches and families must also be brought on board to eradicate this evil. I do not want to think that my children or any of our children in this House are engaged in this. So to eradicate this, we must start from our families; check on our children and partner with schools, hospitals and churches. I thank you, Mr Speaker.

3.56

MS GRACE OBURU (NRM, Woman Representative, Tororo): Thank you very much, Mr Speaker, and I would like to thank the minister for this elaborate report, which he has brought to our attention. I would like to comment on two issues. Since it is well known that there are a few organisations, which the minister has mentioned here, is there no way that the country can further investigate these people and even outlaw them from this country? This is because they are killing our culture.

Secondly, I would like to see, among the penalties that a homosexual practitioner should get, an addition to the already existing penalty of life imprisonment. Since we still have the death

penalty, we should actually condemn these people to death because they are killing our children and actually desirous of exterminating Ugandans. They just want to come and occupy this land.

Much as they are doing this and teaching children these manners that even our forefathers did not have, this thing is going to spread like hot fire. We would like the government to take this very seriously because I understand that single sex schools also practice this. The leadership in these single sex schools should also be investigated.

Mr Speaker, I would like to reiterate the idea of having these people who come into the country investigated because they come under the cover of helping us yet they have a hidden agenda. Can we know their terms of reference? That is how they camouflage - under the cover of helping us because we are a poor country yet they are bringing us a vice, which is not in our culture. I thank you.

3.58

MR HILARY ONEK (NRM, Lamwo County, Kitgum): Thank you, Mr Speaker. I think this paper is very timely, and I wish the law would also come very soon to the Floor of the House to ensure that this practice is criminalised effectively and those involved in the practice are punished severely.

I would like us to have some solutions alongside. I understand that homosexuality is practiced in our prisons. Recently in the papers, they wrote that prisoners were celebrating when one Jewish prisoner was going to jail because they were going to feast on him. I think one of the things that government should do is find out and separate homosexuals and have separate prisons for them where they are not going to mix with and contaminate those who have gone there for reformation.

Secondly, married prisoners should start enjoying conjugal rights because starving them for long can create difficulties. I think those are things that must be implemented among other concerns. The L.C systems must also start watching out for homosexuals so that they are identified and shamed or made to face the law.

Finally, I would like the medical people to do more homework and check the brains of homosexuals as it could be a disease that can be cured. Maybe their hormones are not normal or something of that sort. Those are my few contributions, and I think that a practical approach will, in part, solve the problem. Thank you.

4.01

MR SANTOS PIRO (Independent, East Moyo, Adjumani): Thank you very much, Mr Speaker, and I thank the honourable minister for this paper. I would like to ask the minister whether he is thinking about lowering the age limit of the youth. This is because these days maturity is attained so early to the extent that nature does not wait for one to reach 18 years. I think it is very important to lower the age limit from 18 to 16 years for persons who feel they should interact in marriage so that they can go ahead and do so. In most cases, and especially in schools, homosexuality is practiced amongst those of 14 years to 16 years. This is as a result of urging them to wait until they reach the age of 18 years.

Secondly, I think it is very important for Government to create jobs for the youth. This is because poverty drives the youth to receive money from these agents in exchange for recruitment into homosexuality. So if the youth are kept *—(Interruption)*

MS AKIROR: Thank you, Mr Speaker. I would like to find out whether it is really in order for the honourable member holding the Floor to try to advocate for the lowering of the age of consent to 16 years yet it was constitutionally resolved that 18 years and above is the consent age for sex. He is trying to promote defilement when we are trying to fight homosexuality. Is he really in order?

THE SPEAKER: Well, I think he is suggesting lowering the age limit. This practice has happened; there was a time when you could only be called an adult at the age of 21 years but it was reduced to 18 years and now at this age you can even vote. So he is advocating for a change of policy and I think that is okay.

MR SANTOS: Thank you very much, Mr Speaker, for your wise ruling. I was saying that Government should create more jobs for the youth because it is partly redundancy which causes them to get involved in getting money for these agents who recruit the youths into immoral acts.

Government should also put a mechanism in place so that parents are educated about discussions on issues of marriage amongst the youth.

In my village, parents instead of being transparent to the youth about sexual activities, they look at engagement in relationship as if it is criminal in society. As a result, youth look at engagement in relationships as something which should be done secretly. In the process you find that the girls and boys engage in sex secretly. They get to learn about these God-given activities which they are supposed to mature into. They practice it amongst themselves and that is really one way of learning homosexuality. I thank you, Mr Speaker.

(Members rose_)

THE SPEAKER: But hon. Members, we have two more statements, including one on Kasese. It appears we have all agreed on the statement. Can't we really save that time so that we hear the two statements and debate on them? We have so far taken 25 minutes. Don't you agree that we get the two statements? [Members: "yes"] Thank you very much.

4.06

MS BEATRICE BYENKYA (NRM, Woman Representative Hoima): Thank you very much, Mr Speaker. I am going to be brief because I am in agreement with everything the minister has said but as usual we do a lot of talking and a little of implementation.

One of the things I wish Government to come up with and it was really clearly portrayed when hon. Nekema came up and said that it might be a disease, cabinet is not totally in agreement whether it is a disease or a behavioural anomaly.

Government should first of all come up- where do they place homosexuality? Is it a disease or an abnormal behaviour? It is up to them because I have ever heard some ministers saying, "Well it is a disease we should consider," and it is such a disease that people have to be conscripted into behaving in such a way.

That notwithstanding, I feel Government should come up- instead of just making statements here, the children should be sensitised of what homosexuality is since we have been talking about other things, we should also sensitise the youth starting from an early age- *(Interruption)*

MR NANADALA-MAFABI: Thank you, Mr Speaker. I thank my colleague for giving way. Recently, Pastor Kiwewesi was being held for homosexuality and sodomy. He went for refuge in

the minister's office, the Ministry of Ethics and Integrity. The Penal Code says you criminalise – Instead of the minister handing over the man to police he protected him. *(Laughter)*

MR NSABA BUTURO: Mr Speaker, that is a total distortion of what really happened. That story of Pastor Kiwewesi did actually take place at a time when I had a meeting with pastors long before it happened and he happened to be one of the pastors who came. But it is not I was in a cohort with the pastor.

But Mr Speaker, more generally I must say I am encouraged by what the Members are saying. We will be coming up with new proposals which are comprehensive, and I can count on the support of the hon. Members.

MS BYENKYA: Thank you. I didn't expect that piece of information. I am talking about sensitising our children against the vice of homosexuality, not talking about it.

And Mr Minister, what is it really that you want Parliament to do? Everything is in place, and as far as I know, people are being arrested even by being thought of going to do a particular vice. Why aren't some of the people who are thought to be involved in this vice arrested? Some of them are known and you can even see them by their way of dressing and appearance. Government has not come up really to address the issue of homosexuality and to arrest the culprits. You should stop talking about it and implement things as they are.

THE SPEAKER: Hon. Members, in the gallery we have members of Kikola Taka Farmers Association from Bulamogi constituency, in Kaliro District represented by hon. Gagawala. You are welcome. *(Applause)*

MR OKOT OGONG: Mr Speaker, this is a very important statement made by the minister. We have heard from Members but I want us to go beyond the debate here. Let us make a resolution of Parliament, a concrete resolution of Parliament about homosexuality. We need to have a committee that will draft that resolution and Members of Parliament must pass that resolution for us to give the minister support against the fight of homosexuality.

THE SPEAKER: What you do, if you have a resolution, draft it and submit it to Parliament. We shall give you space. *(Members rose_)*

Hon. Members, I think really we should close this debate, because we have all agreed with the principle behind this statement. Now let us wait for the resolution, motion and then we conclude, so that we use this time for another statement.

MR NSABA BUTURO: Mr Speaker, I am just overwhelmed by the support from both sides of the House. As I did indicate, we will be coming shortly with a more comprehensive proposals that will clearly address this very important subject.

Can I therefore request that when that time comes, this overwhelming support that we have seen will be demonstrated at that time so that we can also tell the entire world that Uganda is not going to go the way other countries have.

MINISTERIAL STATEMENT

THE THIRD DEUTY PRIME MINISTER AND MINISTER OF INTERNAL AFFAIRS (Mr Kirunda Kivejinja): Thank you, Mr Speaker. This is the answer –

THE SPEAKER: The answer?

MR KIVEJINJA: A statement in answer to the oral question concerning the issues raised by hon. Winifred Kiiza Bihande, Woman Member of Parliament representing Kasese District.

Hon. Kiiza asked a question to clarify when is the government solving the problem of land at Lwehingo where both cultivators and pastoralists were stopped from carrying out any agricultural activities until the government finds a peaceful settlement between the two groups which were permanently clashing?

The land in question was part of government land degazetted from Queen Elizabeth National Park and is approximately 15,000 acres. It was to be used by both cultivators and cattle keepers.

The inter-ministerial committee which was settling Basongola cattle keepers from Queen Elizabeth National Park and landless cultivators who had approached Government for assistance to co-exist peacefully decided to remove both cultivators and cattle keepers from a portion of land of 1577.5 acres so as to put an end to rampant clashes between the two groups where some deaths of livestock and people had occurred.

I note that hon. Kiiza was a member of the committee and fully participated in the resettlement process. At the time the decision was taken, much of this land was under cotton cultivation. There were herdsmen as well. The committee cut off 1577.5 acres following the natural boundary between the cattle keepers and cultivators leaving the rest of the land for cultivators.

It was also found that some cultivators owned pieces of land in the portion, which had been cut off – they had titles. It was agreed that Government compensates the owners of these pieces of land so as to settle the remaining small group of cattle keepers.

Twenty-six “*Bibanja*” owners were identified and government is working on the modalities to compensate them too. As of now, the rest of the degazetted land is being used by cultivators.

Government’s action was as much as possible guided by the resolve to ensure permanent peace and harmonious existence. In line with this, 1577.5 acres which are available will go to cattle keepers while 13422.5 acres will go to cultivators. The few land owners affected by this exercise will be compensated as soon as valuation and negotiations are completed. The government technical team is handling the matter with the urgency it deserves. Thank you

4.17

MRS WINIFRED KIIZA (FDC, Woman Representative, Kasese): I would like to thank the minister for coming up with this statement which he decided to make a question. But I want to first make it clear that hon. Winifred Kiiza was not a member of this committee until we asserted ourselves as leaders of the district to be made members of the committee.

The Office of the Prime Minister is fully aware that when the inter-ministerial committee started going to the ground, somehow leaders from the area were isolated from this problem until we told that committee that they were not going to manage without the leaders from the area. And actually it was after the committee could not make it alone that they called upon the leaders. We accepted and went down to the ground with the ministers.

Something else I would like this House to know is that the acreage the minister is talking about is actually not known by Government because this land is not surveyed. And even when they were talking about acres on ground, it was later realised that the actual land is not what the ministers are talking about. I want to know from my colleague whether actually this land has been fully surveyed and whether the real acreage he is talking about is what is known.

My problem was about leaving this land for a long period and that if we are to divide between the cultivators and the cattle keepers, that government should do it very fast. Because the cultivators depend on this land for survival and the cattle keepers at the same time depend on it for survival. Postponing a problem is not solving it.

In a way, I am seeing that government is just postponing a problem and we are not solving it. We are talking about eradication of poverty and in some way creating poverty for some people.

My intention was to know how soon and then when you start saying the inter-ministerial committee is still going ahead to see how they can amicably settle this situation, I do not know how long again the people will wait.

Like I have been saying, the cultivators and the cattle keepers have now missed a long period without them gaining from their land. I do not know for how long they will continue suffering like that, Mr Minister. Should we wait for another year? And if we are to wait for another year, how will they be surviving? We are talking about people's lives – postponing it means postponing a problem for them. And when you hear of them starting to sell off their children for survival – we are passing a law here to ban trafficking in persons. Anyway, what I would like to know is: When does Government intend to sort out this issue?

THE SPEAKER: I think the issue now is: When? Other details-

MR RWAMIRAMA: Mr Speaker, I would like to inform the hon. colleague who was with us when we took that decision – we were avoiding unnecessary clashes. I remember that at that time somebody had already died and livestock had been killed.

And as the Minister has stated, we marked out a small portion because we did not have money to compensate everybody. What we did was to decide to meet those people and negotiate with them – we do not carry Government money in our bags to give it out to people. I know that the committee is working on this issue –*(Interjections)*– yes, surely much of the work has been done –*(Interruption)*

MR KIBANZANGA: Mr Speaker, this matter is now over two years old. We are condensing the snail's speed that you are using to resolve this matter. You are holding up people's pieces of land with titles idle and unused. Up to now many people do not know at what stage you are in resolving this conflict.

Mr Speaker and hon. Members, is the Minister who is also my friend in order to come and tell us that Government is working on it, without telling us at what stage they are in resolving this matter?

THE SPEAKER: No, I think this is not an issue for a point of order. As I said, can you indicate to us how soon this matter is going to be solved? That will comfort the Members from that area. Is it two or three months? That kind of thing! We are not saying tomorrow, but a reasonable time.

MR RWAMIRAMA: Mr Speaker, we have met with the land and *Bibanja* owners – (*Interjections*)– yes, because you are not one of them. And I would like to inform hon. colleagues that these people are in the final stages of agreeing with the technical team handling this matter. This matter has to go to the government valuer; we have to look at the titles and to the best of my knowledge there are only two people with land titles over that piece of land of 1500 acres. The rest of the titles are for land outside that land. All other economic activities are going on.

I also would like to inform this House that the situation there is peaceful; there are no more clashes. Therefore, we should be patient a little for maybe one month –(*Interjections*) – yes, we would rather go to court than have people die.

THE SPEAKER: So, you are talking of one month?

MR RWAMIRAMA: Yes, one month.

THE SPEAKER: Okay, let us have hon. Nayiga.

MR RWAMIRAMA: Mr Speaker, I need your protection because –

THE SPEAKER: No, but if you are asking for one month, can we then say within two months?

MR RWAMIRAMA: While I sit on the committee – our work will be easy – I would like to get it from the Prime Minister or the Minister of Finance. Otherwise –(*Interruption*)

MR KIVEJINJA: In giving the time as to when this can be done. I need to inform the House that our people have been killing each other and destroying each others' property. Therefore, it is not a process that you can switch off and on. That is why we have been very careful to ensure the tempers cool to allow us take a decision that will effectively harmonise the situation. But like I have told you, we have already got the owner who has the title to that land; we are negotiating –

THE SPEAKER: No, I think what we need is the estimation of time. Can you estimate because you should know the problem?

MR KIVEJINJA: Although this is the last part of the financial year, I think we will reach agreement within one month. And if there is no agreement reached, I will come back to explain that.

THE SPEAKER: Okay, agreed. Yes, hon. Nayiga.

MS SEKABIRA: Mr Speaker, I stand mainly because I am the National Chairperson of People with Disabilities in the NRM league. I have heard from some disabled people from Kasese who are refereed to as the Banyabindi – the Minister is talking about the Basongora and the Bakonzo, but do these people exist or not.

I am asking this because they also say that they are also landless – the situation is affecting the disabled; they are now saying they are being marginalised. What I would like to know is whether those steps are also addressing the issue of the Banyabindi and all the other groups. Do they exist anyway? Thank you.

THE SPEAKER: I thought the categorising here depends on the activity of the farmers and the pastoralists; I think that is the category. The Banyabindi could be farmers or what?

MR RWAMIRAMA: Mr Speaker, I would like to say that the Banyabindi do exist; they are one of the indigenous communities. They are categorised as cultivators. I would like to report that we have found a solution to their problem. They are among the people that the Inter-Ministerial Committee is settling.

Anyway, the question was specifically when will this land be unlocked? My senior colleague has ably explained how far we have gone. He has also told you that in a month's time we shall have reached a settlement; we shall inform the House accordingly.

THE SPEAKER: We shall revisit this subject in a month's time to get the update.

MR KIBANZANGA: Thank you very much, Mr Speaker. I would like to say that there is an element of those people that you settled on Government land like the prisons and the forest reserves. I would like to know how far you have gone with changing the land use so that people can be able to apply for land titles. How far?

THE SPEAKER: Yes, hon. Member for Mawookota North.

MR MUTULUZA: Thank you, Mr Speaker. During the Seventh Parliament I happened to be a Member of the Committee of Trade Tourism and we moved to almost all these parts of Uganda where there are national parks and national reserves.

So, as far as Queen Elizabeth National Park is concerned, and this part which is going to be cut off from the National Park which is just 15,000 acres, I just wanted to know from the minister, how big Queen Elizabeth National Park is so that we consider increasing the number of acreage to these people who are suffering.

When you go to areas like Bunyoro, all the fertile land is owned by animals and people are just languishing. They have nowhere to settle and nowhere to grow their crops. So, I think Government should consider de-gazetting some of these areas because some of our people there are suffering. I thank you.

MAJ. RWAMIRAMA: Mr Speaker, in response to hon. Kibanzanga's question, it is true that the land that Government has availed as an alternative in order for these people to leave the national park is very small. We have accordingly told them to sell their animals. They are in groups because we cannot divide it. It cannot fit them.

What we have decided is to encourage them to do commercial farming, mixed farming and retain small herds of cows. The recent information I got from the RDC of Kasese and our technical team is that they have sold off much of their herds and they are learning to live small.

As for the hon. Member who was on the Committee of Tourism, I do not think we have reached the stage where we have to de-gazette a national park for people to settle. Tourism is also another industry.

I think this has to come on its own as a policy. It could be generated from Parliament but to the best of my knowledge the 1,577.5 acres is the one that we are getting from that portion of land which was also de-gazetted to reduce pressure on the park. I think-

THE SPEAKER: Let us revisit this matter on or about the 15th of next month. Let us move on to the next item.

4.32

THE MINISTER OF STATE FOR FOREIGN AFFAIRS (INTERNATIONAL AFFAIRS) (Mr Okello Oryem): Mr Speaker and hon. Members, an earthquake measuring 5.8 on the Richter Scale struck the medieval city of L'Aquila located in the central region of Italy on 6 April 2009.

The earthquake followed a series of about 100 minor tremors since January 2009 including one major one that occurred on 30 March 2009.

The earthquake occurred at 0132 GMT at a relatively shallow depth of 10 km, approximately 90 km north east of Rome, at the village of Paganica, near the city of L'Aquila.

As of this morning, reports received at our embassy in Rome say that the earthquake caused tremendous damage to human lives and property. So far, 300 have died, 300 people have been injured and 25,000 people have been made homeless, of which 10,000 are being temporarily housed in hotels and on the areas near the seashore. Seventy thousand people have been displaced in L'Aquila and surrounding areas. Up to 11,000 buildings have been destroyed.

Italy frequently experiences earthquakes but it is uncommon for them to be very deadly. The last earthquake was the 2002 4.9 magnitude Molise earthquake which killed more than 25 people. It was the deadliest in 20 years.

Earthquakes mark the history of L'Aquila, a city built on the bed of an ancient lake providing the sole structure that amplified seismic waves. The city was struck by earthquakes in 1315, 1349, 1452, 1646, 1703 and 1706. The earthquake of February 1703 which caused devastation across much of Central Italy largely destroyed the city and killed around 5,000 people.

The Government of Uganda has already sent a letter of condolence to the Government and people of Italy.

Once more, I wish, on behalf of Government and the people of Uganda, to convey our heartfelt condolences to the Italian people, to the people of Italy and especially to the families and victims of this tragic event. We share your grief and hurt at this sad moment.

Through you, Mr Speaker, may I request this august House to rise up and observe a minute of silence in commemoration of the victims of this devastating earthquake?

THE SPEAKER: Ok.

(Members stood and observed a moment of silence.)

THE SPEAKER: Thank you very much for the statement.

MOTION FOR CONSIDERATION AND ADOPTION OF
THE REPORT OF THE PUBLIC ACCOUNTS COMMITTEE ON THE
REPORT OF THE AUDITOR-GENERAL FOR THE YEAR ENDED 30TH JUNE 2002.

THE SPEAKER: I think we have already debated this report. So, is it to pronounce ourselves on the report? Chairperson? She is not there? But we had the debate, didn't we? So then I put the question.

(Question put and agreed to.)

(Report adopted.)

4.38

MR ABDU KATUNTU (FDC, Bugweri County, Iganga): Mr Speaker, can I have the opportunity to lay this report on Table now that I have it?

THE SPEAKER: Ok.

MR KATUNTU: Mr Speaker, I beg to lay on Table, the annual report of the Auditor-General for the financial year ended 30th June 2002 on local authorities. I beg to lay.

THE SPEAKER: Let the appropriate committee take up the report, study it and expeditiously report to the House.

Hon. Members, I have received communication from the Government Chief Whip. In the Cabinet reshuffle of February 2009, the following were appointed ministers of state. This created vacant positions on both standing and sessional committees. The honourable members who are to leave the committees are: hon. Asuman Kiyingi, hon. Simon Lokodo, hon. Aggrey Bagiire, hon. James Kakooza, hon. Jessica Alupo, hon. Janet Museveni and hon. Perez Ahabwe.

In accordance with Rules 134 and 160 of our Rules of Procedure of Parliament, the NRM party therefore designates the following to fill the vacant positions. Standing committees, hon. Peter Nyombi Chairperson, Committee on Rules, Privileges and Discipline. I put the question.

(Question put and agreed to.)

THE SPEAKER: Hon. Silver Bahane, Vice Chairperson, Committee on Rules, Privileges and Discipline. I put the question.

(Question put and agreed to.)

THE SPEAKER: Hon. Medi Mulumba, Vice Chairperson, Committee on Budget. I put the question.

(Question put and agreed to.)

THE SPEAKER: Sessional committees, Hon. Grace Isingoma Byarugaba, Physical Infrastructure. I put the question.

(Question put and agreed to.)

THE SPEAKER: Hon. Robert Kasule Sebunya, Finance, Planning and Economic Development. I put the question.

(Question put and agreed to.)

THE SPEAKER: There is another name but I decline to read it. This communiqué further reads, “Meantime, we are trying to ensure that all vacant positions are filled and at the same time addressing the issue of attendance.” I have declined to read the name because of non-attendance of Parliament.

4.41

MR ODONGA OTTO (FDC, Aruu County, Pader): Mr Speaker, with all due respect to the latest communication that you have made, our Rules of Procedure are clear on the implication of non attendance to parliamentary meetings. I think it would be proper to seek your indulgence that-

THE SPEAKER: The guidance is that today I was announcing members of the committees. When it comes to non attendance of Parliament, we shall do the needful.

MR ODONGA OTTO: Most obliged, Mr Speaker.

4.42

MR NATHAN NANDALA-MAFABI (FDC, Budadiri County West, Sironko): Thank you very much, Mr Speaker -

THE SPEAKER: Before you go ahead, there was an assignment that I gave you and I have not received a report from you. Maybe to save you, I will not announce the assignment.

MR NANDALA-MAFABI: Mr Speaker, I am sure you know that I am very attentive and I always attend. The assignment you gave me is going on well and you will definitely get the report before you go home today.

Mr Speaker, I want to thank members for having adopted the report of the Auditor-General of PAC ending 30 June 2002. I want to seek indulgence from members and say that the Auditor-General’s report is a good document for you when you are dealing with your budget statements.

In fact as we analyse the budget, I call on members to get the Auditor-General’s report that we have just laid on the Table for 2007/2008. It will tell you what happens in your particular ministries as they try to do their work.

Otherwise, Mr Speaker, I want to thank you and I look forward to the remaining reports being adopted by the end of this week. I thank you.

4.42

MR ABDU KATUNTU (FDC, Bugweri County, Iganga): Mr Speaker, I would like to ask the Government Chief Whip, hon. Ahabwe, one of my committee members, was appointed a minister but I have not heard a replacement to the Committee on Local Government Authorities.

4.43

THE GOVERNMENT CHIEF WHIP (Mr Daudi Migereko): Thank you very much, Mr Speaker. When I was communicating the designations, I clearly indicated that very soon we shall announce the other replacements because we are still carrying out consultations within our party as we normally do. I thank you.

MR KATUNTU: Mr Speaker, you see chairpersons of committees are having a problem of quorum so we really need these members such that we can conduct business. We are just pleading that we get all our Members to the committee and we mobilise them to conduct business.

THE SPEAKER: I have also heard reports of lack of quorum and as I said, the Business Committee advised the Rules Committee on this. Now that we have a Chairman of the Rules Committee and a vice chairperson, I think you should seriously look into the attendance of members to these committees. It is causing a lot of problems but we should review our rules so that we can get the right medicine to cure the ailment.

With this, we have come to the end of today's business. House is adjourned until tomorrow at 2.00 p.m.

(The House rose at 4.44 p.m. and adjourned until Thursday, 16 April 2009 at 2.00 p.m.)

EXHIBIT 103

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

SEXUAL MINORITIES UGANDA,

Plaintiff,

CIVIL ACTION

v.

NO. 3:12-CV-30051-MAP

SCOTT LIVELY, individually and as
President of Abiding Truth Ministries,

Defendant.


DECLARATION OF MERCY NALUGO

I, MERCY NALUGO, hereby declare as follows:

1. I am a journalist based in Kampala, Uganda and am employed by the *Daily Monitor*.
2. I co-wrote with Gerald Barbere and Isaac Khisathe article entitled "Anti-Gay activists petition House," that was published on 24 April 2009 in the *Daily Monitor*.
3. A true and correct copy of this article is attached hereto.
4. The statements attributed to Stephen Langa accurately reflect what I saw and heard.
5. The actions attributed to the Family Life Network and religious leaders accurately reflect what I saw and heard.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed in Kampala Uganda this 18 day of
December 2015.



NALUGO, MERCY

Anti-gay activists petition House

Henry Ndungu, Gerald Gwabe & Isaac Khisa
By Andrew

The Family Life Network (FLN), in conjunction with religious leaders, has petitioned Parliament to investigate homosexuality and related practices in Uganda.

Handing over the petition to Deputy Speaker Rebecca Kadaga, the FLN Executive Director, Mr Stephen Langa, said the parliamentary select committee should also assess the extent of the damage homosexuality has caused to children and Uganda.

"The serious threat that homosexuality poses to the stability and survival of the family and the social fabric of the nation has come to light in the recent past," Mr Langa said.

Gay rights activists argue that the practice is normal but the law in Uganda criminalises homosexuality.

Meanwhile, MPs yesterday demanded for the arrest of Mr Herman Kaulu Khamukha, a resident of Luwero Village, Entebbe, who is alleged to have seduced an 11-year-old pupil of Kennedy Primary School.

The MPs heard yesterday that Mr Khamukha picked the little boy from home in March, where he had been left alone and allegedly turned him into his nearby school and sexually abused him.

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MPs wasting investigating says Ssebaana

Robert Mwanza
By Andrew

Interior Kampala mayor John Ssebaana said Parliament is wasting time in investigating him on ICC revenue queries raised in the Auditor General's report.

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EXHIBIT 104



Scott Lively <sdllaw@gmail.com>

Urgent Help needed in Uganda on legislation

3 messages

Martin Ssempe <ssempam@gmail.com>

Sat, Apr 25, 2009 at 6:12 PM

To: Scott Lively <sdllaw@gmail.com>

Dear Scott,

Further to my message yesterday, we spent sometime working on the draft with some legislators. There is no precedence we found, but decided to proceed anyway. Kindly find a draft and we ask that you give your careful input. How can we make it stronger, and make our nation a model to lead the world on this issue. Kindly take a look as soon as possible and give your input. Maybe use track changes. Thanks very much. Do give me a response if you get this mail.

Your teaching did so much for all of us. Blessings indeed. I have worked on the Family Policy Center.

Pr. Martin Ssempe

 **uganda laws homosex.doc**
42K

Scott Lively <sdllaw@gmail.com>

Sat, Apr 25, 2009 at 6:57 PM

To: Martin Ssempe <ssempam@gmail.com>

I'll give this some attention tomorrow

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>

Thu, Apr 10, 2014 at 7:38 PM

To: Scott Lively <psalm37nasb@gmail.com>

[Quoted text hidden]

bout Uganda

official name: Republic of Uganda

capital: Kampala

head of state: President Lt. Gen. Yoweri Kaguta Museveni

state: single party state

population: 30,262,610

independence: from Britain in 1962

languages: English (official), Ganda or Luganda and other Niger-Congo languages, Nilo-Saharan languages, Swahili, Arabic.

religion: Roman Catholic 33%, Protestant 33%, Muslim 16%, traditional African 18%

currency: Ugandan shilling (UGX)

Legal Wise

status of homosexuality: illegal

age of consent: 18

laws covering homosexual activity: Section 140 Penal Code criminalizes "carnal knowledge against the order of nature" with a maximum penalty of life imprisonment.

Section 141 prohibits "attempts at carnal knowledge" with a maximum penalty of 7 years' imprisonment.

Section 145 ACT CAP 120 punishes acts of, procurement of, or attempts to procure acts of "gross indecency" between men in public or private with up to 5 years imprisonment. Prosecutions rare. (IOC)

Homosexual acts between women are not mentioned (PB)

background information and government attitudes:

9.95: At UN 4th Conference on Women in Beijing opposed the (unsuccessful) proposal for inclusion of references to "sexual orientation" in the draft "Platform for Action" (DS)

EXHIBIT 105



Scott Lively <sdllaw@gmail.com>

Here is what we have so far

Martin Ssempe <ssempam@gmail.com>
To: Scott Lively <sdllaw@gmail.com>

Mon, Apr 27, 2009 at 4:49 PM

Dear Scott,

Kindly find our progress as below. Please make additional changes where needed. Also if you need you can make track changes.

If possible send me you cell or phone as I lost your card.

Martin SSempa

On Apr 26, 2009, at 1:57 AM, Scott Lively wrote:

I'll give this some attention tomorrow

On Sat, Apr 25, 2009 at 6:12 PM, Martin Ssempe <ssempam@gmail.com> wrote:
Dear Scott,

Further to my message yesterday, we spent sometime working on the draft with some legislators. There is no precedence we found, but decided to proceed anyway. Kindly find a draft and we ask that you give your careful input. How can we make it stronger, and make our nation a model to lead the world on this issue. Kindly take a look as soon as possible and give your input. Maybe use track changes. Thanks very much. Do give me a response if you get this mail.

Your teaching did so much for all of us. Blessings indeed. I have worked on the Family Policy Center.

Pr. Martin Ssempe

**Anti Homosexual update.doc**
47K

APRIL20, 2009

THE ANTI - HOMOSEXUALITY BILL, 2009

MEMORANDUM

1. The Principle

The object of the Bill is to create a comprehensive legislation which prohibits homosexuality that includes male to male sex, female to female sex and related sexual offences in Uganda.

Given our historical, legal, cultural and religious value to heterosexual relationships as the basis of our society, the bill aims at strengthening the nation's capacity to deal with the emerging internal and external threats to traditional heterosexual family. Which includes: redefining human rights to elevate homosexuality as a legitimate human right, where as it is self evidently perverted, disordered and unnatural. This being advanced using new terms like "sexual orientation", "sexual minorities" and "gender identity" as new forms special sexual rights. The Republic of Uganda needs a comprehensive and enhanced legislation to protect our cultural, legal, religious, and traditional family values.

There is also need to protect our children and youth who are made vulnerable to sexual abuse and deviation as a result cultural changes, uncensored information technologies, and parentless child developmental settings.

2. Defects in the existing law.

The penal code act does not explicitly address the issue of same sex unions and gender identity disorders which is damaging the social fabric of our nation at an alarming level hence the need for legislation to provide for charging, investigating, prosecuting, convicting and sentencing of offenders on the above law. There is need for equal treatment of man and women before the law in regard to homosexual offenses.

This legislation comes to complement and supplement the provisions of the

constitution of Uganda and the penal code Act by not only criminalizing same sex marriages but same -sex sexual acts and other related acts.

3.1. The object of the Bill

The object of the Bill is -

- (a) To prohibit Homosexuality and related to practices in Uganda.
- (b) To prevent the threat to the survival and stability of the natural family institution which is the basic unit of the society.
- (c) To safe guard the health of Ugandan citizens from the antecedent heath effects of homosexuality and related practices.
- (d) To promote Co-operation with other Countries in combating homosexuality and related practices.
- (e) To prohibit ratification of any international treaties, conventions, protocols and declarations which are contrary or inconsistent with the provisions of this Act.

3.2. Part 1 of the Bill incorporating clause 1 and 2 provides for Preliminary matters relating to commencement and Interpretation of the words and phrases used in the Bill

3.3. Part II of the Bill in clauses 3 to 6 prohibits homosexuality and related practices by introducing the offences of engaging in homosexuality, and the penalties of imprisonment upon conviction. This part also creates offences and penalties for acts that promote homosexuality, failure to report the offence and impose a duty on the Community to report Suspected Cases of the homosexuality.

3.4 .Part III of the Bill of clauses 7 to 9 provides for the jurisdiction of Ugandan Courts in Case of Homosexuality, including extra territorial Jurisdiction with consent of the Attorney General.

3.5. PART IV of the Bill in clauses 10 and 11 provides for miscellaneous provisions on international treaties, protocols, declarations and conventions and the minister to make regulations to give effect to the Act.

4. Schedule 1 of the Bill gives the value of the currency.

Hon. David Bahati

Ndorwa County West
Kabale District.

ARRANGEMENT OF CLAUSES

PART I ----PRELIMINARY

Clause.

1. Commencement
2. Interpretation

PART II – PROHIBITION OF HOMOSEXUALITY

3. Offence of Homosexuality
4. Aggravated Homosexuality
5. Promoting Homosexuality
6. Failure to report offence

PART III – JURISDICTION

7. Jurisdiction
8. Extra – territorial Jurisdiction
9. Extradition

PARTIV----MISCELLANEOUS PROVISIONS

10. International treaties
11. Regulations

Schedule 1

Currency point.

PART I - PRELIMINARY

1 – Commencement

This Act shall come into force upon publication in the Gazette.

2 - Interpretation

In this Act, unless the Context otherwise requires –

“Gender” means male or female;

“Homosexuality” means same gender or same sex sexual acts;

“Homosexual” a person who engages or attempts to engage in same gender sexual activity.

“Minister” means the minister responsible for Ethics and Integrity.

“Sexual act” means –

(a) Stimulation or penetration of a vagina or mouth or anus, however slight of any person by a sexual organ;

(b) The use of any object or organ by a person on another person’s sexual organ or anus or mouth;

“Sexual organ” means-a vagina or penis.

PART II: PROHIBITION OF HOMOSEXUALITY AND RELATED PRACTICES

3. Prohibition of homosexuality

(1) Homosexuality is prohibited.

(2) Any person who engages in homosexuality contrary to sub-section (1)

commits an offense and on conviction is liable to a fine not exceeding 500 currency points or imprisonment not exceeding 10 years or both.

4. Aggravated homosexuality

- (1) Any person who commits the offense mentioned in section 2(1) above with another person who is below the age of 18 years in any of the circumstances specified in sub-section (2) commits an offense called aggravated homosexuality and on conviction by a competent court liable to suffer death.
- (2) The circumstances referred to in sub-section (1) are as follows: -
 - (a) Where the person against whom the offense is committed is below the age of 14;
 - (b) Where the offender is infected with HIV/AIDS;
 - (c) Where the offender is a parent or guardian or a person in authority over, the person against whom the offense is committed;
 - (d) Where the victim of the offense is a person with disability; or
 - (e) Where the offender is a serial offender.
- (3) Any person who attempts to commit the offense of homosexuality with another person below 18 years in any of the circumstances specifies in sub-section (2), commits an offense and is liable on conviction to imprisonment for life.
- (4) Where a person is charged with the offense under this section, that person shall undergo a medical examination as to his or her HIV status.
- (5) Any person who without the consent of an adult victim being under their authority or not commits the offense mentioned in this section

5. Promotion of homosexuality

- (1) Any person who,
 - (a) Participates in production, trafficking, procuring, marketing, broadcasting,

disseminating, publishing homosexual materials;
(b) Funds or sponsors homosexuality and related activities
(c) Offers premises and other fixed or movable assets
(d) Uses electronic devices which include internet, films, mobile phone and
(f) Who acts as an accomplice or attempts to legitimize or in any way abets
homosexuality and related practices
Commits an offense and on conviction is liable to a fine of five thousand
currency points or life imprisonment.

(2) Where the offender is a corporate body or a business or an Association or an NGO, upon conviction its certificate of registration shall be cancelled and the Director(s) or proprietors or promoter(s) shall be criminally liable.

6. Failure to report the offense

Any person who being aware of the commission of any offense under this Act omits to report the offense to the relevant authorities within 24 hours commits an offense and on conviction is liable to a fine not exceeding five hundred currency point or imprisonment not exceeding two years.

PART IV ---JURISDICTION

7. Jurisdiction.

Save for aggravated homosexuality which shall be tried by the High Court, other offenses under this Act shall be tried by the Magistrates Court.

8. Extra – Territorial Jurisdiction.

This Act shall apply to offences Committed outside Uganda Where-

- (1) A person who, while being a citizen of, or permanently residing in Uganda, Commits an act Out side Uganda, which act would Constitute an offence had it been Committed in Uganda.
- (2) The offence was committed partly outside and or partly in Uganda.

9. Extradition.

A person charged with offence under this Act shall be liable to extradition under the existing Extradition laws.

PART V---MISCELLANEOUS

10. Nullification of inconsistent International treaties, protocols, declarations and conventions.

(1). Any international legal instrument whose provisions are contradictory to the spirit and provisions enshrined in this Act, are null and void to the extent of their inconsistency.

(2). The foreign definitions of “sexual orientation”, “sexual rights”, “sexual minorities”, “gender identity” shall not be used in anyway to legitimize homosexuality, gender identity disorders and related practices in Uganda.

11. Regulations.

The Minister may by statutory instrument make regulations to effect implementation of the provisions of this Act, and Promote this objects.

SCHEDULE 1

CURRENCY POINT

One currency point is equivalent to twenty thousand Shillings.

EXHIBIT 106



Scott Lively <sdllaw@gmail.com>

Here is what we have so far

Scott Lively <sdllaw@gmail.com>

Tue, Apr 28, 2009 at 1:04 PM

To: Martin Ssempe <ssempam@gmail.com>

Here's my revision, attached

On Mon, Apr 27, 2009 at 4:49 PM, Martin Ssempe <ssempam@gmail.com> wrote:

Dear Scott,

Kindly find our progress as below. Please make additional changes where needed. Also if you need you can make track changes.

If possible send me you cell or phone as I lost your card.

Martin Ssempe

On Apr 26, 2009, at 1:57 AM, Scott Lively wrote:

I'll give this some attention tomorrow

On Sat, Apr 25, 2009 at 6:12 PM, Martin Ssempe <ssempam@gmail.com> wrote:

Dear Scott,

Further to my message yesterday, we spent sometime working on the draft with some legislators. There is no precedence we found, but decided to proceed anyway. Kindly find a draft and we ask that you give your careful input. How can we make it stronger, and make our nation a model to lead the world on this issue. Kindly take a look as soon as possible and give your input. Maybe use track changes. Thanks very much. Do give me a response if you get this mail.

Your teaching did so much for all of us. Blessings indeed. I have worked on the Family Policy Center.

Pr. Martin Ssempe

**Uganda Anti_Homosexual_update[1].doc**

54K

I encourage moderation in sentencing. Even my suggested modifications may be too harsh, but I'll leave that to you.

More important to me is that you emphasize rehabilitation and prevention. I have added two sections that will accomplish that.

Otherwise, this looks like it will solve your problems.

Regards,

Dr. Scott Lively

APRIL20, 2009

THE ANTI - HOMOSEXUALITY BILL, 2009

MEMORANDUM

1. The Principle

The object of the Bill is to create a comprehensive legislation which prohibits homosexuality that includes male to male sex, female to female sex and related sexual offences in Uganda.

Given our historical, legal, cultural and religious value to heterosexual relationships as the basis of our society, the bill aims at strengthening the nation's capacity to deal with the emerging internal and external threats to traditional heterosexual family. Which includes: redefining human rights to elevate homosexuality as a legitimate human right, where as it is self evidently perverted, disordered and unnatural. This being advanced using new terms like "sexual orientation", "sexual minorities" and "gender identity" as new forms special sexual rights. The Republic of Uganda needs a comprehensive and enhanced legislation to protect our cultural, legal, religious, and traditional family values.

There is also need to protect our children and youth who are made vulnerable to

sexual abuse and deviation as a result cultural changes, uncensored information technologies, and parentless child developmental settings.

2. Defects in the existing law.

The penal code act does not explicitly address the issue of same sex unions and gender identity disorders which is damaging the social fabric of our nation at an alarming level hence the need for legislation to provide for charging, investigating, prosecuting, convicting and sentencing of offenders on the above law. There is need for equal treatment of man and women before the law in regard to homosexual offenses.

This legislation comes to complement and supplement the provisions of the constitution of Uganda and the penal code Act by not only criminalizing same sex marriages but same -sex sexual acts and other related acts.

3.1. The object of the Bill

The object of the Bill is -

- (a) To prohibit Homosexuality and related to practices in Uganda.
- (b) To prevent the threat to the survival and stability of the natural family institution which is the basic unit of the society.
- (c) To safe guard the health of Ugandan citizens from the antecedent heath effects of homosexuality and related practices.
- (d) To promote Co-operation with other Countries in combating homosexuality and related practices.
- (e) To prohibit ratification of any international treaties, conventions, protocols and declarations which are contrary or inconsistent with the provisions of this Act.
- (f) To ensure through public education and social services that Ugandan children and youths receive age-appropriate instruction and guidance at every age level which helps them to understand and embrace healthy marriage and family life as a personal goal.

3.2. Part 1 of the Bill incorporating clause 1 and 2 provides for Preliminary matters relating to commencement and Interpretation of the words and phrases used in the Bill

3.3. Part II of the Bill in clauses 3 to 6 prohibits homosexuality and related practices by introducing the offences of engaging in homosexuality, and the penalties of imprisonment upon conviction. This part also creates offences and penalties for acts that promote homosexuality, failure to report the offence and impose a duty on the Community to report Suspected Cases of the homosexuality.

3.4 .Part III of the Bill of clauses 7 to 9 provides for the jurisdiction of Ugandan Courts in Case of Homosexuality, including extra territorial Jurisdiction with consent of the Attorney General.

3.5. PART IV of the Bill in clauses 10 and 11 provides for miscellaneous provisions on international treaties, protocols, declarations and conventions and the minister to make regulations to give effect to the Act.

4. Schedule 1 of the Bill gives the value of the currency.

Hon. David Bahati
Ndorwa County West
Kabale District.

ARRANGEMENT OF CLAUSES

PART I ----PRELIMINARY

Clause.

1. Commencement
2. Interpretation

PART II – PROHIBITION OF HOMOSEXUALITY

3. Offence of Homosexuality
4. Aggravated Homosexuality
5. Promoting Homosexuality
6. Failure to report offence

PART III – JURISDICTION

7. Jurisdiction
8. Extra – territorial Jurisdiction
9. Extradition

PARTIV----MISCELLANEOUS PROVISIONS

10. International treaties
11. Regulations
12. Proactive measures to inculcate heterosexual norms
13. Therapy as a sentencing alternative

Schedule 1

Currency point.

PART I - PRELIMINARY

1 – Commencement

This Act shall come into force upon publication in the Gazette.

2 - Interpretation

In this Act, unless the Context otherwise requires –

“Gender” means male or female;

“Homosexuality” means same gender or same sex sexual acts;

“Homosexual” a person who engages or attempts to engage in same gender sexual

activity.

“Minister” means the minister responsible for Ethics and Integrity.

“Sexual act” means –

- (a) Stimulation or penetration of a vagina or mouth or anus, however slight of any person by a sexual organ;
- (b) The use of any object or organ by a person on another person’s sexual organ or anus or mouth;

“Sexual organ” means-a vagina or penis.

PART II: PROHIBITION OF HOMOSEXUALITY AND RELATED PRACTICES

3. Prohibition of homosexuality

- (1) Homosexuality is prohibited.
- (2) Any person who engages in homosexuality contrary to sub-section (1) commits an offense and on conviction is liable to a fine not exceeding 500 currency points or imprisonment not exceeding ~~10~~ years or both. Not to exceed 6 months for a first offense

4. Aggravated homosexuality

- (1) Any person who commits the offense mentioned in section 2(1) above with another person who is below the age of 18 years in any of the circumstances specified in sub-section (2) commits an offense called aggravated homosexuality and on conviction by a competent court liable to suffer ~~death~~ imprisonment not to exceed twenty years, except when the offender is infected with HIV/AIDS and knows that he or she is infected, in which case he shall be subject to imprisonment for life.
- (2) The circumstances referred to in sub-section (1) are as follows: -
 - (a) Where the person against whom the offense is committed is below the age of ~~14~~ 16;
 - (b) Where the offender is infected with HIV/AIDS, and knows that he

or she is infected;

- (c) Where the offender is a parent or guardian or a person in authority over, the person against whom the offense is committed;
 - (d) Where the victim of the offense is a person with disability; or
 - (e) Where the offender is a serial offender.
- (3) Any person who attempts to commit the offense of homosexuality with another person below 18 years in any of the circumstances specifies in sub-section (2), commits an offense and is liable on conviction to imprisonment for life.
- (4) Where a person is charged with the offense under this section, that person shall undergo a medical examination as to his or her HIV status.
- (5) Any person who without the consent of an adult victim being under their authority or not commits the offense mentioned in this section

5. Promotion of homosexuality

- (1) Any person who,
- (a) Participates in production, trafficking, procuring, marketing, broadcasting, disseminating, publishing homosexual materials;
 - (b) Funds or sponsors homosexuality and related activities
 - (c) Offers premises and other fixed or movable assets
 - (d) Uses electronic devices which include internet, films, mobile phone and
 - (f) Who acts as an accomplice or attempts to legitimize or in any way abets homosexuality and related practices
- Commits an offense and on conviction is liable to a fine of five thousand currency points or life imprisonment of a term not to exceed five years.
- (2) Where the offender is a corporate body or a business or an Association or an NGO, upon conviction its certificate of registration shall be cancelled and the Director(s) or proprietors or promoter(s) shall be criminally liable.

6. Failure to report the offense

Any person who being aware of the commission of any offense under this Act omits to report the offense to the relevant authorities within 24 hours commits an offense and on conviction is liable to a fine not exceeding five hundred currency point or imprisonment not exceeding two years.

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7. Jurisdiction.

Save for aggravated homosexuality which shall be tried by the High Court, other offenses under this Act shall be tried by the Magistrates Court.

8. Extra – Territorial Jurisdiction.

This Act shall apply to offences Committed outside Uganda Where-

- (1) A person who, while being a citizen of, or permanently residing in Uganda, Commits an act Out side Uganda, which act would Constitute an offence had it been Committed in Uganda.
- (2) The offence was committed partly outside and or partly in Uganda.

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A person charged with offence under this Act shall be liable to extradition under the existing Extradition laws.

PART V---MISCELLANEOUS

10. Nullification of inconsistent International treaties, protocols, declarations and conventions.

- (1). Any international legal instrument whose provisions are contradictory to the spirit and provisions enshrined in this Act, are null and void to the extent of their inconsistency.
- (2). The foreign definitions of “sexual orientation”, “sexual rights”, “sexual minorities”, “gender identity” shall not be used in anyway to legitimize homosexuality, gender identity disorders and related practices in Uganda.

11. Regulations.

The Minister may by statutory instrument make regulations to effect implementation of the provisions of this Act, and Promote this objects.

SCHEDULE 1

CURRENCY POINT

One currency point is equivalent to twenty thousand Shillings.

12. To prevent harmful outside influences from corrupting the youth, and to further ensure that homosexual and other harmful sexual lifestyles cannot take root in our society, the government of Uganda will take all reasonable measures to ensure that children within its jurisdiction are prepared for healthy marriage and family life through age appropriate instruction on 1) the importance and value of marriage to individuals and to society, 2) the optimal traits and virtues that help men and women to be good husbands and wives, 3) the physical, emotional and social harms which result from promiscuity and sexual deviance.

The Minister will work with specialists in the fields of education and family life and all government agencies which interact directly or indirectly with children to develop practical means of implementing this section.

13. Any person who is arrested for homosexuality in Uganda may request a reasonable delay in sentencing in order to obtain reparative therapy, at his or her own expense, with a government approved medical professional. In this event, sentencing may be delayed indefinitely while such therapy is ongoing, subject to regular reporting by the medical professional to the court. Upon a certification by the medical professional that the party no longer poses a significant threat of re-offending, the court shall close the case.

This section shall not be available for those charged with aggravated homosexuality.

At such time as the government approves medical professionals who are qualified to treat homosexual disorder, the government shall inform the public, including specifically all school counselors, that treatment for homosexuality is now available in Uganda, and that anyone who suffers from unwanted homosexual

feelings is encouraged to seek therapy, and that the confidentiality of all such therapy will be scrupulously protected.

The Minister will work with specialists in the fields of medicine, higher education and the judiciary to develop practical means of implementing this section.

EXHIBIT 107

Wednesday, 29 April 2009

Parliament met at 2.35 p.m. in Parliament House, Kampala.

PRAYERS

(The Deputy Speaker, Ms Rebecca Kadaga, in the Chair.)

The House was called to order.

COMMUNICATION FROM THE CHAIR

THE DEPUTY SPEAKER: Hon. Members, I welcome you to today's meeting. First, I will amend the Order Paper to make room for the Minister for Regional Cooperation to make a statement; so he will come immediately after the Minister for Energy.

I have a few other communications. One, we have a number of guests in the distinguished stranger's gallery. We have, Ms Kimberly Smeldy, Senior Research Associate of the University of Cape Town. She is visiting Parliament as a USAID consultant and is on an evaluation mission.

We also have pupils and teachers of Apac Model Primary School. They have come to see how we conduct business here.

We also have a team of elders from two communities of our country. We have a delegation from the Sabinu community, a delegation from the Pokot community and a delegation from the REACH Programme; they are here to witness the moving of a motion which is important to their community. When we come to that stage, I will give you the details of their names.

But I also wanted to talk about an issue, which was raised here concerning questions for oral answer. I have received many complaints concerning questions and how they are processed and the Government Chief Whip did write to me indicating that they believe the faults are on the part of Parliament. I have consulted with the Clerk and I have noticed that Members may not be aware of the process through which questions go before they are reflected on the Order Paper.

So, I want to inform the members that there is established in the Clerk's Office a question records book provided for under rule 35(7). It is kept by the Assistant Director in charge of the Table Office in room 408 of Parliament Building and this is the process the questions go through:

When a question is received, the approval of the Speaker is sought. If that approval is given, the question is sent to the minister with copies to the Leader of Government Business and the Permanent Secretary of the relevant ministry. A copy is also sent to the registry for record purposes.

In the letter, the minister is requested to answer the question within two weeks upon receipt of the question. The minister is further requested to file with the Clerk a copy of his/her response for record purposes, under rule 35(7)(d) of our Rules of Procedure. All this information is indicated in the question record book, which is open for Member's inspections any time.

I have established that it is the ministers who have not been complying with the rules regarding questions. This has resulted in a backlog of questions. So I urge the ministers to take matters of question seriously and also ensure that questions appear on the Order Paper on schedule.

I now want to ask the Clerk to show you the question record book so that you know that what we have been talking about is for real. All the questions are recorded there, including when they are expected to be answered.

2.41

THE LEADER OF THE OPPOSITION (Prof. Morris Ogenga-Latigo): Thank you, Madam Speaker. You mentioned a procedure that I did not seem familiar with. I do not know whether I have not read my rules properly, but in submitting questions, you mentioned that the approval of the Speaker is required. Is that part of our procedure or not?

My understanding was that the Clerk would look at your question and help you in restructuring it if it is not clear enough.

THE DEPUTY SPEAKER: Hon. Members, you may not know that sometimes Members ask questions first by writing a preamble of three pages and then they ask the question. Then you find the question is actually about four pages. So the Speaker's Office is also the Clerks' Office. That is the process through which we clear them and say, "Cut this, remove this" and so forth.

PROF. OGENGA-LATIGO: Madam Speaker, I do not what anybody from either side of the House to say that the Speaker sabotaged my question. Can we have more clarification of that? You said that the Office of the Speaker is also the Clerk's office. But in this business, it is normally the Clerk that deals with the person concerned.

THE DEPUTY SPEAKER: Hon. Leader of the Opposition, you do not know the problems we go through with Member's questions. First of all, when the clerks try to guide them they insist that, "This is my question and this is how I want it to be set". And the clerks usually are afraid to argue with them.

PROF. OGENGA-LATIGO: We have tried to help the process. From our side, for example, no Member should submit questions without consultations with the Oppositions Chief Whip or the Leader of the Opposition. They normally give you a draft of the question and you look through it, and you advise that it is okay for submission. It is not that I do not trust the Office of the Speaker, but I do not what somebody later to accuse the Office of the Speaker of sabotage.

THE DEPUTY SPEAKER: If you open that book, you will see a record of all the questions that have been asked. So you are free to inspect them. If you find something is missing, then you can ask me; but everything is there.

CLARIFICATION ON THE STATUS OF THE INSPECTOR-GENERAL OF GOVERNMENT AND THE DEPUTY INSPECTOR-GENERAL OF GOVERNMENT

2.44

THE PRIME MINISTER AND LEADER OF GOVERNMENT BUSINESS (Prof. Apolo Nsibambi): Madam Speaker, hon. Members of Parliament, my statement is being distributed. It is a short one but it is pregnant with a lot of thought. *(Laughter)*

Government was requested by Parliament to clarify on the status of Inspector-General of Government and the Deputy Inspector-General of Government, following the end of their contracts.

This is to inform hon. Members of Parliament that His Excellency the President has reappointed Mr Raphael Baku who was vetted by Parliament as Deputy Inspector-General of Government. He has also asked Mr Baku to take charge of the Inspectorate of Government.

In respect of Justice Mwendha's re-appointment as Inspector-General of Government, the issue has been referred to the Constitutional Court by interested parties.

The issue of contention is whether or not a person who have been serving as Inspector-General of Government and who is eligible for re-appointment requires vetting by Parliament.

Government is waiting for the interpretation of the Constitutional Court. The President was reminded to nominate for appointment a second Deputy Inspector-General of Government as provided by Section 3, clause 2(b) of the Inspector-General Of Government Act, 2002. Thank you.

2.47

MR ERIAS LUKWAGO (DP, Kampala Central, Kampala): Madam Speaker, I thank the Prime Minister for the statement he has made. But I would wish to seek clarification of salient issues.

One, the question of the matter being referred to the Constitutional Court by interested parties sounds a little bit vague. What does, "interested parties" mean? Does that include government, would it mean the former Inspector-General of Government; does it mean the Attorney-General? So we need to understand, and there are no particulars of the case here.

To make matters worse, the statement says, "Government is awaiting the decision of the Constitutional Court on this matter. It clears some vacuum as far as the Inspectorate is concerned. Under the provisions of Article 223 of the Constitution, the Constitution talks of the Inspector-General of Government not Acting Inspector General of Government. The Constitution does not envisage any person in acting capacity to serve as Inspector-General of Government.

The position is clear, Raphael Bako was appointed as Deputy Inspector-General of Government and the Constitution provides for two deputies. So he is going to serve as such. So the question arising is: do we now have a vacuum – is there no substantive Inspector-General of Government?

Secondly, the particulars of this case – why peg the decision of the chief executive to a constitutional decision? I thought the chief executive would take a decision and whoever is not satisfied would take him to court!

Finally, has government now abandoned the advice of the Attorney-General on the matter?

THE DEPUTY SPEAKER: Hon. Member, last week it was this House which asked government to explain what is going on in that office. The person who was approved by Parliament is the one in office. The one who was not approved is not in office. I do not know what the problem is now!

2.50

MR ODONGA OTTO (FDC, Aruu County, Pader): Madam Speaker, I wanted to direct my mind to my learned friend the Attorney-General, probably he would be of help. The Constitution is clear on what constitutes the Inspectorate of Government. It includes the Inspector-General of Government and any number of deputies. So, where we are, hon. Attorney-General, do we have a lacuna? Because we approved the Deputy Inspector-General of Government as Deputy Inspector-

General of Government, how then does that person become the Inspector-General of Government?

I want the learned Attorney-General to advise this House because to me it seems that the Inspectorate of Government is not fully composed. And as Parliament, we have no one to meet. We cannot meet the acting Inspector-General of Government; there is no provision for that in the Constitution. So I really want the Attorney-General to make this clear. For me as a Member of the Legal and Parliamentary Affairs Committee, when I am expecting to meet the Inspectorate of Government, I should not instead meet the acting Inspector-General of Government which is unconstitutional.

2.52

MR FELIX OKOT OGONG (NRM, Dokolo County, Dokolo): Thank you, Madam Speaker. I want to refer Members to the Constitution, Article 119(1) on the Attorney-General, which reads, *“There shall be an Attorney-General who shall be a Cabinet Minister appointed by the President with the approval of Parliament.*

(2) The Attorney-General shall be the principal legal adviser of government.”

The functions of the Attorney-General are clearly spelt out in the Constitution: his function is to give legal advice and services to government on any subject.

Last week the Attorney-General appeared in Parliament here and informed us in no uncertain terms that he had advised government and made his position clear on the appointment of the Inspector-General of Government and it seems government has blatantly rejected the advice of the Attorney-General.

The President appointed the Attorney-General with his own seal to be his legal advisor and now he has disowned his advice. So, do we still have an Attorney-General? That must be made clear; we are not going to respect the advice of the Attorney-General in Parliament because his advice is now just being taken as mere advice.

I want also to request the Attorney-General, since his boss has given him a vote of no confidence, this is very clear. I think the best thing he can do is to resign. You cannot serve a system that does not respect your advice. We are going to rule by this Constitution, which is very clear. I want the Prime Minister to advise us on this whether we still have an Attorney-General and whether we can still rely on his advice. Thank you.

THE DEPUTY SPEAKER: Hon. Member, I did not read in the Prime Minister’s statement any indication that the advice of the Attorney-General had been ignored. The person who was vetted by this House as advised by the Attorney-General is in office. The person who was not vetted is not in office. So, I do not know what your problem is.

On behalf of the Appointments Committee, I can inform you that we have advised that the office should be fully constituted and they have been operating without it. So we have taken charge of the situation.

MR KIGYAGI: Thank you, Madam Speaker. I would like to get guidance from you or the Attorney-General. Government has been taken to the Constitutional Court, but who is going to represent Government in the Constitutional Court?

MR OKECHO: Madam Speaker, it is provided that the Attorney-General advises the President, but does the President have to take all the advice that the Attorney-General gives him?

2.56

MR ABDU KATUNTU (FDC, Bugweri Country, Iganga): Thank you, Madam Speaker. It is quite unfortunate that this country is being treated to this melodrama for this long. In circumstances where you have constitutional commands; all authority in this country, from the President to this Parliament is bound by the advice of the Attorney-General; just bound. For the appointing authority to cast doubt on the advice of his principal legal advisor is extremely unfortunate. It amounts to a vote of no confidence in the Attorney-General.

We as an institution have been faced with a dilemma where we have received the advice of the Attorney-General, regardless of what opinion we had, we have been bound by the advice of the Attorney-General because we respect the rule of law, we respect the Constitution and we respect the Office of the Attorney-General.

The President is selectively getting advice from institutions that are by law supposed to advise him. It puts the person of the Attorney-General in a big dilemma; in fact I would not like to be in his shoes. If the President doubts the advice of the Attorney-General, can this House ever have faith in the opinion of the Attorney-General? We cannot continue being treated to this sort of drama. The President should know that he is bound by the law; he has no discretion in this matter; if he thinks the advice was wrong, he has one option, to tell the present Attorney-General that, "I no longer have faith in your legal advice".

The Constitution provides for the Inspectorate of Government to be constituted by both the Inspector-General of Government and the deputy. If one of them is not there, you cannot talk about the Inspectorate of Government. And that is where I have a problem with the Attorney-General; how do you act on an institution which does not exist in the law? There is no inspectorate until both the Inspector-General of Government and the Deputy Inspector-General of Government are in place as envisaged by the Constitution.

Mr Raphael Bako is a substantive Deputy Inspector-General of Government; that is, assuming he has received the instrument of appointment. But from the media reports today, Mr Bako said he was on leave. So can we have this drama come to an end, Leader of Government Business? We have been praying since you told us to pray, two weeks ago. I am sure God is also getting impatient with our prayers. Now that we have been praying to God and the drama is still going on, what do we do? We continue praying?

This week or the next, you will find Mr Raphael Baku coming here as the acting Inspector-General of Government, and some of us are going to be uncomfortable with that. Not that we do not respect Mr Raphael Bako as Deputy Inspector-General of Government, but we are saying that there is a problem in the institution. Why do you cause controversies in situations where there shouldn't be any; why should we have controversies in this country where we should not be having the slightest controversy?

Why doesn't the President go ahead to appoint an Inspector General of Government, approved by Parliament and the country continues; what is the problem Prof. Nsibambi? Is the problem the person of Mrs Faith Mwendha? That is the problem; this country is stuck with her, the President is stuck with her, so the institution will not work because of her. Really, institutions should be beyond individuals. This culture of saying, "If this individual is not there, the institution will

collapse, if this person is not there, the country will collapse”; we cannot tolerate this anymore as a country. Thank you, Madam Speaker.

THE DEPUTY SPEAKER: Now, hon. Members, I will ask the Attorney-General to respond. However, in the visitor’s gallery we have students of the Royal Rhodes University of Canada. They are here to observe the achievements of the government and the country in the Millennium Development Goals.

Can I ask the Attorney-General to respond? *Tayagala*? Ok, Prime Minister, can you answer?

3.02

THE PRIME MINISTER AND LEADER OF GOVERNMENT BUSINESS (Prof. Apolo Nsibambi): Thank you, Madam Speaker. What are these parties? I happen to know for example Bob Joseph Nturwabakye, Legal Brains Trust Ltd v the Attorney-General and I want to lay it on the Table.

The second question was that the Acting IGG is not envisaged. Now, this is a matter for the Attorney-General to answer and it is the same question which hon. Otto raised.

There was the issue – because I do not want the Attorney-General to be embarrassed, the issue was, can the President negate the advice of the Attorney-General? This is possible; there may be circumstances where he may not take the advice of the Attorney-General. It is possible.

With regard to this matter, the President would like to know the advice –(*Interruption*)

MR KATUNTU: Thank you, Madam Speaker and I would like to thank the Rt. Hon. Prime Minister for yielding the Floor. I am seeking clarification. We have cited the Constitution, which gives the mandate of the Attorney-General as the principal legal advisor to government; that means to the President and all institutions of government. May I know, under what circumstances the President may, to use your word, negate the advice of the Attorney-General under the Constitution?

PROF OGENGA-LATIGO: Thank you, Madam Speaker. I thank the Rt Hon. Leader of Government Business for ceding this opportunity. Just two small clarifications: when the Attorney-General was asked to explain last week the issue of the legal advice - he could give other political advice that the President can take or not take, the Attorney-General cited a Supreme Court ruling and he laid it on Table where government is bound by his advice and he emphasised that the ruling of the Supreme Court is the supreme law of this land until there is another ruling to the contrary.

Are you, in making what you said, considerate of that position? And would you then, after you have made that statement, allow the Attorney-General to help us because we were quite satisfied with the matter that was laid?

Secondly, Rt Hon. Prime Minister, you laid on the Table the case of somebody and Legal Brains Ltd going to court. We have no opportunity to read the content of their petition before court but have they petitioned court seeking order of restraint on the President not to process the appointment of the Attorney-General until the matter is heard?

PROF. NSIBAMBI: According to Article 119, the functions of the Attorney-General include giving legal advice. If you think that the President has violated the Constitution, you can take him to court. You are free to take him to court.

There was another question: do we have an Attorney-General? Yes, because the Attorney-General has not resigned so we have an Attorney-General. I ask the Attorney-General to answer other questions. I thank you.

3.08

THE MINISTER OF JUSTICE AND CONSTITUTIONAL AFFAIRS/ATTORNEY-GENERAL (Prof. Khiddu Makubuya): Thank you, Madam Speaker. I was not here last week but my colleague, the Deputy Attorney-General, came to Parliament and indicated the legal position as we understood it in the Attorney-General's Chamber. (*Laughter*) And we have not been given any reason to depart from that position.

I have only two points to clarify that there are two petitions and not one. The first petition is exactly what the Rt Hon. Prime Minister has mentioned: Constitutional Petition No.07 of 2009, Bob Joseph Nturwabakye and Legal Brains Trust Ltd. They are the petitioners and they are clearly petitioning against the Attorney-General of the Republic of Uganda. The first petitioner is a private person and the second one is a company.

Then we have constitutional petition No.10 of 2009. The petitioners are 22 and they are:

1. Dhikusooka Majidu
2. Sheila Kawamara Mishambi
3. Talifuna Edward
4. Musulo Musoke Charles
5. Mbentyo Isa
6. Waiswa Paul Isingoma
7. Gladys Nyakajua
8. Tuhumwire Dorothy Mbalule
9. Babirye Mebrah
10. Samanya Godfrey
11. Zirabamuzaale Sunday
12. Kakaire Ronald
13. Haluna Ntuyo Tamuzadde
14. Gabula Ezra
15. Diogo Samuel
16. Kakaire Lovisa
17. Kalekwa Mary
18. Musenze Daudi Isabirye
19. Mutenza Ronald Bagole
20. Dhikusooka Timothy
21. Mukooba Christopher
22. Achieng Robinah Kazahura

This petition is also against the Attorney-General of the Republic of Uganda.

The second thing is what is being raised. I think the sentence says, "He has also asked Mr Bako to take charge of the Inspectorate of Government." And of course the argument is on the full constitution of the Inspectorate of Government. I was hearing of this issue for the first time. I

would like to ask for time to analyse the issue so that I can be able to advice Parliament on this. Thank you.

THE DEPUTY SPEAKER: Okay. Next item!

MINISTERIAL STATEMENT

3.14

THE MINISTER OF STATE FOR LABOUR (Dr Emmanuel Otaala): Thank you very much, Madam Speaker and hon. Members. This is a statement in respect of the International Labour Day to be marked on 01 May 2009 *-(Interjection)-* we have delivered 400 copies to the Office of the Clerk and it is being availed to the Members.

MR ODONGA OTTO: Madam Speaker, with all due respect to hon. Dr Otaala and since Labour Day is a very important day for people like me, and in line with our Rules of Procedure, I would pray and seek procedural advice that we stay over his statement until we have the copies because our rules are very clear.

THE DEPUTY SPEAKER: But what is the import of the statement? Is it a policy or just information? This is just information.

DR OTAALA: Thank you, Madam Speaker, for your ruling. On the 1st of May every year, Uganda joins the rest of the world to commemorate the International Labour Day that has been set aside for the workers in the world.

This day dates back to the period between 1882 and 1884, when the Knights of labour from New York City in the USA propelled parades from sociologists who were at that time demanding for the recognition of Labour Day. The parades were violent and marked by loss of lives. Persistent labour unionists continued the agitation for improved working conditions to counter the bonding and poor working conditions that was being meted on the workers at that time.

In Uganda, the International Labour Day is gazetted as a public holiday and ceremonies are organised at national level as well as within local governments.

Hon. Members, this day is commemorated in recognition of the dignity of labour and the important contribution that labour makes to the socio-economic and political development of our country.

It is a day when government, employers, the workers and the unions, community groups, civil society organisations and the public reflect on the achievements and challenges of work and socio-economic development.

The importance of employment and labour are anchored in the national Constitution and espoused in the NRM Presidential Manifesto of 2006.

The NRM Government has been implementing economic reforms mainly at macro and central level aimed at achieving economic growth of at least 6.5 percent per year and placing emphasis on the private sector as the driver of economic growth and employment creation.

Madam Speaker and hon. Members, efforts to promote private investment under the Uganda Investment Authority have over the last decade created over 350,000 jobs. Government is also

implementing a comprehensive programme on Prosperity-of-All commonly known as *Bonna Bagaggawale* within the objective of raising standards of living and incomes of households to a minimum of Shs 20 million per year. However, the challenges of employment creation, particularly good quality and sustainable incomes still remain formidable.

This year, the theme for the Labour Day celebrations is, “Promoting local investment for increased employment creation”. The theme has been chosen to emphasise the importance of promoting local investments to fight the rampant unemployment. Over 7 million people in Uganda are still unemployed and are earning less than US \$1 per day. This poses a great challenge to our nation.

Hon. Members, the venue for this year’s national celebration is Soroti sports ground.

A synopsis on the day has been sent to all local governments to guide them on the commemoration of the day with activities reflecting the theme in their respective districts.

In order to prepare for the events to commemorate this day, the national organising committee has been constituted, chaired by my ministry. Soroti District has also constituted a district organising committee to oversee the preparations for that day within the district.

In this regard, all actors in various sectors, including the district political leadership, the media, the private sector, are expected to participate in the preparations to ensure that this year’s International Labour Day is memorable.

I, therefore, call upon you, the hon. Members, to show solidarity with the other workers of Uganda and join the rest to observe International Labour Day at Soroti sports ground, and also to support your constituencies to commemorate this important day.

Finally, the guest of honour at this occasion is expected to be His Excellency the President. I thank you. I say all this for God and my country.

THE DEPUTY SPEAKER: We are not supposed to debate this. I think let us just hear from the hosts. Yes; hon. Amuriat.

3.23

MR PATRICK AMURIAT (FDC, Kumi County, Kumi): Thank you very much, Madam Speaker and I wish to thank -

THE DEPUTY SPEAKER: Hon. Alaso is the host. Let us hear from hon. Alaso first.

3.23

MS ALICE ALASO (FDC, Woman Representative, Soroti): Thank you very much, Madam Speaker, I am honoured to be the host as you come to Soroti District and I want to thank the minister and government for choosing Soroti as the venue for this year’s celebration. So, to all of you, we say, you are most welcome to Soroti. You will enjoy a lot of fish; a lot of chicken; a lot of *Atapa*; we will make sure you are very comfortable when you come to Soroti. I am also being asked for *Ajono*. *Ajono* is the local brew and I know that it will be there anyway.

Madam Speaker, for us in Soroti it is such an honour indeed to host this function but I would like to point out a few things to the minister even as I tell all the workers of this country and indeed all of Soroti to turn up for this function.

For a long time we have asked government to provide for a minimum wage for working Ugandans and it is quite unpleasant to note that you still go to all these industries, where you say you have created 350,000 jobs, and you find Ugandans being seriously exploited; there are people who work for Shs 60,000 for a whole month and yet you work the whole day from 6 a.m. to probably 8 p.m.

I have a strong feeling that a lot of Ugandans are being exploited by these so-called investors and that applies to the security firms in this country where a bulk of our people earn only Shs 90,000 per month.

While we need investments, while we need these jobs, I think it is the duty of the Government of Uganda to protect Ugandans from being massively exploited and I would like to call on government to reconsider matters of the minimum wage for Ugandans if we are to benefit at all from the jobs that are being created.

Secondly, it is important that we reflect on the level of unemployment in this country. Most of our youth have become idle and sometimes even disorderly basically because they have no work to do. They have no jobs; there is no land for some of them and it has been very difficult for them to cope. So I pray that government considers some of these things: the creation jobs, the creation of a good working environment and the fixing of a minimum wage to help our people to feel worth it. There should be some bit of human dignity even as you work in these 350,000 jobs that are being created. Otherwise, welcome again to Soroti.

3.26

MR CHARLES EKEMU (FDC, Soroti Municipality, Soroti): Thank you very much. I am taking this opportunity to welcome all of you to Soroti where we are going to celebrate Labour Day. But of course, hon. Minister, I am already aware that Soroti is a suitable venue for this occasion. You are going to be welcomed by a drove of unemployed youth. They are going to be so many. So, you are really welcome and be prepared to be received. (*Laughter*)

3.27

MS BETI KAMYA (FDC, Lubaga Division North, Kampala): Thank you, Madam Speaker. I also wish to thank the minister for his statement and our hosts for giving us that welcome. We all look forward to being in Soroti on 01 May 2009.

I note this year's theme: "Promoting Local Investment". I would like to ask the minister what last year's theme was; what the theme the year before was and what the theme the year before was. That is because we come here every year and celebrate anniversaries, each year with a different theme, without reflecting on the theme of the past year. It would be a good thing if we came here and reflected on the theme of the previous year because that gives us an opportunity - I expect that themes are supposed to give us the drive or the direction of where we want to go that year.

I think we have a problem in this country, of jumping from year to year, celebrating and not looking back. I would like to know from the minister how far we went in driving last year's theme.

Secondly and lastly, traditionally in this country, we celebrate anniversaries, with a lot of fan fair, with match pasts and these days with party colours and harps and songs of patriotism. But in the 1960's - we have been told how long we have been celebrating Labour Day - but in the 60s - I am more interested in the days of Independence, when we were independent, 80 percent of our

population we are told was engaged in agriculture, and that sector was contributing 80 percent to GDP.

In the 1990s, 80 percent was still stuck in agriculture and that sector contributing 40 per cent to GDP. Last year, according to the Minister of Finance 80 percent of our population was still stuck in agriculture and that sector contributed 21 percent of GDP. What are we celebrating?

To me, this means that either unemployment has gone down by 60 percent since 1960, or productivity has gone down by 60 percent. What are we celebrating? What are we commemorating? How are we moving to promotion of local investment without looking back at the themes that led to this downfall in the productivity and therefore economic advancement – 80 percent of our population? What this means is that while 20 percent of our population at the rate of 8.9 percent, 80 percent of the population is actually going down. What are we celebrating? I thank you.

THE DEPUTY SPEAKER: Hon. Members, I did not expect the minister to be so lengthy in his explanation. I thought he was telling you about the date and the theme, but he went into areas, which are now causing a debate. Normally we do not really debate this kind of information. So, let me ask hon. Alisemera to ask a few questions, the Member for Youth, hon. Lumumba and then hon. Amuriat.

3.31

MS JANE ALISEMERA (NRM, Woman Representative, Bundibugyo): Thank you very much, Madam Speaker. Let me also thank the minister for giving us this statement. I would also like to be with the people of Soroti to say that really it is good for you to go and celebrate in Soroti and since some of these areas do not normally get such big celebrations or international days, it is also a gesture to the people of Soroti to have such visitors.

Hon. Minister as we celebrate the international Labour Day, the people of Bundibugyo are crying. They are crying for the loss of their dear ones, those who died during Ebola, the children of those health workers have dropped out of school. Imagine a doctor's child not going to school and yet we are talking of patriotism! Who is more patriotic in this country than Rose Bulimpitsya the matron of Bundibugyo hospital? And we are talking of giving money to start patriotic activities, yet these children are dropping out of school! Do you think the people of Bundibugyo will appreciate you? Will they appreciate patriotic lessons when many of their children are suffering?

Hon. Minister, the people of Bundibugyo on the Labour Day, in fact Mrs Kule wants to match here and come and bring her children in front of Parliament, to show you that she is really disgusted and not happy with what is going on. I have been going to Ministry of Health, they tell me to go to Public Service; you go to Public Service, they say, "Go to Ministry of Gender". Where are these children supposed to go; can we know, as we celebrate International Labour Day?

3.34

MR DENIS OBUA (NRM, Youth Representative, Northern): Thank you, Madam Speaker. I want to thank you and thank the minister for the statement. International Labour Day is a day on which as workers we should evaluate ourselves. It is a day that we as workers should celebrate the economic and social achievements. But I want to restrict my submission to the challenges that workers in Uganda are facing. No. 1 on the list is the challenge of enforcing labour laws that we have in this country.

Many have talked - even before I joined Parliament - about the question of the minimum wage for workers. I think we have reached a deadlock.

Challenge No. 2, we do not have as a country the national employment policy that should guide us on the question of employment for our young graduates. That is also a challenge.

No. 3, the unemployment rate is still very high in this country and amongst young people who are graduating from higher institutions of learning. This is something we need to handle. If it means the question of reducing the retirement age, Parliament must do it.

There is the backlog of labour related cases in the Industrial Court. I am aware there are over 300 pending cases in the Industrial Court. The Industrial Court at the moment does not have a presiding judge and we are celebrating the International Labour Day. What are we celebrating? I thank you.

3.40

MRS KASULE LUMUMBA (NRM, Woman Representative, Bugiri): Thank you very much, Madam Speaker. I have some few questions to the minister. One, he has made a statement, brief as it is to the nation but he knows very well that Members of Parliament are going out there to preside over as guests of honour but he has not given a statement - where do you expect these Members to get this statement from? Do you want them to have the same message? If it is the same, then where do you want them to access the information from?

Secondly, we are going to celebrate, he has talked of so many years of commemoration of the day. But as we talk now, do we have an employment policy in this country? He has talked of the theme being to boost local investment. He ought to have told us what government has done so far to boost local investment and what government is planning to do; because that should be the message we carry when we go down.

My colleague talked of retirement: the minister should have told us how the ministry has tried to simplify the issue of the retirement packages for the people and how is it accessible - issues of gratuity. These are the issues that are affecting the workers. So if it is so difficult for somebody even to access pension, what are we going to celebrate about, to make things difficult for those who are retiring?

We have the issue of - yesterday we had a demonstration which was flagged off by you. He has not talked of anything about the demands that the workers raised yesterday. Madam Speaker, we have issues of taxation in this country, the labourers are complaining, workers are complaining about over taxation. We recently passed the Local Service Tax, workers are complaining. What has that ministry done? The safety of workers is a big problem in this country. People lost lives the other day, what does the ministry say about it? We have the issue of the Industrial Court. How is government facilitating the Industrial Court? Thank you very much.

3.39

MR BRUNO PAJOBBO (NRM, Workers' Representative): Thank you, Madam Speaker. I understand that the minister said we are celebrating. We are not celebrating; we are mourning our people. That is the essence of the Labour Day celebrations. The workers really resisted the bad conditions of working during that period when the workers complained of working hours and went on strike. So many workers were killed and now we are mourning those people.

In Uganda, what do we celebrate? What do we celebrate really; economic gain? *(Laughter)* The issue is that in the 1960s, in other countries of our neighbour, on Labour Day they come and consolidate the workers by giving them a minimum wage announcement. For us what are we going to hear: political statements? Patriotism which we cannot practice because we are hungry? How can you talk about patriotism when people are hungry?

Therefore, the workers in this country really need to be looked at. People are proud that we are producing work for Ugandans. What type of work are you giving to Ugandans? How many Ugandans are employed in Uganda and how many industries really take Ugandans? Yesterday, I went to one place and found strong Swahili, which is not my Swahili. Where do we get those people and really if Uganda is to produce for Ugandans, how –*(Interruption)*

MRS TUUNDE: Thank you, Madam Speaker. I thank the minister for his statement but I would like to say that we as workers in Uganda we are not really celebrating, we are commemorating the lives of those brothers who died in Chicago in the 18th Century; they died because they were fighting for their rights.

In the actual sense yesterday the International Labour Organisation marked 90 years and Uganda being a member country of ILO has to ratify several conventions as far as workers' rights are concerned. It has also domesticated so many labour laws to fit in the decent work agenda but what we are seeing is the missing gap. There is a leak, much as we talk of decent work, in Uganda there is a lot missing.

When you look at the workers, there is a lot of sexual harassment; there is no employment policy; there is no minimum wage and there are a lot of things missing. When we talk of an employment policy and we are talking of the East African Community, all the other countries have employment policies but it is only Uganda, which does not have one in place. For the minimum wage, even other countries have minimum wage but for Uganda there is nothing. *(Laughter)*

THE DEPUTY SPEAKER: Is that the information?

MRS TUUNDE: That is the information I wanted to give, otherwise we are not celebrating.

MR PAJOBBO: Thank you my sister for that good information. I was also enumerating that in fact there is no cause for celebration or being happy as a working class in this country. Workers have been left behind and it is the employers and investors that should not be disturbed. If you ask for a minimum wage, you are disturbing them. If you ask for good conditions of service you are disturbing them. If you ask for working instruments, you are disturbing investors. So, investors take it all. Therefore, it is investors who are going to celebrate; we the workers are going to mourn –*(Interruption)*

DR BARYOMUNSI: Thank you very much, Madam Speaker. I just want to provide further information to the Member on the Floor and the entire House that actually the issue of payment of workers is a serious matter in this country. One of the professions, the health profession and I am sure the Minister of Health knows this issue, there is a severe complaint from doctors and other health workers – there is a petition, which has been brought to this House signed by the most senior doctors in this country and the complaint is that we are losing very many doctors and other health professionals to outside countries, including our neighbouring countries, because the pay is poor.

And, therefore, we should take the matter very seriously because there is a crisis within the health sector. When you talk to most health workers, there is a go-slow kind of strike because they are de-motivated and it is a matter which we must act on as Parliament and address it.

Thirdly in the coming budget there is no provision for enhancement of the salaries of doctors. I thank you very much.

THE DEPUTY SPEAKER: Hon. Pajobo, please wind up.

MR PAJOBBO: Thank you for this very important information. In fact one of the people who are badly hit are the doctors. In fact our people, the working class, it is time for government to look for a salary structure in this country. Today the salary structure *-(Member timed out)*

THE DEPUTY SPEAKER: Hon. Members, really this was not for debate. And we are going to debate the budget. You will have an opportunity to say all these things. Please, I have got four other statements.

3.46

MR PATRICK AMURIAT (FDC, Kumi County, Kumi): Thank you hon. Minister for the statement and we congratulate the workers of this country and workers internationally, upon commemorating the International Labour Day.

I have a few questions to ask the minister and also a form of clarification for the Rt Hon. Prime Minister. Scientists, year in year out, are moving out of this country. Other professionals are also doing the same. Hon. Baryomunsi has just cited a case here. We have an exodus of doctors from this country to the neighbouring countries, Rwanda to be specific.

I would like to ask Dr Otaala who is Minister of State for Labour why this is happening and secondly, what deliberate steps the Government of Uganda is taking to ensure that we are able to recover those professionals who have since left the country.

NGOs in this country play a very active role in the development of the country. In fact they fill up gaps where government's inadequacies are realised. As we commemorate the International Labour Day, we have got to appreciate the role of NGOs in creating employment for the citizens of this country. Unfortunately, there is an attempt by some government ministers to fight NGOs.

I have before me a letter that is written by a minister in government, to be specific, Hon. Musa Ecweru, who is the Minister of State for Relief and Disaster Preparedness; he wrote a letter to the Permanent Secretary to the Prime Minister's Office urging him to stop NUREP funding to a number of local NGOs in the Teso sub-region. The letter is here and I do not know whether it is necessary for me to read it but I will lay it on the Table after this. I am aware that the letter is copied to the Prime Minister himself, the Minister of State for Karamoja, the Minister of State for Northern Uganda and the Principal Private Secretary to the President urging the stopping of funding to those local NGOs in Teso and Karamoja and also citing that these people are anti-government and carrying out anti-government programmes in the region. I think this is not only serious but extremely annoying *-(Interruption)*

DR EPETAIT: Thank you, honourable colleague, for giving way. The information I have regarding the same letter is that NUREP has been supporting 16 NGOs some of which are local and others international, including Oxfam, IRC, AVSI and those NGOs in total employ over 30,000 people. As we speak now, in the Teso sub-region people are in total shock. In Amuria and

Katakwi districts, this afternoon they had a meeting where some people burst into tears. I am afraid that on that day – you are most welcome to Soroti – but there will be some bit of mourning because we cannot afford to lose NUREP funds for Teso and Karamoja regions.

The anti-government activities that the minister is alluding to are not even specific and that is a total let down for the very region, which is in dire need of this support.

MR AMURIAT: Thank you for the information. I am extremely disappointed by this letter, which makes a number of recommendations, in actual sense seven recommendations including the suspension of a one Stephen Kluge, who is the leader of the team managing this programme in Teso and Karamoja and the blocking of accounts of these NGOs.

I believe government should not operate this way. Certainly when the Opposition comes to power one day, it will not operate this way. I would like a response from the Prime Minister and I urge him to put sanctions on this particular minister who seems to have gone out of hand. I thank you. I wish to lay this letter on the Table. It is dated 24 April 2009, addressed to the PS of the Office of the Prime Minister Kampala and reference is: “Abuse of Government of Uganda/EU-NUREP funds.” I beg to lay it on the Table.

3.53

THE PRIME MINISTER (Prof. Apolo Nsibambi): Thank you. First of all, I would like to know how hon. Amuriat got hold of that letter because it was confidential.

MR AMURIAT: This letter was posted in my pigeonhole. I found it there this morning and I want to inform the Prime Minister that a copy of this letter is being circulated in Amuria as we speak now and it is no longer confidential. It is actually hanging on the notice board of the government offices in Amuria. You should not even be surprised that I have it.

PROF. NSIBAMBI: Well, whoever is circulating this letter is extremely wrong. But let me say that this morning I met the head of the European Delegation and we have discussed this matter. We are sorting it out and I do not intend to say much about it. I am aware that this letter has caused problems and I am trying to resolve them. I thank you.

3.55

THE MINISTER OF STATE FOR LABOUR (Dr Emmanuel Otaala): Thank you, Madam Speaker. I thank colleagues for their questions. I will be quite brief and at another opportune moment I will come here with a comprehensive statement regarding labour issues. But allow me to address the main issues that were raised.

Hon. Alaso talked about the minimum wage for Ugandans, exploitation of Ugandans and I would like to say that we are addressing these issues in the draft employment policy that we have. My ministry has now come up with a draft employment policy; we are enriching it with input from various stakeholders. And as you are aware, we are operating a liberalised economy in this country. Issues of minimum wage are a function of the economy. I would like the honourable members to recall those days when we used to line up for soap *–(Interjections)–* not allowed. Madam Speaker, as I said, I should be allowed to answer only the questions that have been raised.

When finally, we improve on this economy as we are doing *–(Interruption)*

MS ALASO: Thank you, Madam Speaker. Is the honourable minister in order to come to this Floor and make the same statement, reading word for word, like the one that was made to this

House by his immediate predecessor – hon. Obbo, when we asked him a similar question? Actually this was the same statement made last year by hon. Rukutuna. Do you have a script from which you, ministers of labour, read from? Is he in order?

THE DEPUTY SPEAKER: Hon. Members, I think that is consistency. *(Laughter)*

DR OTAALA: Thank you, Madam Speaker, for your wise ruling. But as I was saying, we are now somewhere; we have attained minimum recovery and now on the take off. I can assure you that with the improvement in our economy, the workers will get better pay.

The question that I would like to address is in regard to what our host, the MP for Soroti Municipality, asked. I would like to assure you the issue of youth unemployment is at the centre of the concerns that my ministry is addressing currently. For example, just two weeks ago, I was in Soroti meeting the youth on how to improve on the informal sector as an avenue of providing more employment opportunities. This is also one of the issues contained in our draft policy. I am hopeful that when the policy is completed, I will be able to share that information with you.

Hon. Beti Kamywa wanted to know how we are creating employment opportunities. She also wanted to know what the theme for last year's celebrations was. I would like to inform the House that the theme for last year's celebrations was: "Employment creation for Prosperity-for-All." I would like to add that we have gone a long way in implementing this policy. I am saying this because as you know, government is currently implementing the Prosperity-for-All policy.

I would like to say that I appreciate what each one of you has been doing in your respective constituencies in terms of focusing on agricultural production and commercial agriculture as ways of creating employment for our people.

Hon. Alisemera asked something about the Ebola victims. I would like to say that, yes, it is the Ministry of Gender, Labour and Social Development that is responsible for compensating the families of the victims of the Ebola scourge. And I would like to say that we are currently in the process; we have for example received submissions from the Ministry of Health and the Ministry of Public Service towards the compensation of the families of the Ebola victims. I am hopeful that soon they will receive their packages.

I can recall that hon. Obua talked about the many challenges but I would like to inform him that we are addressing those challenges using our employment policy.

He also asked a question on when we will be operationalising the industrial court. But I would like to say that my ministry has written to the Chief Justice of Uganda, as an interim measure, to provide us a judge in order for us to tackle the 300 cases or so, which we now have as backlog.

However, as a long-term measure, we are addressing what has caused the delay. And I can report that there was a problem regarding the name that was to be given to the presiding judge. Although the previous law provided for the position of the President of the Industrial Court, the new law provides for the Chief Judge of the Industrial Court. This caused a misunderstanding among ministries, forcing the Ministry of Public Service to write to us. Anyway, we have now rectified that; we think that soon we should be able to have the Industrial Court in place.

There was a question from hon. Lumumba Justine on what the common message for this day is. I would like to say that we have sent out a common message to all the districts of Uganda. As I did say, a synopsis was forwarded to all the districts; we expect all of them to focus on that synopsis

as the common message with the common theme in order to address and commemorate the Labour Day this year. Madam Speaker, it is difficult for me to begin reading the synopsis; it is a whole detail. But since I have already given you the theme for this year's celebrations, allow me move to the issue of safety of workers.

I would like to say that we have put in place, various labour laws the Occupational and Health Act, No. 06 of 2006, the Union Act and so forth. All these laws are meant to protect the workers. For example, the Union Act particularly helps workers to create unions at all places of work. It also addresses the issue of collective bargaining for commensurate pay for the workers. What we are doing now is to discuss the issues of welfare for the workers.

I would like to inform hon. Pajobo that although I did say that we are going to commemorate this day, I would like to add that we have to celebrate because there are achievements, which we have got. As we commemorate this day, I would like to inform the House that we have made various strides that warrant celebrating.

Hon. Tuunde raised a question, but I would like to inform you and the House that indeed it is true that the International Labour Organisation marked its 90th Anniversary yesterday. However, I would like to inform the House that since 1963 when Uganda joined the ILO we have ratified 31 conventions and domesticated many including the six labour laws that were passed here in 2006 and some in 2004. So you can see that we have something to celebrate.

Finally, let me respond to what hon. Amuriat asked about the reason scientists are leaving the country. I would like to say that I have already stated that as a country, our policy on liberalisation includes the liberalisation of labour. One of the issues that the sociologists agitated for was bonding workers.

As per our policy we cannot bond Ugandan workers; they are free to go out of the country and source for better employment opportunities. In fact one of the Statutory Instrument is that on the externalisation of labour, which is fetching this country US \$6.2 million every month, over and above any other foreign currency earner. Madam Speaker, I thank you.

THE DEPUTY SPEAKER: Hon. Minister, we are aware that we made those laws but I think what the Parliament expects to hear is the real measure for implementation and the funding to implement those laws. I think that is what is missing. So we hope to hear that in the budget.

Now I will ask Members to follow up the other issues in the general debate on the State of the Nation Address, and the Budget. So let us move on to the electricity now.

4.06

DR FRANCIS EPETAIT (FDC, Ngora County, Kumi): Madam Speaker, I have got a note which I have failed to understand and I am wondering whether it is intended to intimidate me. I am being asked why I am dancing in the forest when the lion is on a hunting spree somewhere. I just do not understand this kind of note. It is from my colleague hon. Akol Rose. So I am wondering what this kind of statement would mean. *(Laughter)*

THE DEPUTY SPEAKER: Hon. Members, you know we have poets in this House. I think she was just writing a poem. Proceed with the next item.

4.07

THE MINISTER FOR ENERGY AND MINERAL DEVELOPMENT (Mr Hillary Onek):

Thank you, Madam Speaker. This is a statement to Parliament on the power supply to Arua and Nebbi Districts.

Madam Speaker, and hon. Members, I wish to take this opportunity to appraise you on the steps which government has taken to address the current electricity supply problems in the West Nile region, particularly Arua and Nebbi.

As background information, I wish to inform the House that electricity in Arua and Nebbi Districts is supplied by a private company, M/S West Nile Rural Electrification Company, WENRECO. It will be recalled that government took a policy decision to involve the private sector in the power generation and distribution business and the 1999 Electricity Act was passed by this House to operationalise that government policy.

Consequently, WENRECO was awarded a concession to generate and supply power to that region. In order to buy down the tariff and make electricity relatively affordable to the consumers, government granted a subsidy to the concessionaire, WENRECO, to the tune of US \$8.25 million towards the construction of Nyagak small hydropower plant.

Government put US \$6 million towards the heavy fuel plant which is the current generator and which has been supplying the region, US \$600,000; and the distribution network, that is the electricity distribution lines to the region, US \$1.65 million.

WENRECO is supposed to invest the US \$6.6 million that government provided for the Nyagak Power Plant as follows:

US \$3 million was given as equity by government to the company, and US \$3.6 million was taken by the company as a loan but with government guarantee.

WENRECO took over the concession and started effective commercial operation of the heavy fuel oil power plant in 2005. There was steady supply until late last year when services started to go down. In the course of last month, WENRECO stopped supplying power altogether without informing government.

On the part of Nyagak small hydropower plant, the plan had made progress especially on the part of the equipment, that is, the turbines, generators, transformers and control gear, which were delivered on site. However, the civil works sub-contractor performed poorly and could not finish the works on schedule at the end of 2008 as earlier planned.

Let me clarify something. This sub-contractor was hired by WENRECO and not government. While we agree that there are certain conditions which have prevailed in the market like the high oil prices, escalation in prices of steel and cement that have made it difficult for WENRECO to perform and leading to heavy operational losses and increased capital expenditure on the investment side, WENRECO has also contributed significantly to the non-performance of the concession through the engagement of a poor civil works contractor. And also, in the manner in which they operate, if the Nyagak Power Plant had been completed, the shut down of the heavy fuel power plant which was due for overhaul may not have arisen.

Under the circumstances, government has met with WENRECO and put in place a course of action for restoration of power supply and strict conditionalities for the latter to perform as follows:

- WENRECO has to engage a new and competent civil works contractor to finish the remaining works of Nyagak within six months.
- Government will provide funds to purchase fuel to operate the heavy fuel oil power plant in Arua immediately and overhaul the power plant. This statement was supposed to have been made last week, so we have already procured the fuel.
- An escrow account will be opened by WENRECO and the Rural Electrification Agency, which is the government arm, in order to manage and administer all revenues collected from the power consumers. In other words, government is now going to get directly involved in the management of that power plant, which was private in order to guarantee power supply to West Nile.
- The Auditor-General has been detailed to carry out an audit of WENRECO in order for government to ring fence all liabilities which the company has accumulated so that the subsidies dispersed are not used to settle any previous liabilities. We are going to safeguard whatever support we are going to give.

With the above measures, Madam Speaker and hon. Members, I wish to assure this august House that government will no doubt address the power supply of the West Nile region and other regions in a sustainable manner.

My ministry will continue to give information concerning our operations to this House on a regular basis so that we are together all the way.

Currently, we are reviewing the role of government particularly with respect to private power generators. We want to review this because these private power generators are business people.

In the Act that you passed, there was no provision, which could enable government to control this private sector generation of power. We are reviewing this and I will bring a report to the House so that we have a say in controlling this.

We have to control the private sector that is generating power because they supply this power to the electricity grid that the people of Uganda consume. They supply to government so that power is finally delivered to the consumers. However, most often, the private sector has a tendency to hiking costs of production and this is one of the things that, in my view, government has to control and these are measures that we are going to take.

Next week, I will bring to this House a detailed programme of rural electrification for the whole country. I want all Members of Parliament to look at it and make contributions regarding the areas in their districts or constituencies that may need attention so that we update our programme to address the needs of rural electrification for the entire country. Those are the additional statements that I thought would accompany this statement. Thank you very much, Madam Speaker.

THE DEPUTY SPEAKER: This issue was raised by hon. Angufiru and hon. Arumadri. Hon. Arumadri -

4.16

MR JOHN ARUMADRI (FDC, Madi-Okolo County, Arua): Thank you, Madam Speaker. To those of us in the West Nile region, this is a matter of life and death and for that reason; I do not intend to mince my words. We find the minister's statement very unconvincing. This is the usual lullaby sung by government to send the people of West Nile to sleep. I want to repeat here, for the third time, that our eyes are open and we have no intention of sleeping.

About a week ago, government brought two requests to this House for loans to enhance electricity in areas, which already have power. A second request was to connect this country to our neighbours. We were wondering why in the 21st Century, a whole region of the country comprising of seven districts of Nebbi, Arua, Maracha-Terego, Koboko, Yumbe, Moyo and West Nile is in darkness.

In 2002-2003 a study was conducted by a South African company, which stated that the most sustainable way of extending electricity to the West Nile region is to connect it to the national grid from Kamdini. If we did that, along the way we would be dropping power in the areas of Agung in Amuru, Oluyo, Purongo and a branch to the East to serve Anaka, continue through Pabbo to the district headquarters of Amuru and end up in Adjumani.

That is what we want as part of this country. When there is general darkness, let the whole country feel it. When there is power, we must have a piece of that small power. That is what is meant by equity and that is the spirit of the Constitution; that all areas of this country must be served equally.

We don't want to feel that we are a part of DRC as we pay taxes to this Government. This study was not implemented because of the Kony factor; that we could not run a high tension line across Murchison Falls National Park to the West Nile area because of Kony.

We are told very abundantly that Kony is no more. The cost of providing fuel to run a thermal generator in the short and long run is very expensive. We must use this money to connect the West Nile region to the national grid. This is our cry. We are not listening to this lullaby.

Madam Speaker, as I finish, let me mention our leaders. When His Excellency the President goes to our region, instead of telling the father of the nation that, "Here is where the shoe is pinching us, we don't have this and that", instead they have become party recruiters. They say, "You see your Excellency we are trying to work. 6,500 people have crossed from FDC to the Movement - my check!" What is this? You are elected to serve your people and you are now sweet talking His Excellency. When he is there you provide power for 24 hours and he thinks you have almost arrived *-(Interruption)*

MR OKELLO-OKELLO: Thank you, Madam Speaker. I thank the honourable member on the Floor for giving way. The information I want to give is that during the campaigns of 2006, people complained about the lack of tarmac roads to presidential candidate Yoweri Museveni who was addressing a rally in Adjumani. He told the crowds, "We are tarmacking the road to Arua; it is very near, you can smell it from here." Maybe they are also asking the people who are in darkness to smell electricity.

MR ARUMADRI: Madam Speaker, I want to finish. In my culture, we say that when you are the one dividing meat, you cannot fail to go home with a piece. We have sons of the soil at the table where meat is being divided; we have a son in the Ministry of Finance; we have another son who is directly in charge of energy *-(Applause)*— we have another cousin from Lamwo who is the Senior Minister in Energy but these sons have failed to come home with our piece of meat. We want to put them on notice. *(Laughter)* If they do not deliver, this small cake to us, they should not cross Karuma. *(Laughter)* Thank you.

MS CHRISTINE BAKO (FDC, Woman Representative, Arua): Thank you so much, Madam Speaker. When hon. John Arumadri talks with that passion, you can expect what can come out of me.

But I want to begin by just giving you a little bit of a background to this problem. The last presidential visit to the West Nile Region was for four days and there was power in the region for 24 hours for the four days and immediately the presidential jet left the region there has been a supply of darkness ever since.

As John Arumadri said, "This is a matter of life and death." I first want to register my disappointment in the way our regional referral hospital is suffering because of lack of power. Today as I talk, gynaecologists in the labour ward are feeling the heads of children using candles. Now imagine in a state - if I went into labour today in Arua Hospital, my minister would have to use a candle to check whether my baby is in the right position. And this is the extent to which this is a problem.

Our medical supplies that require power for preservation are threatened. We cannot be sure whether our vaccines are in the right state or not. Today the Minister of Labour has come out to talk about celebrating Labour Day and yet the absence of power has caused unprecedented unemployment in the region.

As I talk now, I have more than 6,000 unemployed in Arua town. If you came to Arua town today, the number of bicycles and unemployed youth walking in the streets because they cannot any longer be employed in their metal works, in fabrication, photocopying and all those activities that require power, is so disturbing.

And as hon. John Arumadri has rightly put it, our three ministers, should you not deliver what is happening, please attempt not to go there. What about school performance problems? These are all power related problems and they have never been taken seriously.

Madam Speaker, to show you the fact that the Minister seems to be joking, I went to West Nile Rural Electricity Company (WENRECO) offices and talked to the manager in Arua, he told me he could not break even although government was heavily subsidizing the heavy fuels. Now what was that in short, that this was a company not capable of running first of all the thermal plant let alone having the capacity to do the hydro plant in Nyagak?

He was advised by the site engineer that, "Please, sub-contract another person or another firm for civil works", but that has never been done until now. The one that was done is substandard so whose word do we take for what, Mr Minister?

The civil works problem started long ago. They gave us six deadlines as to when they would deliver power to the region. All those deadlines passed but there is no power.

As I talk now, all the mechanical and electrical works could go in place but there is no civil works. And as we talk *-(Interjection)-* it may be there but I can assure you that the *iso-cost* of that investment are not tandem with the *iso-quant*, if you remember your economics.

Madam Speaker, they are talking about the overhauling which is the problem. They knew very well that over a period of time this whole plant would need an overhaul. What is happening? They have deliberately done nothing about it and they say that the current state is because of the overhauling. That is not true. The minister needs a thorough explanation.

We are talking about government being ready to supply heavy fuel to run that thermal plant for US \$80,000 per a month; this is extremely expensive. And if you do this over a period of six months – 8 times 6 plus the number of zeros, you get the amount you need. If you invest all that money in the civil works, we would get power in less than six months from Nyagak. So, hon. Minister when you are in Cabinet passing US \$80,000 per a month in heavy fuels, why don't you convert that in three months and give us clean electricity?

You are talking about seeking the audit. For the last three months you have been telling us that the Solicitor-General, the Auditor-General, we have to do a comprehensive audit and isolate the liabilities from the assets so that government takes over. First of all when you crafted this agreement, you did clumsy work. Some of these things are not transferable by the power of this agreement. Now tell me, apart from proceeding to the courts of law immediately, how do we intend to do this if you check that agreement? Because some of the assets and in fact the concessions are not transferable at all. One of which is the Olewo Mini Hydro-Power Plant that is not transferable in the short run. How do you expect to run like that?

MR TOSKIN: Madam Speaker, is it in order for the honourable member to really address the minister so closely and forgetting to address him through the Speaker? Is she in order?

THE DEPUTY SPEAKER: Hon. Member, you address the minister through me and please, conclude. I know you don't like the darkness but please, conclude.

MS BAKO: You know the President talks of detractors but thank you for your ruling, I will take it that way that there are some detractors but I do not know how much electricity is in his constituency.

Anyway, I want to ask the minister to tell me how much over the period of time has been the actual investment of WENRECO into power production, supply and distribution in the region? Because as far as I know, it has been government doing these things a, b, c, and d many times. How much is the actual investment because there has been minimal extension of the power lines to domestic users? And the lines we are using were laid during the time the elections were approaching around the end of 2005. So, how much is the actual investment?

There is basically minimum lighting in Arua town as a result of people procuring their own generators and that is environmentally dangerous to us because everywhere you go there is noise in Arua and even now, if you took the President, you need US \$80,000 to supply power for four consecutive days. Meanwhile, if I were to walk into the labour ward, there would be absolute darkness. Hon. Minister, are you delivering this power to West Nile as soon as immediately? Madam Speaker, there should be no joking.

THE DEPUTY SPEAKER: Hon. Members, you will have an opportunity during the budget. Please be brief.

MS BAKO: Thank you very much, Madam Speaker. In paragraph 6 the minister said that there are some conditions, which have prevailed in the market like the oil prices, escalation in prices of steel and cement. I would like to know whether these high prices are related to the current world financial crisis we are facing. If it is so, what is the government doing to mitigate further pressures from this?

Secondly, the minister has promised that at a later date he will give us details of how the rest of the regions are going to get power. But if you can briefly tell us when Karamoja region is also going to get this awaited power to be connected from Soroti - and colleagues you do remember that this promise was given some 15 years ago. Will these sleeping Karimojong, if they are at all sleeping, wait for another 15 years to receive this power?

4.35

DR FRANCIS EPETAIT (FDC, Ngora County, Kumi): Madam Speaker, in paragraph 3 of page 1 we are told the concession for construction of Nyagak small hydro power plant was US \$6 million and then in paragraph 6 the minister laments how WENRECO has contributed significantly to the non-performance of the concession through engagement of the poor civil works of the contractor.

But in paragraph 7, government met with WENRECO and it is like it is just being pampered that, “WENRECO, now that you engaged a poor civil sub-contractor, you can go ahead and engage a competent one, to finish the remaining works”. That gives me the impression that the poor work so far done by the first contractor has to stay on.

I would like to find out from the honourable minister what sanctions have been given to WENRECO for that anomaly of poor civil works; now they are going to engage a new contractor to complete the remaining works. What happens to the poor ones that have already been done and how much was spent on the poor ones? That is all I want to find out.

4.37

MR FELIX OKOT OGONG (NRM, Dokolo County, Lira): Madam Speaker, I think this matter we are addressing stems from a problem of policy. And if we are to address this problem then we must do that. The problem we have is that government decided to privatise the supply and distribution of utilities to private companies and that is why we have this problem.

Look at WENRECO, which was concessioned to generate and supply power. US \$8.25 million was given to that company, US \$6 million was still given to this company and this company only came with US \$3 million. And yet government has already spent a lot of money giving them the concession. So now the problem lies with government. We are not serious; we have just handed our utilities to private people who cannot deliver. Look at Umeme, the distribution and supply of power in Uganda is the worst.

Last time I described to you the power in Lira that is epileptic. Every time it is on and off. Even thunder alone will take away power. *(Laughter)* Even a heavy vehicle moving on the streets of Lira will actually switch off power. This is all because we have companies that do not deliver. And as government we are just seated here and just lamenting and therefore the minister made it clear - and I want to thank him - that the problem stems from our policy and in his regime he is going to review.

And I want to agree with him that reviewing it is him, but when you go to Cabinet, there is collective responsibility and what if government refuses to review that policy, what are you going to do? Because as a minister you have given us your position [MR BYANYIMA: “You are talking from experience”.] No, no. I am not. Therefore, I want to appeal to my government, I want to appeal to Members of Parliament that this is the time that we need to review our bad policies. Let us bring back delivery and distribution of public utilities to government. Let us give it to government because Umeme has failed, this Nyagak has failed, everybody has failed. It is now Government.

Even in America, they are now actually taking back companies; they are now being owned by government because private companies have already failed. Therefore, Mr Minister, I want you as soon as possible to deliver that Cabinet paper, bring it here and we review our policy.

4.39

MS HUDA OLERU (Independent, Woman Representative, Yumbe): Thank you, Madam Speaker. I have some few concerns on this report. One on page 3 of the statement the minister says they are going to have a better company, which is going to complete that work within six months. I would like to know starting from when? Because all along in West Nile we have been given duration: “Within one month you will get power; within three months you will get power”. So this time, I want to know, six months, starting from which month and ending in which month? We need to be specific.

Otherwise, this programme is making us liars as leaders of that region. What I want to tell this House today is that the people of West Nile do not want liars. (*Laughter*) If you know that you cannot do it, do not tell them, or else tell them, “We are not doing it at this time.” At least they will be convinced. Otherwise, if you say, “We shall do it this time” and you fail, the third time they become so wild and with the way they will do things, you will not believe that they are human beings. We need to tell them the right thing and when it should be done.

I want to ask one question: why was WENRECO chosen as the company for energy in West Nile? Was it because it was the only viable company to do the project in West Nile? Although the minister had promised that next week he will bring a better report where the MPs will forward their complaints, I want the minister to explain briefly the plan he has to connect Arua, Terego, Maracha, Yumbe, Moyo and maybe Adjumani. In the failed plan, there was nothing like Maracha, Terego, Yumbe, or Moyo. We are being isolated –(*Interjection*)- Koboko is already in the plan, even for tamarcking. I am now talking about the districts, which have not surfaced in any plan of this government.

4.43

CAPT. (RTD) GUMA GUMISIRIZA (NRM, Ibanda County North, Ibanda): Thank you, Madam Speaker. Privatisation was and is still a good policy for government to divest its interests from certain aspects of business activities. However, it was very unfortunate that the privatisation exercise ended up being a profiteering exercise. As hon. Okot said, there are certain fundamental aspects of a country and an economy that must remain under the leader of the household. Privatising utilities like electricity, water, railways is a fundamental policy flaw. We made our views very clear in 1996 to 1999 when this policy was put in place. We said, “Fine, privatise Coffee Marketing Board but there are certain aspects that must remain with the owner in order for him to be in charge”. Certain aspects of an economy must be administered for purposes of welfare and not profit making or commercial purposes, like power.

When people are saying, “Do not carry out deforestation”, what do you want the people to do? They have to cut the forest in order to survive; they need energy. Hon. Hilary Onok does not have the money –(*Interjections*)– well ,I am saying that he is tied by the policy which is in place. Government must provide power to the nationals. This business of hiding under –(*Interjections*)– government must provide power and water to Ugandans. The railway has failed. Some of the ministers who have been in charge of the privatisation sector – like this sister of mine from Kapchorwa who is away – know that the majority of private companies are a hoax like RVR and Umeme.

Are you aware that in the agreement which government signed with Umeme, Umeme was supposed to inject something like US \$80 million into the infrastructure to revamp it so that there is reduction of power loss? These people are instead using the rotten infrastructure, which they inherited and they are externalising money! In which part of the country has Umeme carried out revamping of the infrastructure which they inherited?

Aya, Phoenix Logistics, Kingdom Kampala - why do you bring fake companies? Why can't we contract private formidable companies that can come here with money? Incidentally, hon. Onek, how much of the US \$8.25 million has government already released and how much of the US \$6.6 million - the equity - has WENRECO injected in? We want to know the exact figures, hon. Onek. You are a mathematician and an engineer, give us statistics. We want to look at them.

You are saying WENRECO stopped supplying power altogether; why? What problems did they have after all these subsidies by government? They have abrogated the contract or something. Who are the shareholders in WENRECO?

Hon. Hilary Onek has said he wants to give a comprehensive picture of power in the whole country – that is extremely beautiful. I wanted to ask that but you read our minds. That is fine. By the way, give us a timeframe on that one. When are you bringing this comprehensive national power structure plan? Also, you tell us how much money of the US \$8.25 has been paid to WENRECO. Tell us how much of the US \$6.6 equity this company has spent and who the shareholders are, so that we can debate from an informed position. Thank you.

MR OKUMU: Madam Speaker, I am seeking a very small clarification from the minister. First of all, I would like to congratulate him for assuming that office. When hon. Hilary Onek was the Managing Director of National Water and Sewerage Corporation, he wrote a letter to us while I was in the Sixth Parliament, and I remember I laid that letter on the Table. In that letter he said that he was against the construction of the second power dam at Kiira Power Station. As many will agree with me, that construction failed to be sustained; it collapsed. I am actually happy that hon. Hilary Onek is in the right chair today and I encourage him to remain bold.

After the privatisation process, three parastatals were created: the Uganda Electricity Distribution Company Limited, Uganda Electricity Generation Company Limited and Uganda Electricity Transmission Company Limited. With all these companies in place, how come these things took place? I thought they have the role and responsibility to oversee and monitor, and make sure private investors deliver at each and every stage!

Lastly, on page 3 you said that the Auditor-General has been detailed. I would like to know whether government has a share in this. I am asking this because the laws are very clear – the Auditor-General is not allowed to audit private firms. With the old Audit Act, the Auditor-General used to only audit firms in which government had majority shares. With the new Audit Act of 2008, the Auditor-General can even audit firms where government has only a few shares, even if it just one percent. I would like to understand this because on the front page you say that this is purely a private company. How many shares are owned by government in this company because – (*Interruption*)

MR KATUNTU: Just some clarification on the same point. May I also take the opportunity to know who actually owns the company, West Nile Rural Electrification Company? Who are the shareholders and the directors?

THE DEPUTY SPEAKER: Please, conclude.

MR OKUMU: Madam Speaker, basically that is what I had to raise. I can conclude by asking whether the minister knows that the Auditor-General, in doing his duties, reports to Parliament and that such reports, whether asked for by government or not, must be brought to Parliament? It will be up to the Members of Parliament to decide which reports to look at. I thank you.

4.52

THE LEADER OF THE OPPOSITION (Prof. Morris Ogenga-Latigo): Thank you very much. I had not wanted to contribute to this item at this stage, but as the Minister of Energy was doing his presentation - and I thank him for the statement - he said with a lot of emphasis that the law did not provide for the regulation of those in the energy sector. He also talked about the law "which you passed". Does he know that we have the Electricity Regulatory Authority, which we were told would be in charge of regulating all that happens in that sector? So, what happened to them in respect of the West Nile Rural Electrification Company and all those who are cheating this country? Did we put our faith wrongly in the Electricity Regulatory Authority? I am asking this because that was my understanding.

Let me also give information to this country; in 1996 when hon. Richard Kaijuka was the Minister of Energy, a Spanish company came and based on their target they offered to government to do, on a turn-key basis, the extension of electricity from Gulu to Adjumani, Moyo, Yumbe, Koboko, Arua, Nebbi and Packwach. Hon. Richard Kaijuka wrote to the Ministry of Finance requesting them - I am saying this because I have got copies of all those documents - to authorise but that ministry rejected that offer. Not long after, the same Ministry of Finance asked for Spanish funding to build hospitals. That ministry used that funding to build hospitals in Kisoro, Kaboong and a large unit in Adjumani, which had a fairly good health centre.

At that stage - I am also perusing through the power line, which eventually was constructed after we got funding from Sida - I kind of gave up on the way things happen in our government. So, when I see the anger from hon. John Arumadri and compare it with the beautiful words from the minister, I get reminded of what happened that time. That is why I thought I should put it across for the information of the Members of this House. I thank you.

4.55

THE MINISTER OF ENERGY AND MINERAL DEVELOPMENT (Mr Hilary Onek): Thank you very much, Madam Speaker. I also would like to thank my colleagues, hon. Members, for their contributions to this paper.

First of all, I would like to assure my cousin, hon. Arumadri, that I will still cross the River Nile at Karuma because I am sure he did not mean what he said. I also would like to assure him that in my life and career, I have never lied to anybody. I normally do not lie when I am talking about serious issues. So when I tell you that we are going to work on this West Nile thing and get a sustainable solution backed with engineering support, I know it will be worked on because I am following it up diligently. Even if it delays a bit, I will make sure West Nile does not go through this same problem again. Please, be assured.

On the government loan that was asked for and which is before you, I would like to say that it is not for non-existent areas. It is actually meant to strengthen the existing network. You will appreciate this situation when I bring you the comprehensive report on how to strengthen our systems. I can promise that I will listen to your advice because matters of development do not have anything to do with politics; they touch all of us together. I would like to ask you to be with us in handling this; there should be no politics in it.

On connection of power from Kamdini as an option, I can say that we are also looking at it.

There was a question on the use of money for fuel in West Nile. I would like to say that this being an emergency we are looking forward to having some form of power restored while we design means of addressing the bigger issues.

My brother, hon. Okello-Okello said that when those of Adjumani and Moyo asked for tarmac, they were told that the tarmac was just nearby and that they could even smell it. I would like to say that indeed the smell is getting closer. As government, we are scheduled to tarmac the road from Gulu to Pabo and the one from Atiak to Nimule. We will later on join the one to Adjumani. That is in the programme. At least as a member of government, I have seen it. Along with that, I would like to say that our engineers are already surveying the power line from Gulu to Adjumani. I know that we are going to construct that line within the nearest future.

I would like to say that it is true that when the President visited West Nile, the businessmen there deceived him that they were managing the system. They turned the power on briefly while he was still there but when he left, they turned it off. This is a problem because we do not have government presence on their board to control them from within the quarters. This is important because they are always making errors. I know that the Electricity Regulatory Authority is there, but it is at a distance and only works on the post mortem reports that they give. That is why I am saying that we need government presence in that thing. I have had 16 years of managing utilities and I know how they can be manipulated. Anyway, this is a policy position that we are going to work on. I would like to promise that once it is ready, we shall bring it before you in this House.

I would like to assure my sister that before her next delivery, there will be power in Arua.
(Laughter)

Let me say something about the inability of West Nile Rural Electrification Company. I would like to assure Members that that is already cleared. We have asked the Auditor-General to audit them because government has injected money into it and as you know, such money has to be followed up by that office. I would like to add that government does not have any shares in this company. The company is owned by the Aga Khan Group of Companies.

Madam Speaker, there was a question on how much has been invested in this project. I would like to respond by referring members to my report because in it, I have already mentioned how much money has been committed to this project.

On the escalation of prices, I would like to say that at least as of now, fuel prices have come down. So, West Nile Rural Electrification Company has no reason, but we are now going to start supplying them with fuel because that is within the contract. They had asked for cash but we have objected to that. I would like to inform you that the regulatory authority has already given them a 45 days' notice. They are now left with only 25 days with effect from today to justify why their contract cannot be cancelled. If they do not come out clearly, we will be forced to terminate the agreement in relation to that project.

My brother from Karamoja talked about the issue of extending power to that area. I would like to say that from the time I got to my office, we have been working on extending the programme for power extension from Mbale to Nakapiripirit and Moroto itself. We also hope to extend it to Katekekile where Tororo Cement Industry has started a stone quarry because we want the Karimojong to also benefit from those job opportunities. We are also taking power to that place

so that Tororo Cement Industry can start grinding the stones from there. It is hoped that this will see many Karimojong get jobs.

We are also working on the programme to extend power to Katakwi and Toroma. That is an immediate programme. We will also extend power to Corner Kilak, Pader, Lira Paluo and Patong, Kalongo, Adilang and Abim in the Karamoja region. When we get to those places, our next step will be to extend it to Kotido. Those are our possible programmes on table. Let me add that we are also planning to extend power to Namukora from Kitgum and Orom, which will eventually see it being extended to Karamoja particularly in Kaboong areas.

MR ODONGA OTTO: I would like to say that the power extension from Kilak to Pader and Abim has already started. I would like to inform the House that Pader town will receive power by October this year. *(Laughter)*

MR ISHAA OTTO: Thank you, Madam Speaker. When the honourable minister was enumerating the areas for the immediate programme for the extension of power lines, I did not hear him talk about Ayer and Kamdini. He did not mention those places yet in many of the government communication documents that I received while his predecessor was in office, there was an indication that this year your ministry would start working on those power lines. So, can you give me the assurance now?

THE DEPUTY SPEAKER: Hon. Minister, try to wind up, please.

MR ONEK: Thank you. Well, when I bring my next report, you will see that all those areas are being covered. It is we who know which area is funded by the World Bank, ADB and so on. They are all in there. I know that things have been a bit slow, but I can assure you I am going to push hard to see that by 2011 all those areas are covered with power.

Hon. Epetai asked if this year the West Nile Rural Electrification Company failed the concession, why again should we give them support? I would like to say that the point is that we are trying to rush to save the people of West Nile. That is why we are giving that company support. Otherwise, they are on notice and have only 25 days for us to terminate that contract if they do not satisfy us as to why they have not utilised the resources properly.

I would like to concur with the observations as made by hon. Guma and hon. Okot Ogong. I think the policy needs to be revised. I have already told you that soon I will bring the 1999 Electricity Act here for review so that we can include a clause that gives government mandate to control any power generation by a private company. If it is private company, maybe 51 percent of the shares should be for government and 49 percent for the private company so that we have control and they do not hike the tariff. Currently, all these new power generation companies are putting the price so high and these prices will eventually be offloaded to the customers in tariffs. That is why our electricity tariff is high.

Those are the things I have observed and we are working on them. I want you to just have faith and give us time. We are going to address those problems.

Concerning Umeme, definitely Umeme has its failures but those are now internal. I am going to handle them and see how we can make corrections where things are wrong.

Hon. Auru talked about the six months. We have given these people six months, starting last week when we met with them, to resume and finish the dam. If they fail, they are on notice on other accountabilities. If they fail on that altogether then we shall remove them.

Why was WENRECO chosen? WENRECO actually did bid to take that site and being an Aga Khan supported company, we expected them to have enough resources and capacity because they are the same team that is working on Bujagali. Government did not doubt their capacity but anyway, business people are business people.

Concerning the power to Adjumani, we are surveying. The line we shall take will be nearer Yumbe. I believe it reaches Adjumani and Moyo and is easy to extend towards Arua so that we cover those towns.

Privatisation of utilities will definitely be revised.

Shareholders of WENRECO: I have already mentioned that these are the Aga Khan Group.

Auditor-General: government put money there and so they are supposed to audit it.

Briefly, that is the little that I can say about the power in West Nile. I want to assure my cousins from West Nile that we shall struggle to get power back but when it is back, this time we do not want to see it collapsing again. Never! We do not want to see it collapsing. Thank you very much. *(Applause)*

THE DEPUTY SPEAKER: Hon. Members, I had indicated that in the public gallery we have two delegations from out of Kampala. We have hon. George William Cheborion from the Sabiny Elders Association; Mr Kisofi Rikarenget of the same association; Mr Peter Kamuron, a former member of the NRC; Mrs Juliet Chemonges of the Reach Programme; Margaret Chelimo of the Inter-Africa Committee and a woman activist; and Geoffrey Sande.

From Pokot we have Mr Ambrose Merien of the Reach Programme; James Apollo, the coordinator of the same programme; Mohammed Chemaswet, sub-county counsellor from Amudat; Betty Cheron, female youth representative from the District Council of the Pokot; Rev. Jane Cheni, Arch Deacon of Amudat; and Semio Albert. We also have Mrs Beatrice Chelagat, Director-General of the Reach Programme; Robert Chengo, Deputy Director; Isaac Muteyi and Betty Yeko.

Hon. Members, they have come here for some very important business and I would like them to return to Pokot, Karamoja, and Kapchorwa this evening. So, I have made a small adjustment on the Order Paper and brought forward their matter so that we receive it now and then go back to the ministerial statement.

Before we do that, there is some technology which has to be organised around my feet. So, I will suspend the House for only two minutes so that the technology can come in and we move that motion. So, the House suspended for only two minutes.

(The House was suspended at 5.11 p.m.)

(On resumption at 5.24 p.m., the Deputy Speaker, presiding_)

MOTION SEEKING LEAVE OF PARLIAMENT TO INTRODUCE A PRIVATE MEMBERS' BILL

5.26

DR CHRIS BARYOMUNSI (NRM, Kinkiizi County East, Kanungu): I thank you very much, Madam Speaker. Hon. Members of Parliament, as the technology is being sorted out, I want to thank you for according me the opportunity to move a motion seeking leave of Parliament to introduce a Private Members' Bill. I have printed several copies of the motion and I hope they are being distributed.

I am moving under rules 43, 105 and 106 of our Rules of Procedure:

“WHEREAS Article 79 of the Constitution of the Republic of Uganda empowers Parliament to make laws on any matter for peace, order development and good governance;

AND WHEREAS Parliament has enacted the Rules of Procedure pursuant to Article 94 of the Constitution and Rule 105 empowers Members of Parliament to move a Private Members' Bill;

AND WHEREAS Article 24 of the Constitution prohibits any form of torture or cruel or inhuman or degrading treatment or punishment; and Article 32 of the same Constitution outlaws cultures, customs and traditions which are against the dignity, welfare or interest of women and those that undermine their status;

CONSIDERING THAT FGM is recognised internationally as a violation of the human rights of girls and women and that about three million girls are at risk of female genital mutilation annually in Africa, and yet the procedure has no health benefits for girls and women; it harms them in many ways because it involves removing and damaging healthy and normal female genital tissue and interferes with the natural functions of girls and women's bodies;

CONSIDERING FURTHER that it is nearly always carried out on minors - young girls between infancy and the age of 15 years - hence it is a violation of the rights of children. The practice also violates a person's rights to health, security and physical integrity, the right to be free from torture and cruel inhuman or degrading treatment and the right to life when the process results in death;

COGNISANT THAT female genital mutilation reflects deep-rooted inequality between the sexes and constitutes an extreme form of discrimination against women and yet in our country we have no specific legislation prohibiting this harmful practice in our society;

NOW, THEREFORE, be it resolved that this House grants me leave to introduce a Private Members Bill for an Act entitled the Prohibition of Female Genital Mutilation Bill, 2009, a draft of which is hereto attached, and do order the publication of the said Bill in preparation for its first reading.”

Madam Speaker, I beg to move.

THE DEPUTY SPEAKER: Seconded.

DR BARYOMUNSI: I thank you, Madam Speaker. I want to speak briefly to justify my motion and as I do, I want to take you through some few slides which will clearly demonstrate the subject I am talking about.

(Power point presentation made.)

DR BARYOMUNSI: This afternoon we are talking about female genital mutilation which by definition comprises all procedures that involve partial or total removal of the external female genitalia or other injury to the female genital organs for non medical reasons.

This is a painful procedure and practice that is done in many countries especially in sub Saharan Africa including Uganda. The first slide shows a woman depicting a painful procedure, which a woman in the 21st Century should not undergo.

I request that we switch off the lights. I am sure that all of us are above 18 years. The picture on the screen shows the normal female genitalia as we all know and its different parts. This practice of female genital mutilation is when you invasively injure the normal structures of the body for no medical purpose but as I will explain, mainly for selfish reasons especially on the side of us the men.

This procedure is classified in many ways depending on how deep the surgical invasion is. World Health Organisation classifies female genital mutilation in four types. The first type is where there is partial or total removal of the clitoris, which is the part of the female genitalia that is excited during sexual arousal. That demonstrates type one, which we also call clitoridectomy in medical terms.

The next picture shows type two, which is also called excision. Here there is usually partial or total removal of the clitoris and labia minora. There may or may not be excision of the labia majora so it is much more severe than type one. I want to say that in communities in Sebei and Karamoja as well as other communities, type one and type two are the common procedures that are carried out for female genital mutilation.

The next slide shows type three, which we also call infibulation. Here the surgical procedure is quite extensive in that the clitoris, the labia minora, labia majora and other related structures are removed and the surgeon stitches and leaves a very small orifice or hole to allow the flow of urine and menstrual blood. When the woman is to undergo a sexual encounter or give birth, then there is a process of de-infibulation where they re-open. This is a practice that is also being done in Uganda particularly by women of Somali origin. They are here in Kampala in Kisenyi and also in Isingiro in Nakivaale refugee camp and other parts of the country. These things are happening in Uganda where all of us as Members of Parliament are and we are saying they are inhuman and should not occur.

Madam Speaker, we also have type four, which constitutes any other harmful procedures, which might be applied to female genital organs not for medical reasons like pricking, piercing, incising, scrapping and any other traumatic injury that may be caused for purposes of culture and others.

The next slide describes type four and the kind of traumatic injuries which women are subjected to and how World Health Organisation classifies the various injuries, which are afflicted on the female genital organs.

The next slide is not very clear but shows some of the complications that arise. I will speak of them shortly but the commonest medium and long term complications are formation of scars and keloids, which normally complicate the process of giving birth as well as infections, which include HIV/AIDS.

That picture shows you the various tools - the knives - which the local surgeons use to traumatise the women. As we all know, this practice is largely carried out by rural women who are sometimes called rural surgeons. They do not normally sterilise some of these instruments and that is why you find women getting infected with serious infections including HIV/AIDS. You can see the knives are so scary. I want to tell you that there are women in this country who undergo female genital mutilation using those barbaric knives, tools and instruments and there are several districts and communities where this practice is being carried out.

I took you through some of those slides for you to appreciate the kind of biology we are talking about - the body structure. The literature available does not clearly indicate why several communities cherish this practice. There are those who advance it for cultural and customary reasons while there are some few who hide under the pretext of religion. What is clear however is that this is a practice in most communities, which is perpetuated by the selfish interests of men. For some of the communities in Uganda, we are told that historically, the men used to be hunters and they would go for hunting expeditions, which would last for three to five months and they thought the women would be promiscuous when the men were away. So they devised this culture of cutting the female organs in order to disable the women so they would not become sexually aroused when the husbands are away. However, it would also mean that when the husbands came back, that disability would remain. We feel that this is very unfair to women and young girls and we should all stand up and outlaw this practice.

The practice of female genital mutilation is prevalent in over 20 districts in this country. Some of you are Members of Parliament of those communities where this practice is cherished. The districts include, among others, Kapchorwa, Bukwo, a number of districts in Karamoja, other districts like Bugiri, Kamuli, Isingiro, Kampala, Masindi, Luweero; there are over 20 districts in all.

Studies have been done but we note that it is the Sabiny who have migrated to a number of these districts who undergo female genital mutilation as well as refugees of Somali origin who are in Nakivaale and parts of Kampala that are also scattered all over the country. However, the major tribes are the Sabiny, Pokot, the Somalis and others and some of these are scattered in other districts of the country.

As I wind up, I would like to say that there are no benefits whatsoever of this female genital mutilation, whether medical or social, therefore, there is no justification at all for this practice to be happening anywhere in the world.

What we know is that there are several and severe complications which are associated with this practice. The immediate complications include severe pain, shock, bleeding, infections, urine retention, open sore injuries et cetera.

This is a practice which also disables the women and in the long term. They get injuries and several complications which include urinary tract infections, infertility, maternal and child birth complications. We know there is evidence in communities where FMG is practiced that maternal mortality and maternal morbidity and child mortality are higher than in communities where FMG is not practiced.

There are also complications like fistula where the women become incontinent of urine and faecal material. There are also problems like HIV/AIDS. There is evidence that in communities where FMG is practiced, because the tools are not sterilised HIV/AIDS transmission is relatively higher.

There is also the complication of sexual dysfunction because you disable the normal structures of a human being. Therefore, we do feel that there should be a law.

Madam Speaker, the communities where this practice is prevalent have already been demanding for a law. Here with me I have a copy of an ordinance which has been enacted by the district government of Kapchorwa. It is basically calling upon Government and all the state actors to expeditiously and urgently come up with a law prohibiting FMG. I take the opportunity to lay it on the Table.

A lot of advocacy interventions have been going on and I must state that as we make the law, the law alone is not enough to curb or completely eliminate this practice. We would want to urge Government to supplement the efforts of NGOs and civil society which have been funding programmes to address FGM. There must be resources allocated for these activities so that we can have advocacy interventions to mobilise communities in all these districts where women are being mutilated. So, we must come up with interventions and have them supported to ensure that we completely eliminate this practice. The coming up of a law is to supplement all those efforts.

I would like to thank hon. Dora Byamukama, the Director of LAW-Uganda, who has assisted us to draft this Bill. We also appreciate the support of UNFPA and other agencies which have been interested in having this law passed immediately and for their support of a number of interventions on the ground.

Hon. Members, you must be noticing that it is a man moving this motion to outlaw a practice which negatively affects our counterparts, the women. I therefore call upon everybody, men and women, to unanimously support this motion without any objection. (*Applause*) It is an international concern. Even the United Nations has marked February 6th as the International Day against Female Genital Mutilation. So, we have *Tarehe Sita* for FGM.

Many countries have actually come up with laws to prohibit and criminalise this practice. So, it is long overdue for us as a country. I therefore call upon you to expeditiously support this process and we get a law which will prohibit this negative and harmful practice of FGM. So, allow me to lay on the Table a copy of the motion and also a copy of the draft Bill as demanded by our Rules of Procedure. I thank you very much, Madam Speaker.

5.44

MS JANE ALISEMERA (NRM, Woman Representative, Bundibugyo): Madam Speaker, I stand to support the motion seeking leave of Parliament to introduce a Private Member's Bill entitled "The Prohibition of Female Genital Mutilation."

From what we have just seen, everyone looked scared; people are traumatised. So you can imagine what the women are going through. This FGM practice is an extreme form of inequality between sexes. It is an extreme form of discrimination against women. It violates the girl child's rights and those of women in those communities.

The UN Declaration of 1948 – and Uganda is a UN member - talks about the protection and promotion of fundamental and other human rights and freedoms. It says that the rights and freedoms of the individual and groups enshrined in that chapter shall be respected, upheld and promoted by all organs, agencies, governments and by all persons. Here we see communities in which women are being forced or being coerced to be mutilated in the name of culture.

Madam Speaker and hon. Members, you will agree with me that the culture of practicing FGM has mainly infringed on the rights of girls and women in the communities of Kapchorwa, Karamoja and other parts of this country where it is being practiced. We know that we have a right to dignity and fair treatment, a right to sexual and reproductive health, rights to be free from torture and cruel inhuman or degrading treatment and a right to life. Sometimes when these people are circumcised they bleed to death and that is murder, but we have been quiet about this, thinking that it is very good for the women to be cut so that they can keep their reproductive organs for the men who have gone hunting or who have gone to trade or raid cattle.

I am very happy today that hon. Chris Baryomunsi, who is a man, has managed to move this motion. On behalf of the women of Uganda, thank you very much, Chris Baryomunsi, for being gender sensitive. (*Applause*) I am happy to notice that after being shown those pictures, the men in this Parliament could not stand this. So, I feel the men in this House are becoming more and more gender sensitive and I am sure this Bill will just sail through. Thank you very much, hon. Members of this august House.

We know very well that a circumcised woman stops enjoying sexual intercourse at the age of 40. The women of Kapchorwa that I have interacted with told me that men have a chain of women because at 40 his wife has developed *colloids* as we have just seen, she has developed scars and the place is completely closed.

They have been thinking that the woman has grown masses within. They deceive them that at 40, you grow masses and so you cannot have your conjugal relationship. So they get another woman. So, you can imagine how these women are physically and mentally tortured in the name of culture.

I want to thank this Parliament for having given the Private Members Bill space so that we can enact a law which will help the women who have been suffering under the name of culture. I thank you.

5.50

MR HERBERT SABILA (NRM, Tingey, Kapchorwa): Thank you, Madam Speaker. I stand to second the motion. Like you have all seen and witnessed, the dangers of FGM are real. This is not mere propaganda, as perpetrators deem to say. The several dangers have been explained by Dr Baryomunsi.

I just want to give local examples because I come from the district where FGM is being practiced. We had three ladies who underwent this practice the same day sometime in 1976. They were Judith Nakatari, Monic Cherimo and Betty Cheboi. The last two are dead. May their souls rest in peace! When the survivor Judith Nakatari gives a testimony, you realize that they were normal before the practice. They got circumcised on the same day. I think like Dr Baryomunsi was explaining, they must have got infected by a virus. They got disabled before they cured. The survivor is disabled up to today.

The other day, the Committee on Equal Opportunities visited Kapchorwa led by the yellow girl, hon. Anifa Kawooya. The survivor presented a testimony that sent all of us into tears. This is not something that we should not bother about; we should have a law in place.

It is good that you have always participated in the district culture days of Kapchorwa. You have witnessed several testimonies that young girls put across. You remember when we were celebrating the UN population award in 1997 where you officiated as guest of honour, there were

three girls who had been disowned by their parents just because they did not accept to take this practice. So the problems are far beyond the ones that we see here. Sometimes, the perpetrators of the practice say, "If you are my daughter and you do not undergo this practice, I disown you from today."

And those are the cases that we have had in the parts that I come from. In such a situation, leaders like us fail to see the direction to take. Unless there is a law, we cannot do much. We have had sensitisation programmes. The Uganda Government, even His Excellency the President at one time came in 1998 and officiated at one of the culture days and he told the people that this was a practice that should be stopped. But people have continued to do it. We continued working on the sensitisation until we brought in the Sabinu elders association that today is represented by the *Mzee* Chebroi who is in the gallery. The Sabinu elders also came up and said "No". Although they had this practice long before, it was now time that they left the practice. And that support was also from the Government of Uganda.

Madam Speaker, we have been told an ordinance has been enacted by Kapchorwa local government. This is an indicator that Kapchorwa District is really yearning for a law for FGM, and we have been told very clearly that this law, when it is in place, is going to help many of our young girls.

I want to say that we will come up with a law but the law may not single-handedly work. I want to propose that the law be enacted and then we really need the girl child education support if government and Ministry of Education specifically would come up with an intervention programme where we specifically sponsor the girl child to go to school.

I am saying this because girls that have gone to school have shunned this practice but those that are still continuing with the practice are those in the remote areas of the district where they do not go to school. So the way to show pride is to undergo FGM, and when they undergo FGM they become socially very powerful. Women who are not circumcised - for us anybody who is not circumcised is called a mere girl. Even in water collection points, when they go to line up to collect water, somebody who is not circumcised is not given space. They will say, "You girl, leave me to fetch my water". So because of this type of social trauma they say, "What am I doing? Why don't I go and get circumcised?" And you realise that even recently married women are the ones that undergo the practice more than young girls, because of the influence from the mothers-in-law. There are so many other things like, "You are not supposed to milk a cow; you are not supposed to remove grain from the granary". So, all those are concerns that need to be addressed.

But for those who have gone to school they know that their salary will be used to buy grain, it will be used to buy their own cows and it is not in the traditional setting where a cow is handed by the father to the son and therefore the instructions that if your wife is not circumcised, she cannot be allowed to milk the father's cow. For record purposes - I know I will later be challenged by colleagues, but my wife is not circumcised (*Laughter*)

Madam Speaker, I just want to appreciate the statement made by hon. Dr Baryomunsi that we need a specific budget for FGM now that we are in the budget process. In that same vein, I would like to call upon my honourable colleagues to ensure we include, in this year's budget, some support for FGM. This will help us sensitise these people and also support the implementation of the law that will soon come in place.

Finally, allow me thank our predecessors like hon. Gertrude Kulany, who has been able to struggle for this programme since its beginning. Hon. Jane Frances Kuka is not with us today but I would like to say that she has also carried the flag. I would also like to appreciate the effort by the Sabinu elders' association, the custodians of the culture, but are saying that this is a bad practice and should be discarded. They are in the gallery to witness the enactment of this law. I thank you, Madam Speaker.

THE DEPUTY SPEAKER: Okay, hon. Members, now that the movers have finished contributing, the other Members will have only three minutes. Let us start with the Chairperson of Committee on Equal Opportunities, the Chairperson of the Social Services Committee before we get to hon. Kigyagi.

5.59

THE CHAIRPERSON, EQUAL OPPORTUNITIES COMMITTEE (Mrs Anifa Kawooya): Thank you, Madam Speaker. I and Members of the Committee on Equal Opportunities have just returned from the districts of Kapchorwa and Nakapiripirit. I would like to thank all the leaders in those two districts and the NGOs operating in those areas especially REACH, UNFPA, UNICEF and others that have been working together to do sensitisation and elimination of this practice.

It is only when someone shares experience with these communities that that person will appreciate that the correct name for FGM is Female Genital Cutting (FGC). It is only when one goes there that they will appreciate that this law should be enacted today and not tomorrow.

I would like to report that we will soon be presenting our report on the experiences so that we can share it with the rest of the Members. Otherwise, I can tentatively tell you that there is no person, whether the girls themselves, parents, the surgeons as they are known or the mentors, that appreciates that this is a good practice.

Someone asked why they are doing it. I would like to say that other than the cultural values, there are people who are doing it for economic gains. For example, one of the surgeons testified to us that for every woman she cuts, she is given a whole cow. There is quite a lot of information that we got. What Dr Baryomunsi has given is just a tip of the iceberg. The women who have gone through it will tell you that when they are pregnant, they go through a lot of problems. And after delivery the whole part gets sealed. During another delivery such women have to be cut again.

We were told that the medical doctors who work in those areas do not know how to handle such situations; they only make use of the traditional birth attendants to cut the pregnant women using local knives. There is nothing good in this practice!

I would like to report that especially the Pokot – and I would like to thank hon. Francis Kiyonga who is on the ground to ensure that its elimination is adhered to. The Pokot are practicing FGM 99 percent –(*Member timed out*)

THE DEPUTY SPEAKER: Okay, let us have the Chairperson of the Social Services Committee. And let us try to keep three minutes, please.

6.04

THE CHAIRPERSON, SOCIAL SERVICES COMMITTEE (Mrs Rosemary Seninde): Thank you, Madam Speaker. I would like to use this opportunity to thank hon. Chris Baryomunsi together with other honourable colleagues for seconding this motion. I want to say that I stand to

support the motion. I would like to appreciate that all the justifications against this practice have been aired. So, I may not go into details.

However, I would like to say that it is true that we are against cultures that violate human rights, for example, FGM. I am saying this because as we are all aware, sex is a human need. And because we have pointed out that FGM disrupts sexual desires of a woman, it therefore must be stopped.

I would like to also point out that FGM is a selfish cultural practice done for the interests of men. In the same vein allow me say that according to what hon. Chris was showing all types of mutilation were seen. In part four the slides indicated that elongation is also part of the business. I would like to bring to the attention of this House that it is very important that when it comes to defining mutilation in the coming law, we should make it very clear. The reason is – (*Interjections*)– no, I do not need information –

THE DEPUTY SPEAKER: Hon. Members, you know that this motion is only for seeking leave. So, address only that. We shall deal with the details at the time of handling the actual Bill. Should we give him leave or not?

MRS SENINDE: Madam Speaker, I support the motion that we grant leave, but why I am pointing out these issues is to allow our colleague put them into consideration when he goes to work on this Bill. I suggest that the issue of elongation should not be part of the law – (*Interjections*)– the Members are eating up my time. I beg for protection.

THE DEPUTY SPEAKER: Hon. Members, the issue of elongation will be discussed during the public hearing when the Bill returns for the first reading. Let us deal with permission today.

MRS SENINDE: Madam Speaker, I humbly beg that you give me the opportunity to build my case so that when he goes to work on the Bill he considers it; it should not be part of the law. I am saying this because as you very well know elongation contributes to sexual excitement both for the man and woman. So, if we put it together with mutilation, we will be missing a point.

THE DEPUTY SPEAKER: But, hon. Member, you are only anticipating. Okay, let us have hon. Kigyagi. And please deal only with permission.

6.07

MR JOHN KIGYAGI (NRM, Mbarara Municipality, Mbarara): Madam Speaker, thank you very much. I would like to thank hon. Dr Baryomunsi for bringing this motion. My single question is: why did it take a long time for the Ministry of Health and the Ministry of Gender, Labour and Social Development to bring this to the attention of this House? I am saying this because many of our girls have suffered; many of our people have suffered and as you have seen, the practice is very crude! As the researchers have said, it is done for selfish reasons; it is not even part of their culture but it was the selfish nature of man. So I think the Ministry of Education and the Ministry of Gender should have realised this.

The second issue is the one which the chairperson for Social Services Committee has raised and I would like hon. Baryomunsi to bring it out very well because mutilation is manipulation of any part not necessarily cutting and there are cultures in this country which manipulate the sexual organs of women. (*Laughter*) It is known! So when the law comes the Speaker has guided that that should be defined. Unless you refer to it as cutting, mutilation is manipulation and it may implicate that. Once that one is clarified - because the other one does not have negative effects -

THE DEPUTY SPEAKER: Hon. Members, I have asked you to focus on permission but now you are going into the Act. Please, focus on the permission because Members are now moving a motion to close the debate.

6.10

MS MARIAM NALUBEGA (Independent, Female Youth Representative): Thank you very much, Madam Speaker. I support the motion. I also wish to thank you for lighting the fire. I remember two months ago when we had a press conference about FGM, it attracted a lot of attention from all the countrymen.

I am very concerned because the people who are suffering are my constituents. If you see the category of the girls that are being cut, they are girls between the age of 13 and 24 years. This has a big impact on development.

Right now, during this season, girls are not in school because they have run away. That accounts for the high number of school drop outs in those regions where FGM is being practised. If you try to locate the origins of the street children here in Kampala, you will find that they are from Kapchorwa and Nakapiripirit and they are running away from these cruel practices. There is no justification for one to cut a girl in such a manner. There is no justification for one to undergo such a kind of treatment!

I am supporting this motion and I want to urge government to find special social protection for those girls in those regions. These girls are at the mercy of the selfish people who are looking for financial gain. It has nothing to do with culture. No such culture can be applauded in this country. I support the motion and I want this law to be passed as soon as possible to protect my constituents.

6.12

THE PRIME MINISTER AND LEADER OF GOVERNMENT BUSINESS (Prof. Apolo Nsibambi): Madam Speaker, we are very grateful to the mover of this motion. Government supports it 100 percent! (*Applause*)

6.12

MR ERIAS LUKWAGO (DP, Central Division, Kampala): Thank you, Madam Speaker. Whereas I support the motion, I have some reservations on technical matters. I know for sure that this practice amounts to a crime against humanity and it should be condemned by all right-thinking members of society. But I just want to raise a technical matter.

The mover moved the motion in good spirit. I can see here that he wants to bring a Bill titled the Prohibition of Female Genital Mutilation Bill, 2009. One thing I want to make clear is that this practice or custom is already prohibited under the law. When you look at Article 2 of the Constitution, clause 2 provides as follows: "*If any other law or any custom is inconsistent with any of the provisions of this Constitution, the Constitution shall prevail, and that other law or custom shall, to the extent of the inconsistency, be void.*"

So this practice of Female Genital Mutilation is a custom which has been prohibited under the Constitution. Here the mover has cited the relevant provisions particularly Articles 24 and 44 which prohibit any inhuman and degrading treatment. The point is if it is prohibited under the law, what is left is to make it an offence and that is it. So what we should do here is, and I think the proper procedure would be, to amend the Penal Code and not to bring a different legislation.

We are not bringing a law to regulate the practice or custom. That would call for an independent legislation but if you are prohibiting the practice or custom, if you are making it an offence, it would be proper practice to amend the Penal Code and make the practice/custom an offence.

There are several sex offences and offences against morality. But if you have these scattered laws like on the prevention of trafficking in persons, homosexuality and what not - let us amend the Penal Code; it is just a two-clause offence. The custom should hereby be made an offence, you prescribe the penalty and that puts the matter to rest. Otherwise, we do not need an independent legislation of this nature. That would be my guidance, Madam Speaker. I thank you.

THE DEPUTY SPEAKER: No, hon. Shadow Attorney-General, I think even the girls in Kapchorwa know about the Constitution but just by that being there they have not been assisted. We need a law specifically on that subject.

6.15

DR FRANCIS EPETAIT (FDC, Ngora County, Kumi): Thank you very much, Madam Speaker. From the time this motion was moved, my assessment of all the Members present in this Chamber is that we are all psychologically traumatised because of such a dehumanising practice. In fact, I would even call it a terrorist practice. *(Laughter)*

We have put up a number of justifications. First of all, with due respect to my colleague, whereas there might be a number of pronouncements in the Constitution, Parliament can still go ahead and enact laws to operationalise those commands in the Constitution. I think we would not do any harm to have a specific law to deal with female genital mutilation. That is my opinion.

It was just because of time limitations but the attendant side effects of that traumatising practice are so numerous that it would cause more traumas even to those who hear about it. We have been debating and justifying the need for that law. In fact, I am already jubilating thinking that we are about to finish the second reading. So, when we bring the law for first reading, we will probably need to spend just a few minutes on the second reading and pass it by third reading. I do not know how the Bill is currently but we need this law and I wish it were possible to have passed third reading by tomorrow.

When we were debating the Prevention of Trafficking in Persons Bill, I was so desperate that I proposed an amendment to the definition clause specifically to provide for a definition of human sacrifice, where I put in something to do with removal of any organ, mutilation for purposes of sale or rituals. What I had at the back of my mind was actually to deal with FGM. But now that there is a specific Bill coming for prevention of female genital mutilation, hon. Members, I think let us move in that direction to help our women in this country.

Madam Speaker, I would even want to move a motion that:

“Having heard the justification of this Bill to prevent female genital mutilation;

And considering the cruelty and the harm that such practice has caused to the female folk in this country;

Aware that this practice has caused a lot of psychological trauma and death in this country;

I beg to move that the question be put for this motion seeking leave of Parliament to present a Private Members Bill.”

THE DEPUTY SPEAKER: Hon. Members, I put the question that the question be put.

(Question put and agreed to.)

THE DEPUTY SPEAKER: I now put the question that this House do give leave to the honourable member to move a Private Members Bill.

(Question put and agreed to.)

(Motion adopted.)

6.20

THE LEADER OF THE OPPOSITION (Prof. Morris Ogenga-Latigo): Thank you, Madam Speaker. When the matter that we have just resolved was being brought before the House, you informed the House that the reason why you skipped an item under agenda item No. 3 was because the people who were closely associated with the motion, whom I must thank since I did not have an opportunity to contribute, were going to travel and that we were going to move back to item No.3 (4) on the Order Paper.

That item is a statement on Migingo from the Minister of State for Foreign Affairs in charge - *(Interjections)*- the Order Paper was amended in the beginning. Unfortunately when amended, you cannot change it on the one you have. You needed to have been here in the beginning. So, Madam Speaker, since you are sure that is done, I beg that we go back to that item and then we can proceed to the rest of the Order Paper.

THE DEPUTY SPEAKER: I would like to appeal to you Members. We are enjoined to give priority to government business and we have given priority to three government businesses already. I am just appealing that we hear one more from the civil society before we go back to the government business. I think this one is going to be short. They have also been here since 2.00 O'clock.

PROF. OGENGA-LATIGO: Thank you, Madam Speaker. The need for us to see the minister make the statement would not have arisen if a matter that you were consulted on and that we considered to be of national importance had been given an opportunity after the Communication from the Chair. Since that matter is important, I would still appeal that we maintain what you had said and then we see how to proceed after that one. We can curtail the debate on that matter.

THE DEPUTY SPEAKER: I am aware of the matter and it is very important. I am going to give you time. There is a matter he wants to raise concerning the community and I am going to give him time. Let us have that motion quickly, get rid of it and get back to the statement. Afterwards we can stay here till midnight and talk about East Africa and all the other things. I am appealing to you.

Let us hear from hon. Bahati. In connection with the motion he is moving, we have in the gallery Apostle Julius Peter Oyet, Vice-President of the Born Again Federation; Pastor Dr Martin Sempa of the Family Policy Centre; Stephen Langa, Family Life Network; hon. Godfrey Nyakaana; the Mayor of Kampala City Council; Julius, a young boy who was sodomised, and his mother. His story has been in the press. They are all here in the gallery. Please, let us deal with them so that

they can leave. There is also George Oundo who came out to speak against homosexuality. Please, let us balance the public good and our good since all of them are important. We shall do them all very quickly. Hon. Bahati.

6.24

MR DAVID BAHATI (NRM, Ndoorwa County West, Kabale): Thank you, Madam Speaker, for the opportunity to move a motion seeking leave of Parliament to introduce a Private Members Bill moved under Rule 47, 105 and 106. Some of the few copies available are going to be circulated in a minute. I beg the indulgence of Members that I move on.

“WHEREAS Article 79 of the Constitution of the Republic of Uganda empowers Parliament to make laws on any matter for peace, order, development and good governance;

AND WHEREAS Article 31, clause (1) of the Constitution of the Republic of Uganda legalises marriage between a man and a woman;

AWARE THAT the same Constitution under Article 31 specifically prohibits marriage between persons of the same sex;

AND FURTHER AWARE that sections 45, 46 and 47 of the Penal Code Act create unnatural offences, attempt to commit unnatural offences and the offence of indecent assault on boys under the age of 18 respectively, these provisions do not adequately address the problem of homosexuality;

CONSIDERING THAT there is no comprehensive Act of Parliament that deals with homosexuality and;

FURTHER CONSIDERING that the position of government which is also reflected in the Constitution opposes legalisation of homosexuality;

NOTING THAT the major targets of homosexuality campaigns are the vulnerable youth, children and the destitute;

GIVEN THAT Parliament has enacted its Rules of Procedure, pursuant to Article 94 of the Constitution which also empowers a Member of Parliament to move a Private Members Bill under Rules 105 and 106;

NOW, THEREFORE, this motion is moved that the House grants me leave to introduce a Private Members Bill for an Act entitled Anti-homosexuality Bill, 2009, a draft is hereto attached, and do order the publication of the said Bill in preparation for the first reading.”

I beg to move.

THE DEPUTY SPEAKER: It is seconded.

MR LUKWAGO: Thank you, Madam Speaker. I am seeking guidance from you. The Bill that the honourable member is seeking to bring here is about homosexuality. As a practising lawyer, I and everybody else here who has taken trouble to read the Penal Code will find that homosexuality is an offence under the Penal Code. The guidance that I am seeking is whether we need any other legislation when the practice is expressly prohibited in the Penal Code, a penalty provided and people are being charged in courts of law? As Parliament, are we really moving on

a proper course to legislate on a matter, which is already prohibited under the Penal Code? I seek your guidance, Madam Speaker.

MR ODONGA OTTO: Madam Speaker, in relation to what hon. Lukwago has said, there would be a legal departure from the previous clarification that hon. Lukwago sought when we were debating the FGM. In my legal opinion, in the previous situation you cannot talk of prohibiting because there may be aspects of regulation that have to come in, while taking into consideration the concerns of hon. Seninde.

However, in this case, honestly speaking I have not even seen the draft Bill and I am wondering what the contents will be because the fact remains that homosexuality is banned in the Constitution so I am just wondering what the contents of the Bill would be. I would personally agree with hon. Lukwago's argument and say that we cannot legislate on everything. In fact, legislation on these sensitive issues will even teach our children about them. So the guidance I am seeking is whether we need an Anti-Homosexual Bill and if we need it, what the contents would be?

6.29

THE MINISTER OF STATE, REGIONAL AFFAIRS (Mr Isaac Musumba): Madam Speaker, this country has of late been besieged and is under attack from homosexual advocates and people who do unnatural things to each other. People are even talking about men marrying men. Those practices out there have come in the past two or three years and become so pronounced that our children, and I am a father of several boys, are in danger. Therefore, the statement that is being made by this country is that we should have a law that expressly says no homosexuality will be permitted in this country.

As you ruled earlier when we were discussing the FGM, it is a question of making a statement. Nothing says that if you have a section in the Penal Code you cannot expound on a particular matter in a separate law. There will be no inconsistency and it is something that is permissible under the law. For example, if you read the Penal Code, you will find that we have a problem of the definition of a gay marriage and other unnatural offences. We want a law that clearly states all these things so that we can use it to rid this country of this scourge. I support the motion.

6.31

MS ALICE ALASO (FDC, Woman Representative, Soroti): Madam Speaker, this country and Parliament must have the courage to defend its young people, to defend the stability of this nation and to follow the precedents that are already set in this House. It is wrong to steal and the Penal Code provides for theft but before us we have an Anti-Corruption Bill. Why do we have it when that is also theft?

I think we must have the courage to make a statement regarding the influence of homosexuals and the people with money who want to influence our children and mislead our nation *-(Interruption)*

MR ODONGA OTTO: Madam Speaker, I rise on a point of order. The impression that the honourable colleague is giving when she says we need to build courage does not augur well with my understanding. No one supports homosexuality in this House; not even me or hon. Lukwago. What we are raising are the legal aspects; if we needed to legislate on everything we would need a Treason Act, an Anti-Theft Act, an Anti-Lying Act. It is just a legal principle we are trying to push forward. Is hon. Alaso in order to insinuate that others are not courageous when we are defending our profession in public?

THE DEPUTY SPEAKER: Hon. Members, I don't know whether you are tuned to current events here where UNICEF has published and distributed a book in our schools informing children that it is okay to have same sex marriages in Uganda; our children, in this country! She is in order. Please, proceed.

MS ALASO: Thank you very much, Madam Speaker. If we went by the argument of the legal experts in the House, how would we handle the publications that are being made on homosexuality? Where do we address matters of rehabilitation because this is a traumatising experience? People need rehabilitation from being homosexuals to get back to normal behaviour. How do we sort out these matters just by a mere provision in the Penal Code? We should be -
(*Interruption*)

MR OGENGA-LATIGO: Thank you, Madam Speaker and I thank my honourable colleague for giving way. I would beg that our learned brothers look at the Bill. It is not about criminalising homosexuality but an anti-homosexual one, which is different even from criminalising, which is already done. "Anti" means that we are going to provide for how we can campaign against it, what we must do with those who promote it, et cetera.

THE DEPUTY SPEAKER: I think he has conceded.

MR ODONGA OTTO: Madam Speaker, given what hon. Alaso has said about the need to regulate these people and how to handle them, I concede and abandon my legal issues.

THE DEPUTY SPEAKER: Wonderful!

MS ALASO: Madam Speaker, I want to thank my honourable colleagues because there is also the social context which we have to put into the legal arguments and the provision for regulation. Most importantly as actors, we need to tell people what they should do. What should be the role of an LC I in the light of these developments in our country? I want to support this and urge that let the Bill be given an opportunity; let the leave of the House be given so that this Bill is tabled. Thank you.

THE DEPUTY SPEAKER: Now move your motion.

MR BAHATI: Madam Speaker, I have laid a copy of the draft Bill but I just wanted to make one or two points in justification of the motion for completeness of the record and to assure our learned friends that the red volumes will never be full at any one time.

I just want to mention one simple case that happened on Easter Sunday when everybody was busy celebrating the Holy Day, we were shocked to read in *The Sunday Monitor* a headline about an 11 year old boy, Julius, who is here with us in the gallery allegedly being sodomised and expelled from his school and officials from Mulago reported damaged splinter muscles in his anus, which led to uncontrollable flow of human waste. More painfully, Julius's alleged attacker, Herman Kalule Kirumira was left to go free and has used this opportunity to harass and intimidate this boy and the mother who happens to be a widow.

Reports of this nature have come out in the recent past and I know that for each Julius we read about, there are thousands whose stories are unexposed and never make it to the headlines. Many people have been crying for our help and no more should we be silent about this creeping threat of homosexuality to our children and our families.

There has been propaganda especially in schools and using cartoons to exploit our young people that to be a homo or a lesbian is okay. I think, Madam Speaker, this propaganda is against God's natural law and the law of the land. We know and believe as Ugandans that any sexual activity outside the bonds of union of marriage between a man and woman is immoral and has never been our culture. Whereas there is an argument that there are people who are born homosexuals and naturally get attracted to people of their sex, there is abundant evidence to suggest that there is no scientific evidence to validate this argument. And many of these supporters say that to be attracted to a person of the same sex is a right. I think we have so many rights in this country and in the world but I do not think that the right to homosexuality is one of them; not at least in Uganda.

Today they are talking about a right to homosexuality, tomorrow it might be a right to walk naked or to defilement. And I think the so called right will lead to the destruction of our social fabric and value system. We cannot afford to see this pass on as we watch.

Madam Speaker, we are working hard for the future of our children but I think we should never forget that the best inheritance we pass on to the next generation is a society built on values and norms that standardize certain responsibilities that make society function. And among these responsibilities is bearing and raising children; being a husband and a father; being a wife and a mother and these responsibilities are undoubtedly God given and specifically heterosexual.

The way independence was a defining issue during the colonial days and peace was a defining issue during the world wars and wealth creation during the great depression, defending the natural and traditional family is one of the key defining issues of our time. As people's representatives, we cannot afford to tinker on the edges; we cannot afford to be intimidated. Let the message go forth from this House that Ugandans shall never trade their dignity *-(Applause)-* and cultural values for money or anything whatsoever. This Bill, therefore, provides an opportunity to strengthen our legal system in order to protect our society. Uganda needs a comprehensive and enhanced legislation to protect cultural, legal, religious and traditional values! We need to protect our children and youth who are being made vulnerable to sexual abuse as a result of cultural intrusion and uncensored information technologies.

The land of the law and the Penal Code do not address this issue adequately and that is why we are bringing this issue to this House. Madam Speaker, as I end, I would like to make one request to this House to grant me leave to introduce a Private Member's Bill to address this creeping evil in Uganda. And I want to earnestly say that this is the first step, Parliament can do best on the front of the laws. I want to call upon the Church leaders, cultural leaders and the Imams to strengthen their service of teaching and preaching against homosexuality as well as rehabilitating the victims of homosexuality and helping them in finding their true nature as man and woman fully capable and responsible of raising a natural and heterosexual family.

Hon. Members, with your help and that of all stakeholders, we have been developing this with the help of many stakeholders; many of them who are in the gallery have been introduced. The Church of Uganda, the Roman Catholic Church, and the Mosques – the Sheikhs have been with us. We thank the legal department of Parliament and other Members who have contributed to this. I want to promise that with your help and that of the stakeholders, we will come up with a good legislation for which after 100 years from now our children will look back and say, "Yes the Eighth Parliament did something good for Uganda; true Uganda provided leadership on this issue in the world." I beg to move. *(Applause)*

MR BENSON OBUA-OGWAL (UPC, Moroto County, Lira): Madam Speaker, I would like to thank the mover of this motion for ably justifying and I stand up to second him. Just yesterday, for those of you who watched *NTV Tonight* and the late night news, you might have seen an episode which happened in Mukono where a teacher called Ssemondo Simon from Zion Primary School, Nakisunga sub-county told a 13 year old boy to take water to his house and he sodomised him. That was on the 15th of April - this month. Fortunately, this brave boy reported the teacher and he was arrested; he was arraigned before court in Mukono Grade II Magistrates' Court and Charles Kasidi, the magistrate, remanded him to Luzira until the 14th when this case will be brought back to court for mention.

I am holding *The Weekly Observer* of this week, Monday 27th to 29th Volume VI No.101 page 14. There is a headline on page 14 which says, "Homosexuality Creeps into Primary Schools" written by Diana Nabiruma. In that piece, Madam Speaker, four pupils from Umar B.A Islamic Centre have been expelled from school for practising homosexuality. Actually one of them was discovered with rotting anal orifice. This is becoming a pandemic and if we allow it to continue we are going to lose. And this makes me pose a question; where is this country going if we allow such acts to continue creeping amongst us.

In America, they call those who practice homosexual activity as straight people and there is an agenda now to overhaul this system. In fact, there is a book called "*Overhauling Straight America*", which is a very serious agenda to turn America upside down and make everybody homosexual. I am afraid the strategy that they have developed in that book is already happening in this country and if we are not careful and if we continue to remain silent, we are going to be the losers! I could go on and give you the strategy, which they want to use but there is no time.

The forces behind homosexuality are not sleeping. They are working day and night and yet in this country we are leaving this struggle in the hands of a few people. Dr Martin Sempa has been acknowledged, Mr Steven Langa, Archbishop Henry Luke Orombi and other religious leaders. In our own House here, we have left it to hon. Dr Nsaba Buturo. We can no longer afford to be silent observers.

I would like to submit here that at a personal level, the struggle comes down to us. There is no neutral zone in this struggle especially if you are a parent and I know many of you are parents of young children. We need to inoculate our children against these practices. The problem is bigger than we think and diseases are escalating, diseases which we never knew before. There is anal Gonorrhoea which is now rampant, anal Syphilis, Hepatitis C which is transmitted by this practice.

Let me submit to the House that internationally there is a move to force every nation in the world to submit to this vice. And if we allow them to get away with it, we will be the sufferers. The UN is coming up with a political decision which will force every nation to legally recognise homosexuality. That is if what France is trying to sponsor in the UN is allowed to move. They are coming up with a law which makes it criminal for anybody to utter anything against homosexuals. That is coming!

In the commonwealth, which by the way Uganda chairs, on the 8th there was the 16th Commonwealth Law Conference in Hong Kong. This conference was dedicated to the issue of homosexuality and there were so many people who were supposed to be respected like hon. *Justice Michael Kirby Ac Cmg* - I do not know what it means - who is a Justice of the High Court of Australia, by the way he was also a one time President of International Commission of Jurists.

He submitted a paper entitled, “*Homosexual Law Reform: An Ongoing Blind Spot of the Commonwealth of Nations*”. In that paper, he was trying to promote homosexuality in the commonwealth. We have a problem on our hands and, further, I would not like to imagine what will happen if commonwealth decides to make homosexuality a legal thing, at a time when Uganda is the chair.

I have heard a few cowardly voices in the corridors which purport that if we do not support homosexuality, then Uganda stands to lose aid. Madam Speaker, I would like to say that we cannot afford to mortgage and sacrifice the future of our children on the altar of aid and that is why we have to stand firm. (*Applause*) We have oil and very soon Uganda will be a donor in real terms, and we can afford to do without aid if it is pegged to homosexuality.

In conclusion, I want to appeal for support for this motion and I would like to urge this House that we should not fear to act, but we should not act out of fear. We should sacrifice the present for the sake of the future. I thank you.

6.53

THE LEADER OF THE OPPOSITION (Prof. Morris Ogenga-Latigo): Thank you very much, Madam Speaker and I thank my colleagues, hon. Bahati and hon. Ogwal for their motion. I also would like to thank the House for the obvious unanimous support that we have for this matter.

I rise not to add much to what has been said, because the two hon. Members have given the substance and full justification for the motion. My job is first of all to thank them for this motion, to thank you, Madam Speaker, for insisting that it takes precedence even over the matter that was of concern to me. (*Applause*)

I would like to thank the very courageous Ugandans particularly the individuals who have been victims, who have sacrificed their own ego that normally stops many of us from standing up on matters of serious concern. We know as individuals and families we are deeply aggrieved and we share the pain that you have and the only thing we can do is first of all to do everything possible to ensure that this motion comes as a Bill and as law as quickly as possible.

MR OKUMU: Thank you. I want to inform the Leader of the Opposition that while he acknowledges other people, we should also acknowledge the Archbishop of Uganda, Luke Orombi, for walking away from the Church of England because of homosexuality.

PROF. OGENGA-LATIGO: Thank you. Actually I was coming to that because as the House knows, I am fairly well informed. In fact, the starting point for acknowledging the Archbishop Orombi and many other African Anglican Church leaders was going to start from the very same *Observer* newspaper that my colleague quoted. I read the newspaper with a whole page where they put two prominent Western people; one is an Anglican Bishop standing with his husband and below that picture was the picture of Sir Elton John, you know the man who sung *Candle in the wind* when Princess Diana died, with his husband. I was going to come to that and to say if it takes leaving the Church of England so that you can worship your God without the burden of accepting an evil like homosexuality, that would be the greatest thing and I believe that God would be on your side.

I bring the information that hon. Reagan gave me to say thank you very much to Archbishop Orombi and all his colleagues who have stood against homosexuality particularly when the mother Anglican Church began to accept this evil as part of rights, God’s will and I do not know

what to say of those who support it. I would like to thank all the clergy men and women who have stood with us, all the politicians, all the civil leaders and I would like to move a motion that the question be put.

THE DEPUTY SPEAKER: Hon. Members, I put the question that the question be now put.

(Question put and agreed to.)

THE DEPUTY SPEAKER: I now put the question that this House do authorise the honourable member to move the Private Member's Bill.

(Question put and agreed to.)

(Motion adopted.)

MINISTERIAL STATEMENT ON THE STATUS OF MIGINGO ISLAND

6.58

THE MINISTER OF STATE FOR REGIONAL AFFAIRS (Mr Isaac Musumba): Thank you, Madam Speaker. You will have noticed that lately, both the electronic and print media have been awash with stories on Migingo Island. The dispute over this tiny rocky island of Migingo located in Lake Victoria has indeed caused rage in some sections of the Kenyan media which has created acrimony, tension, and rage among the local population. The electronic and print media have carried footages of errant Kenyan youth uprooting the railway line in Kibera slums in Nairobi and stories of aggression and territory grabbing and name calling have all been registered.

You are aware that His Excellency the President of Uganda directed that the Uganda flag be lowered at the island where it has been hoisted since 2004 in order to allow neutrality as we jointly undertake the survey and marking of the marine section of the Uganda-Kenya border including Migingo Island.

You will recall that Uganda's own story about Migingo Island has both a historical and territorial dimension. Historical because Uganda and our neighbour Kenya happen to have been under one colonial power and it is the colonial power therefore that was responsible for the border boundary between the two states. It is true that there are existing records between us as neighbouring states that describe the border. These documents which include the colonial records such as maps, survey notes, our national constitutions, and ordinances in counsel have all been found to describe the boundary. In other words, the actual boundary, particularly the marine section from latitude one degrees south and the tri-junction between Uganda, Tanzania and Kenya past Migingo Island up to Sio River lacks proper marking. At both the technical and political level, we have agreed that the survey and marking of this part of the border has to be carried out.

I would like the honourable members to note that bi-lateral consultations between the two countries have been taking place. This being at a technical level as well as at a political level, we also wish to note that just this morning, as on other occasions in the recent past, bi-lateral consultations at the head of state level took place in Arusha in the sidelines of the East African Community Summit.

The two countries agreed that the survey and marking of the border should proceed without further delay. This directive is being carried out and the joint technical teams are due to meet to launch the work plan.

The second aspect about Migingo which carries the territorial dimension is that Uganda moved to Migingo Island in 2004 after the rock had come to the surface as a result of the decline in the water levels of Lake Victoria. The intention of Uganda moving to the island was to check the smugglers and criminals who were using the rock as a stage to carry out their criminal activities on our territorial waters.

It was in 2004 that the Uganda Police Force established a hold on Migingo and since that time, law and order has been maintained effectively to date. Until 6.30 p.m. of Monday, 27 April 2009 the Uganda Flag has been flying on the island since 2004. I can report that local councils were established since that time with the RDC of Bugiri District taking care of them.

Madam Speaker, there are a number of points that need to be clarified. And these have continued to guide us as a country as we approach the issue of resolving the ownership of Migingo Island, and these are:

1. The source of information to guide the process has been agreed upon. This is the Order in Council of 1926, which was issued by the colonial government and the constitutions of both countries.
2. Methods of transferring the boundary description from the primary documents to the ground or on water have been agreed upon. These will entail the establishment of the actual coordinates starting with latitude one degree south and carrying out a joint remarking up to Sio River in Busia. Markers and buoys will be used on the waters to create clearly defined boundary lines as prescribed in the International Maritime Practice.
3. The cost of the exercise has been agreed upon and work plans finalised.
4. The timeframe for fixing this survey and markings had been agreed upon by the two parties unfortunately this timeframe is soon running out. So, there is need to agree on its extension. The ministers of both countries are due to meet to review the extension of the survey period.

In line with the above guidelines, a ministerial bilateral meeting was held at Munyonyo on 13 March 2009 and the communiqué was signed between the two parties. The implementation of the agreed upon areas is going on smoothly.

In pursuant of the main objective of finding a lasting solution to the Migingo ownership saga, Cabinet has approved a budget for the survey and marking of the marine section of the lake as the first phase of dealing with the border between Kenya and Uganda. It must be pointed out that the two parties are contributing the same amount of the money for the joint survey and marking exercise.

I also would like to address myself to the issue of the negative Kenyan media that has been rife with anti-Uganda rhetoric. We do appreciate the urgency to deliver the final position on who owns the island of Migingo, but we do not subscribe to the thinking that disrupting the trade between Uganda and Kenya and the supply route to the sea for all the neighbouring of East and Central African countries is the best way to achieve this result. These were simply acts of hooliganism, which must be condemned and checked as quickly as possible for they do not advance the cause for integration that we cherish.

Uganda's view is that both people on the divide need to be educated on the politics of co-existence and integration, which call for restraint and respect for one another.

The need to give correct and factual information to all our people is paramount. Therefore, there is no need for harassment from any quarter. The police chiefs of the two countries have met and agreed that law and order on the island should be maintained. Uganda will deal decisively with anybody who attempts to disrupt law and order on the island especially during this critical period for the survey and marking of the border.

Madam Speaker, Uganda and Kenya will continue to work both at the political and technical levels to establish the correctness of the information that now is in our docket; this is being done. The parties will work jointly to translate all that is descriptive in the primary documents and put it on the ground or on water within the agreed timeframe. The technical teams are capable of establishing a clear position, but they need a conducive atmosphere under which to operate.

The government is, therefore, not on a war path with Kenya. This has not featured at all in all what we have been doing with our neighbours. It is our plea that the media in both capitals allow this exercise to continue, to obtain a lasting solution. This will enable the people of the two countries and other members of the East African region to go about their normal duties without the scaremongering that has been registered so far. Madam Speaker, I beg to state.

THE DEPUTY SPEAKER: Okay, let us have hon. Amongi after which we will listen to hon. Okello, hon. Okupa and so on; but three minutes each.

7.08

MS BETTY AMONGI (Independent, Woman Representative, Apac): Thank you, Madam Speaker. I will later, after the debate, move a motion on this matter – (*Interjections*)– no, if you want to guide, I can move the motion so that both are debated concurrently. I do not know what your guidance is.

THE DEPUTY SPEAKER: I do not know whether the motion is still necessary in view of what has transpired. Do you still think it is?

MS AMONGI: Yes, Madam Speaker.

THE DEPUTY SPEAKER: Okay, speak about it.

MS AMONGI: I move and speak about it?

THE DEPUTY SPEAKER: Yes.

MS AMONGI: Thank you, Madam Speaker. I rise to move that the House considers – (*Interruption*)

MR MUSUMBA: Madam Speaker, I rise on a point of procedure so that you can guide us. A ministerial statement has been made – I know that under our rules a ministerial statement may be debated because it attracts debate, but I thought that the first phase would be the debate. And if there is reason for anybody to believe that the motion is necessary, they move it after that debate. To do so now, Madam Speaker, by only considering the position of the government ministerial statement along with the private Member's motion –

THE DEPUTY SPEAKER: No, I only asked her to speak about the issue in her motion, not to move it. Let her speak about them and if they convince Members, she can later on move a motion.

MS AMONGI: Thank you, Madam Speaker. One is that this issue has generated a lot of unease especially in terms of the impact being felt by Ugandans living in Kenya. I think we have a right to protect our citizens in that country. We also have a right to appeal to our fellow comrades in Kenya like the parliamentarians; the leaders who have been making these statements, to appeal to them on the subject matter.

I want to cite a few of the statements that have been made by prominent leaders in Kenya: the Commissioner for Nyanza Province, Paul Olando, speaking on the *BBC's Focus on Africa* already accused Uganda of trespass. The Fisheries Minister of Kenya, Paul Otuoma said, "Kenya will not secede an inch."

The Prime Minister of Kenya had earlier told Parliament that the question of the island is not a contest and that the island belonged to Kenya. Former President Moi has made a statement that the island belongs to Kenya.

A series of leaders, including parliamentarians, have stated and made a position that the island belongs to Kenya. The motion I intend to move later on is to appeal to both governments and leaderships to first accept the need to agree that there is a need for a demarcation or a need for a technical team to ascertain whether or not the island belongs to Kenya.

I will also appeal, in the spirit of regional integration, that there is need for both leaderships to guide the population to prepare their minds to accept the outcome of the investigation by the joint technical committee because as it is now, it is true that it is a prejudiced position in Kenya that Migingo Island belongs to Kenya. And so, in the event that it is found to belong to Uganda, what will be the reaction of the charged leadership and the charged population if they are not guided?

That will be the basis within which I will move the motion for purposes of requesting that the leadership should start the guidance.

The hardest question in this saga is to us. We had presumed that under the East African Federation, people would identify themselves as East Africans and that that would be a major pillar for peace, stability and security; that matters of tribalism and ethnicity would be sacrificed for the bigger picture of being an East African; that a federation would remove the possibility of a partner state within the federation fighting against another partner state and that therefore integration would entrench political, social and cultural ties that would make the peoples of East Africa think as a people and as a group of citizens who will not be torn apart by this small issue. The way it is now, a very small issue has become a test for whether or not our calling for the fast tracking of the East African Federation is a viable venture. It is a big test.

Therefore, I would urge this Parliament that when I move the motion later, we commit ourselves to this principle and that this small issue should not divide us or derail the bigger picture of the East African Federation.

I want to request that we do everything within our powers and within whatever position we have in this Parliament, to try and harness the spirit of the integration and talk to our comrades within East Africa and Kenya to also support this.

My appeal is that the leadership in Kenya should guide our citizens there so that we do not resort to this kind of scenario where you have to interrupt the entire regional trade because of a single issue of an island whose production and economic viability should not derail the bigger picture. Madam Speaker, I thank you and later I will beg to move the motion.

THE DEPUTY SPEAKER: Now, the rest will take three minutes each.

7.17

MR LIVINGSTONE OKELLO-OKELLO (UPC, Chua County, Kitgum): Thank you, Madam Speaker. I thank the minister for his statement. Unfortunately, I do not see the Leader of Government Business in the House now *-(Interjections)-* then she should be on the other side so that we know *-(Laughter)*

Nobody wants war in East Africa. In 1976, there was a quarrel between Uganda and Kenya and Kenya closed the boundary. We suffered here. There was no fuel in the country and we had to walk to offices.

In 1987 there were skirmishes between Uganda and Kenya and the people of Busia town on both sides had to leave. The place was deserted. They came back later.

And now, Kenya and Uganda are quarrelling again. What is the problem between the two countries? Why don't they resolve their issues early enough? We need the community for the people of East Africa; for the people of Uganda. The community must be there for all of us and nobody should be discriminated against.

Until today, Uganda had two positions for Deputy Secretary-General of the East African Community. But because of the expansion from three to five countries now, Uganda has been asked to surrender one position. Previously, the two positions had to be appraised by the four other countries.

We had Ambassador Julius Onen, Deputy Secretary-General in charge of the common market and hon. Beatrice Kiraso, Deputy Secretary-General in charge of fast tracking the East African Federation which apparently is fizzling out. I do not know what is going on.

The information I have is that the four other countries recommended that Julius Onen remains but the leaders of this country went to Arusha and removed Onen and Kiraso remained. Onen is coming back home without any designation.

I have nothing against hon. Kiraso. She is my good friend; we were together in the Sixth Parliament. What I am saying is that the plight that has befallen Julius Onen should not happen to any other Ugandan again. When there is an opening in Arusha, all parts of Uganda should be considered.

Madam Speaker, we should be national. We cannot pretend to talk about patriotism here and we do the opposite. Today as we speak, there is a meeting in Arusha and the Uganda delegation is composed as follows: the leader is President Museveni, there is also hon. Eriya Kategaya, hon. Sam Kutesa, hon. Nasasira and for the Attorney-General they have taken hon. Fred Ruhindi. Look at the composition of that delegation. What is Ugandan about it? It is wrong for us as leaders to practice tribalism - *(Interruption)*

MR OKUMU: Madam Speaker, the information I want to give, in addition to what hon. Okello-Okello is saying, is about job distribution in this country. I have a list here of the remaining parastatals, authorities and commissions in Uganda like Cotton Development Authority, National Forestry Authority, National Planning Authority, Public Procurement and Disposal of Public Assets, Uganda Bureau of Statistics, Uganda Coffee Development Authority, Uganda Revenue Authority, Uganda National Bureau of Standards, National Council for Children, National Enterprise Corporation, Uganda Investment Authority, National Council for Science and Technology, Uganda National Examinations Board, Uganda Tourist Board, Uganda Wildlife Authority, Civil Aviation Authority, Electricity Regulatory Authority, Kinyara Sugar Works, Management Training and Advisory Centre, National Drug Authority et cetera.

When you look at all these, there is no person from Northern Uganda. I only saw a name of one Joyce Otim and I was told that this lady is a Muganda married to a Langi. The rest in all these authorities and parastatals depict unfair job distribution especially to the people of the north and east. I think this is unbecoming for this country as we talk about patriotism when capable people are removed from playing their role in Arusha and substituted for others. I think this is not fair for this country and we are not going to mince words over this matter. Madam Speaker, this is the information I wanted to give and the House should know. If you want I will lay this list of over 80 parastatals, authorities and commissions on Table.

THE DEPUTY SPEAKER: Let him lay it on the Table.

MR MIGEREKO: I am seeking clarification because I thought *-(Interruption)*

MR OKUMU: Madam Speaker, I wish to lay this list, which indicates the organisations and their leadership, on the Table. It comprises of 87 organisations including Bank of Uganda but minus Prisons, UPDF and Uganda Police, which you all know are headed by individuals from one particular region. I think it is very unfair for this country and I wish to lay this on table.

MR MIGEREKO: Madam Speaker, I just want to seek guidance because we were discussing the issue of Migingo, which is to do with Uganda's territory being threatened. I thought that on such a matter we really needed to speak with one voice as nationals of Uganda. I don't know to what extent the information given will strengthen our voice and resolve concerning this problem of Migingo.

I thought we needed to be guided such that anybody who listens to the debate from this House gets out with a clear message that Ugandans would not want to lose any part of their territory and they are together when dealing with Kenyans on this matter. I am seeking guidance from the Speaker so that we don't try to move at a tangent when we are handling such an important subject.

THE DEPUTY SPEAKER: That was only information to hon. Okello-Okello but he has already contributed on the main subject. Please, conclude.

MRS MUKWAYA: Thank you very much, Madam Speaker. I want to thank my colleague who has delivered the document but I want to remind him that public service is not one sided and people are appointed on merit. However, the Prime Minister's Office will look at this document and come back to the House *-(Interruption)*

MR OKUPA: Madam Speaker, I respect my sister so much but regarding the information she is giving as the Leader of Government Business, I think she has done poorly on this matter. This is

because the managing directors here are not under public service so the information you are giving is wrong. I just want to bring it to your attention that this is not public service so are you in order to be wrong as a Leader of Government Business?

MRS MUKWAYA: The Speaker has allowed me to continue. Don't get excited because you have just seen hon. Hilary Onek who is in charge of all our oil and minerals - yes, really so what I am saying *-(Interruption)*

MR OKUMU: Madam Speaker, I am forced to rise on a point of order because what I tabled is a list of parastatals, authorities and commissions only and I have indicated very clearly how the Northern and eastern parts of the country are not visible at all and that is the fact. If you do not know, I have the list; I can deliver a copy to your office tomorrow morning.

When you look at the Front Bench, all ministers are equal because they are all cabinet ministers. When you look at the Front Bench, how many ministers come from the North and how many come from central and western Uganda? Is it therefore in order for the honourable minister who is now the Leader of Government Business to mislead the nation that because Hillary Onek has been given the Ministry of Energy, the people of the North should not complain because it is a very powerful ministry and yet we know that we also own oil in Northern Uganda whether Hillary Onek is there or not? We also have oil in Amuru and it is of a large quantity. Is it therefore in order for her to mislead this Parliament and the nation that Hillary Onek serves the interests of the people of Northern Uganda and that he is powerful enough to represent the interests and would balance the imbalance in employment in this country? Is she in order?

THE DEPUTY SPEAKER: Hon. Members, I think that the government should take an interest into that list and see that the Constitution is followed on issues of equity. *(Applause)* I think so.

PROF. OGENGA-LATIGO: Thank you, Madam Speaker. I rise on a procedural matter. You know that when the session had just began I stood and whispered to you that I wanted to raise a matter of national importance in regard to the removal of Ambassador Onen from Arusha. You then informed me that hon. Okello-Okello had been to your Office and that you would accord him opportunity at the time when the minister talks about Migingo. I am at a loss because what the Government Chief Whip says is also correct. That we would have loved to debate Migingo on its merit but at the same time we know that we have only one session today and this – are we meeting tomorrow? We are not meeting tomorrow; we only have one session today.

With all due respect to my honourable colleague, this matter that came, you need to probably be like that child who was sodomised to understand the feeling of those who are victims of decisions made which are not based on rationality, they are not based on the consideration for the need for national integration. You talk about East African integration when you are disintegrating the Ugandaness of all of us. It becomes terribly difficult.

Madam Speaker, one time after the last elections, Karusoke who used to lecture in Kyankwanzi went on radio and said that the elections went well “but we shall deal with these people from Acholi”. Hon. Mao and I went on radio separately, I did not even know that hon. Mao was in Kampala and we used exactly the same words like we concurred. We said: “In the circumstances, we are not dying to be Ugandans.” And I can assure you that if it is just a question of being Ugandans to be belittled, to be handled as if you have aggrieved this country so horribly to be insulted as if we have not gone to school, I can tell the honourable minister and the whole country that we are not dying to be Ugandans who are victims of mischief, dishonesty, unfairness and of extreme sectarianism!

Let me assure you that if need be and we walked away from this country and we walked to our land, we shall not perish. And, therefore, it pains extremely when the whole East Africa, Kenya, Tanzania, Rwanda, Burundi recommend that Ambassador Onen remains and then he is removed on issues that have nothing to do with competence and maybe social interest. Ambassador Onen was removed just before CHOGM so that others who belong can handle CHOGM. He goes to East Africa and works so well – I can tell you this morning one of the legislators called me about Ambassador Onen and she was crying about this information and yet she even doesn't come from our place. When we stand up to bring these matters it is not that we crave to be employed. But we love justice and this must be respected.

MRS MUKWAYA: I really respect the Leader of the Opposition and he knows that but the debate got mixed up and as I was responding, I was responding about the list. And if hon. Okumu had heard, I said the Prime Minister's Office will look at this list and come back to explain because these institutions have boards and it is that boards that interview –(*Interjection*)– if I can be protected? What is not there? The institutions have boards –(*Interruption*)

MR OKUPA: Madam Speaker, we all know that boards sit but why is it that these boards or the people who come from these areas especially Northern and north-eastern Uganda persistently fail to meet the standards of these boards? Why is it that it is the northerners and north-easterners who persistently fail to meet the expectations of the board? Can she explain to us why they persistently fail to meet the expectations of the board? Otherwise, if she cannot explain, is she in order to consistently insinuate that the people from the North and north-eastern parts of this country are so stupid that they cannot meet the expectations of the boards of this country? Is she in order?

THE DEPUTY SPEAKER: Hon. Members, I really urge the government to instead of defending the list blindly you should take an interest in what the Members are complaining about. Please, I think it is better.

MRS MUKWAYA: Madam Speaker, what you are directing is what I am saying. I submitted that the Prime Minister's Office will look into the list and come back to you. That is issue No. 1.

On the issue of Ambassador Onen, the Minister for East African Community Affairs was handling Migingo but at an appropriate time, you have raised this issue here, he will come back to explain how Ambassador Onen was removed from his office, simple. Let us now conclude on Migingo and then government will come back on Ambassador Onen. Thank you.

MR OKELLO-OKELLO: Thank you very much, Madam Speaker. As I conclude, I want to say this. Even when hon. Beatrice Kiraso was appointed, the information I have is that the post was supposed to go to eastern Uganda.

Secondly, I read sometime back in the press about hon. Tiperu and hon. Byamukama fighting for a lady from Ngora in Teso who was going to be sacked from Arusha; we cannot go on like this! For me I am already telling our people who are young to prepare for secession. I want to say this on this Floor, on record. We are not fools, we cannot accept anymore!

Lastly, I want to request this House that appointments to the East African Community at the higher level should be approved by this Parliament just like we vet the ambassadors et cetera. If we can vet an ambassador who is going to represent us in one country, what about these people who are going to represent us in five countries? They must come here for vetting so that we avoid this high degree of sectarianism and high degree of tribalism. I thank you, Madam Speaker.

MR OKUPA: Madam Speaker, I hope the hon. Minister of Foreign Affairs will finally bring an explanation to this but in my possession is a list of the appointments and the job allotments in the East African Community that I have been compiling. And I want to peruse from the past to the present and we see how skewed it is. At that time I want to promise to this House that I will lay it on the Table here. I have got the data, the names and the positions and where the people come from beginning with the time the East African Community started.

I just want to ask the honourable minister why it took so long to for us to settle this matter of this very small rock which just became visible in 2004. And he has even just told us in the fourth paragraph that Uganda was the first to get there. I even wonder how - if that is true – the Kenyans came in if we were the first after the island got out of the water. What is the size of this area we are struggling about? Some of us have been under pains when we get to Kenya. The last two weeks I had an opportunity of being in Kenya twice but the questions you get from the Kenyans when you mix with them, the resentment you get cannot be stomached.

I also had an opportunity to share this with the Speaker of the Parliament of Kenya, the Deputy Minister of Defence and other Members of Parliament when we were there for the Parliamentarians for Global Action under the ICC to share these things. The press was trying to push us to get to the news, to the radio stations, but we declined to comment on this matter. But we were able to share with the Members of Parliament, the Speaker and other ministers on this matter. But the question is why was it taking us so long to settle this matter? Even with this modern technology now of the GPS, which would have been able to establish the correct coordinates within the shortest time possible. So, I would really be comfortable if I can be answered.

But I also want to join those Ugandans who say, “Let us not amplify the tensions; let us talk with a voice that is geared towards bringing unity and cooperation between the sister countries.” That should be the tone we should really long for.

7.44

DR MICHAEL BAYIGGA (DP, Buikwe County South, Mukono): Thank you very much, Madam Speaker. I have just a few questions to ask about the statement and I want to restrict myself to the Misingo Islands in respect of the accuracy of this statement. You find that this island, which I have known by description of the people who have been living there as something of the size of a football pitch, is rocky and has been occupied by Ugandans since 2004. And I wonder why they had to hoist a Ugandan flag as if other islands had Ugandan flags hoisted on them? It gives an impression that people had captured an island. (*Laughter*)

I know that this island’s administrative structure was set up and Ugandans had been occupying it – in fact they are voters of hon. Ochieng, Member of Parliament. Why the President had to order for the lowering of the Ugandan flag is a question of cowardice, I suppose, because if this island indeed belonged to Ugandans, then coordinates would have been studied earlier even before settlements. The question of lowering that Ugandan flag should not have arisen.

Madam Speaker, I am aware that some of the Ugandans who had quarrels on this island got allegiance to Ugandan authorities while others got allegiance to the Kenyan authorities because of an administrative quarrel in which Uganda over reacted. And I want the minister to really throw light on this. Why did the Commander-in-Chief have to over react by deploying heavily on this island including allegedly with helicopter gunships, which alerted Kenyan forces to know that

Uganda had invaded an island purportedly belonging to them. This over reaction is in part what is causing the inflammation within Kenya and why Kenya had to respond that way.

Something which is small as everybody has observed that with technology, location of these islands is a very simple issue. Why then aren't they taking over Buvuma Islands for instance or claiming them?

7.47

MR MICHAEL NYEKO (FDC, Kilak County, Amuru): Thank you, Madam Speaker. I have today been traumatized twice in this House. When I watched the pictures of how women in those areas are treated, I got so traumatized. Again when the hon. Minister, Mukwya who is the Leader of Government Business got up to talk, I got more traumatized and I do not know how I am going to sleep tonight because of the trauma I have. *(Laughter)*

I am going to talk about Migingo but I think the issues which were raised by hon. Okello-Okello should not be swept under the carpet. Why? It is because of the magnitude of the politics and the difficulties government may face about it. On this matter, some of us are ready to move a motion to impeach the President because the President, in the appointments and so on, is acting unconstitutionally. The Constitution is very clear about how appointments should be done – regional balance and everything. Now when you go to the East African Community alone, at the beginning, the Secretary General was Dr Nuwamanya from a certain region in Uganda, next was Amanywa Mushega from a similar region, and currently on the Council of Ministers it is Kategaya, Kutesa, Nasasira and the summit is headed by Museveni. The Deputy Secretary is Kiraso, whose fast-tracking business has come to a halt. Now he is replacing Onen. It is not a simple matter that if –*(Interruption)*

MR ODONGA OTTO: Thank you very much, hon. Ocula, for giving me this opportunity. As you were reading that list, I made a quick rejoinder to the delegation that went to the summit in Arusha, which hon. Okello-okello read. I want the Leader of Government Business to tell us if it was the Attorney-General who consented to send his deputy because of his busy schedule. Why was he left out? He is here. I want the Leader of Government Business to assure us that he is not being undermined and politically prosecuted because of the ruling on the IGG case. Why has he remained and his junior staff have gone? I want to be informed.

MR NYEKO: Madam Speaker, I am saying this because government is still in a position to reverse its decision - it is not yet too late - so that we avoid this entire fracas that we are going through. The government can reverse its position right now. Just give a call to the President, he is there in Arusha, and tell him that people are not happy with what is happening in the East African Community and ask him to reverse his decision. Those things will happen.

I am just surprised to see from the statement of the minister that some parts of the border had not been clearly marked and yet when we were making the Constitution of Uganda, the boundary was really specifically marked. I do not know whether the minister and those who made the Constitution at that time were not aware that this section of the border was not properly marked. Since 1926 if government had been aware that this section of the border had not been properly marked, why wait for a time when there is now a crisis? *(Member timed out_)*

7.52

MS GRACE TUBWITA (NRM, Woman Representative, Nakasongola): Thank you very much, Madam Speaker. I have a concern on this issue of Migingo which is being talked about

throughout East Africa. Actually, I am one of the people who are moving this motion that will come later.

I want to urge leaders from both countries to remain calm because our words are always taken seriously by the community we serve. Hon. Betty Amongi has talked about statements that have been running in Kenya. These statements are true. When this Migingo issue started, I had gone for the UN Habitat Governing Council meeting and the Prime Minister issued a statement. I watched it live on the television in Kenya and it was a strong statement. In most cases when we make these statements, they even make some of our people riot and yet as we stand now, it is not yet clear where this island belongs.

The honourable minister has mentioned that a technical committee has been put in place to help survey the area and put demarcations. However, if our country is making statements insisting that the island belongs to them, that means that even if the technical committee comes up with a report which will be clear - the technical committee is composed of people from both Uganda and Kenya - I have a feeling it may not be respected.

If the leaders in Kenya do not change their statements, I am very worried. I would like to urge the technical committee to go back to the British archives and get those old historical documents and survey the area basing on those, so that we get something which is very clear. I also urge both governments to accept whatever will come out of the technical committee report.

The minister mentioned that both governments have contributed money towards this survey. We may contribute money, the survey is made and then it is not honoured and this will be a loss of taxpayers' money. I request that the government takes this seriously. They should not drag it out for a long time because it is affecting our people, especially those living in Kenya. We need each other. We should not just fight over a small rock and people issue statements which could divide us. So, we need to speak a language which does not divide us but (*Member timed out*)

7.55

MR WILLIAM NSUBUGA (NRM, Buvuma County, Mukono): Thank you, Madam Speaker. I thank the minister for the statement. I want to confirm that the first settlers of that island were from Buvuma, and the man was called Nsubuga Makwasi, a fisherman. The second person who caused the conflict is called Kalema. Nsubuga actually migrated from Dolwe in 2004 to Lemba then to Migingo. The issue was because of the fish catch.

Members will agree with me that Kenyan waters have very many breeding places for fish. So, all islands bordering Kenya and Uganda attract very many fishermen because of the high fish catch. I want to confirm that the problem lies with our government. There was a dispute in 2005 and these people sent a petition to the Vice-President's Office but they were not helped. I have all the copies they gave me. The only thing our government did was to take Maritimes to Migingo Island instead of solving the dispute, which was purely local.

I want to inform this august House that we islanders have co-existed for a long time. Kenyans have been fishing, and up to now fish in our waters, as long as they comply with the regulations of fisheries. The same applies to Ugandans. The question is: why is Migingo now becoming a problem this year?

Madam Speaker, I want to urge the Executive to act because the problem of Migingo was money from the Beach Management Unit (BMU). That is the only thing. The issue was money. The first person to settle on the island was getting a lot of money, and we made a law here but the way the

accountability for BMU was being done was not self sustaining. So, another person realised this and wondered how this local man could get money. So he invited the maritime, who are actually army men. They went there and tried to disorganise him.

I want to submit that as Uganda Government, we must learn to resolve disputes amicably because it was a Ugandan who went to the Kenyan Government to tell them that there is a free island there. Actually, the island is at the edge, at the border in the water, and the problem arose because of not respecting our laws. If the Uganda Government were serious, they would have solved the issue. The Vice-President's Office has those petitions. They even went to the IGG and there have been several meetings, and I have also chaired several. I am just praying that our government can really resolve this issue of Migingo. True, we keep fishing in Kenyan and Tanzania waters and they also do the same with our waters, but if we have this unrest, it implies that when they find you in their waters they can kill you.

7.59

MR TOSKIN BARTILLE (NRM, Kongasis County, Bukwo): Thank you, Mr Speaker. The issue of integration of the region and the continent seems to be at stake because these small wrangles are the things which make it difficult for our people to appreciate the need for integration.

We know very well that this is just the second thing. The first problem was on a tiny island in Lake Albert. That brought us problems with the Congo and we resolved that quite expeditiously and I think things are working out well. Maybe the minister will tell us if we have solved that problem. We now have this problem of Migingo. This is a small island again but it is causing us a lot of emotions, and this is another problem that will affect our integration process. It is important that as we integrate, the boundaries are made clear so that we do not eventually get some of these wrangles.

The more serious matter is the way we respond to these issues as leaders. The statements that are made by leaders are very crucial. The statements we make must be statements which will unite our people and not divide them, and this is the problem with Migingo now. I was in Eldoret last weekend at a meeting where I happened to give a speech. I raised this matter and the people were actually surprised to know that this matter is not taken as serious as it is. I want to appreciate the way the government of Uganda has done it but these things add onto others.

As I speak now, we have the same problem in my own constituency. If you read yesterday's *Daily Monitor*, on page 7 there is a headline that reads: "*UPDF enters into Kenya*". That is in an area in Bukwo. The fact is that nobody has crossed into Kenya. The pillars which were purported to have been uprooted by UPDF were pillars which were vandalised in the 1980s when bad people were looking for mercury and so they were uprooting almost every other thing. The statements which came out at that time incited people and within that time, a big raid took place in my constituency. As we speak now, about 60 head of cattle are in Kenya taken from Uganda.

This afternoon, there was a meeting between the authorities from Kenya and those in Uganda to see exactly where the vandalism was done and if the UPDF is 15 kilometres into Kenya. This actually was found not to be true at all but of course the impact of it is that people are already developing very bad emotions.

8.03

MR FELIX OKOT OGONG (NRM, Dokolo County, Dokolo): Madam Speaker, in my very understanding, this matter is beyond Migingo. As Ugandans we need to investigate critically the

problem between Uganda and Kenya. You remember when there were some problems in their elections, the culprit was Uganda. They said that we went there and rigged the elections in Kenya; you can imagine! Many Ugandans suffered there. Even as I talk today, when you go to Mombasa, our traders are being mistreated. Their goods are being stolen, mishandled and destroyed simply because their destination is Uganda. I think the matter is beyond this small island. Remember when the Movement had just come to power in 1987/1989, there was almost –(*Interruption*)

MR OKUMU: The information I want to give is that Uganda Property Holdings has utilised free land that belongs to Uganda and established a modern parking yard for Ugandan goods, and they identified a competent Ugandan company to run that business in Mombasa. This is because Ugandan vehicles that were imported could not reach here; they were being crashed or given to Sudan by the Kenyan Government. So, UPHL thought that it would be easier for Ugandan goods to be put in a particular area and this Ugandan company would manage this parking yard and that they would be safe to come. However, up to now the Kenyan Revenue Authority has refused to grant permission to this company to run this business in Kenya, and this is the cooperation we are headed for. This is the extent to which Kenyans look at Ugandans.

MR OKOT: Thank you. That actually strengthens my point that the matter is beyond this small island. The Government of Uganda must, therefore, critically investigate and carry out clear research so that we come up with a position on this matter.

I would like to inform members also that the statements that the Government of Kenya, especially the politicians in Kenya, attribute to Uganda are not friendly. I have been listening to their debates especially in their Parliament and the media. Their exposure to our country is not friendly at all. Therefore, I think the ministry must go beyond what they are doing now to investigate and proper measures should be taken.

We are talking about regional integration and I cannot leave this Floor, as the chairman of the greater north, without talking about my brother Onen. My members are not happy at all. The entire region of greater north is not happy because what is happening to our people is very disheartening. We have been having a war for 20 years. I am a strong man but I have terrible emotions; I am not going to cry as a man but it warranted me to cry before this Parliament so that members know that the north is being marginalised –(*Interjections*)- I am not going to cry; I am a man.

I want to appeal to the President of this country who has led a revolution that displaced the people of the North from government, and that has made war for 20 years in the region, to consider the North as being part of this country. Even in employment and deployment, the North must have a share (*Member timed out*)

8.09

MR STEPHEN BAKKA (NRM, Bukooli County North, Bugiri): Thank you, Madam Speaker. I wish to thank the minister for the statement. I have been waiting for this statement for a very long time, but I think it has come at the right time because the situation was getting out of hand.

The first information I would like to give to this House is that people in Kampala tend to talk of Mizingo as being a small island – the size a football pitch. I think one month ago, I was privileged to travel to this island with the ministerial team. It is true that the island is just half the size of a football pitch, but the politics and economics on it is such that on the waters that surround it, which the concerned countries especially Kenya are fighting for, there is not much fish.

On a boat from the Kenyan side to Migingo, it can take you about two hours. That is when you can get to the fresh waters that have good fish. So, the only place they can anchor in order to get to the deep waters is Migingo Island. Without Migingo, they have to ride for two hours in the boat to reach the safe waters. Once they hold onto Migingo, then they only have 15 minutes to get into the fresh waters to fish. That is why they need that island at all costs.

It is true, as hon. Nsubuga has said, that a Ugandan was the first one to live there and he has rightly quoted that that Ugandan was from Dolwe. Dolwe Island is in Bukooli South, the constituency represented by hon. Patrick Ochieng.

I would like to point out that this island did not come into light in 2004 as the hon. Minister has said. This island has been there. When you say that it came around when the water levels went down, that is wrong. This island is almost 20 metres above the water level. Normally when we talk about water levels reducing, you are talking of reduction in terms of a metre or half a metre; it cannot be beyond five metres. So, I would like to say that the island has been there with people living on it since 1997 and not 2004.

The truth is that it had been inhabited by wrongdoers or pirates who had been going to the deep waters and stealing fish from fishermen. This problem, as was correctly put by hon. Nsubuga, was caused by the Beach Management Unit. I had an opportunity to talk to the locals when I went there and I got to know that our own people are the ones who, after knowing that Government had put up a Beach Management Unit and had also brought in marine police, said they would rather lose the island to Kenya. They are actually the ones who went to tell the Kenyan authorities that Migingo Island belonged to them as a way of saying “okay, let us all lose it.”

I would like to thank the President for his gesture in directing that the flag be lowered. I think this was done in the spirit of East Africa. It will give a neutral ground for the surveyors who are about to start their work. I also would like to thank His Excellency Kibaki who has been very consistent by making statements of a statesman. He has been saying this issue will be resolved by the two countries.

However, I would like to condemn, in the strongest terms possible, the politicians from Western Kenya and Nyanza Province and for that matter the Prime Minister of Kenya. He has been making inflammatory statements including going to the Kenya Parliament and saying that the island belongs to Kenya, and that he was wondering why the Kenyan Government had not sent army men to counter the Ugandan Police that was on this it.

8.13

MR JOSEPH KASOZI (NRM, Youth Representative, Central): Thank you, Madam Speaker. A few days ago I was talking to an old, wise man. During our talk, he told me that my generation is in trouble if we do not re-demarcate and re-draw the boundaries of Uganda. We were talking about the geo-politics of our region. He said that Africans are going to war very soon over natural resources.

What is happening is all about natural resources and hon. Bakka has already given an example. There is need to have demarcations over the deep waters, and that is where Migingo comes in. The other day we were talking about Rukwanzi at the border with Congo. In West Nile, Ugandans are about to go to war with the Congolese over a small stretch of land. Very soon our friends in Southern Sudan may also turn their guns on us. So, we need to encourage Government

to work with our neighbours to redraw our boundaries because the current boundaries were drawn by colonialists. We really need to know where the boundaries for Uganda are.

The problem is that even the Ministry of Lands does not know where these boundaries are because the pillars have been stolen. The archives are in London yet we should be having copies in Uganda so that we know where our boundaries pass and clearly remark them. That is how we will solve this problem. I thank you, Madam Speaker.

8.16

MR STEPHEN MUKITALE (NRM, Buliisa County, Buliisa): Thank you so much, Madam Speaker. Honourable colleagues, when we allowed the drafting of the Bill to condemn homosexuality, I felt proud to belong to the Eighth Parliament. However, there are moments like this one - 80 years after the national boundaries were agreed and 50 years after the colonial government left us – where we are still not very sure of where the boundaries should be. I really have a problem. Because of this, I must say that it is wrong for our coordinates to still be in the custody of the colonial masters. Parliament must condemn this.

When I was a young boy living near Lake Albert, I used to see clear floating buoys that clearly showed where DRC, then Zaire, shared a border with Uganda. I am sorry to say that people who keep looking for mercury vandalized them. I am still wondering why we have not replaced them.

Talking about natural resources in Africa, I would like to say that the oil discovery has since brought up the Rukwanzi conflict and we are now talking of the fisheries resource on Lake Victoria. We are spending time and money breeding these conflicts when some of us are members of the Amani Forum and at the time, we are supposed to be talking about the East African integration. To some of us, Pan-Africanists, this is not acceptable. I would like to condemn any leader on either side who will invest in this kind of bickering and fighting.

By the way, let us remind you that there are African people at all the borders who are already co-existing. It is our states and security forces that are a problem. Otherwise, at all our borders the people there are harmoniously co-existing. That is why we need to move very fast into a modern direction of integration to ensure that even the trans-boundary resources which are already in existence can be harnessed as African people and as East African people for the good of our people. Short of this (*Member timed out*)

8.19

MRS MARGARET BABA DIRI (NRM, Woman Representative, Koboko): Thank you very much, Madam Speaker, for giving me this opportunity. I would like to thank the minister for bringing this statement to Parliament so that we can also express our views.

This small Migingo Island is causing problems between Uganda and Kenya. I would like to find out where this Migingo Island was when the colonialists were partitioning Africa. If I can remember my Geography, for the boundaries of Uganda, if you take the extreme south east even through the waters, there are dots showing the boundaries. Can't we find out these old colonial boundaries?

I know they were a bit unfair to us in the partitioning. They made Uganda very small and gave Sudan and Congo very large land. Rwanda is also very small. All this unfairness came from the colonialists and we are bearing the problem today.

I would like to ask our brothers and sisters in Kenya not to make us vulnerable because of our being landlocked. For a very small issue, they cut off fuel from us. Another small issue and they try to threaten us because we are landlocked.

I would like to tell Kenyans that they too benefit from us as Ugandans. They have very many students studying here in Uganda and when they had their crises, we hosted their refugees. We are very friendly.

We have got very many Kenyans working here and even taking prominent positions which we should have taken but we do not say anything. All the supermarkets are handled by Kenyans and yet when we go to Kenya, we are not given good positions at work. So, please Kenyans, we have been living as sisters and brothers. If there is an issue let us sit down and resolve it rather than threatening Uganda. Thank you very much.

8.22

MR JOSEPH MUGAMBE (NRM, Nakifuma County, Mukono): Thank you very much, Madam Speaker. I thank the minister for the statement.

At first I was very happy with the minister's statement when he said that Migingo Island surfaced in 2004. I said, "Yeah, I have got the solution now" because I was wondering why we never talked about Migingo. But then hon. Bakka seems to have disqualified that statement. Anyway, we might find out who is right and who is wrong later on.

All in all, we should not think about Migingo Island only. The situation is worrying for us. We are a small country and we are being checked from all corners and from all sides. I think in our resolution, we should also appeal to the international community because as a landlocked country we are being bulldozed and mistreated at any spur of emotions. I do not know why our economy should be disrupted when our neighbours are looking on like that. It is not a simple matter.

The other time, when we were meeting with some members from DRC, they were claiming that the peak of Mt Rwenzori is in Congo. The other time we had a problem with Rukwanzi Island and before that we had a problem in Mutukula where houses were divided with the bedrooms on side and the sitting rooms on the other side. So, in as much as we have a Ministry for Disaster Preparedness, we need a special body to address the issue of borders, let alone looking at how we should address calamities like this one. How should such a conflict be addressed?

I do not know how the federation will be possible when each country is just trying to pull the other country down. There are some landlocked countries in Europe but they are supported by the other countries. There is the Czech Republic. It is landlocked but no neighbouring country can block its transport because even blocking transportation to another country, I think, is declaring war on a country. So, they are doing things and we are being a bit silent just because we are landlocked. I think we need the attention of the international community to address this issue.

I thank the President for having ordered the lowering of the Flag. It would have been like the other two ladies who were arguing for a child and the other one who was not the owner of the child suggested that they cut the child into two. The owner declined and agreed to let the other lady take the baby because the owner knew it was not proper to cut the child into two. So, I think the President thought logically. With time, we should solve this but let us get a permanent solution and let us at least bring it to the attention of the international community so that we are not always bulldozed.

8.26

MR TERENCE ACHIA (NRM, Bokora County, Moroto): Thank you, Madam Speaker. I also thank the minister for the statement. According to the statement, Migingo Island came to be officially recognised in Uganda in 2004. Now some information that we have got is that people lived on this island many years before. It would have been good for us to trace exactly when this island came to exist and be called an island.

There is a point which I would like to make, which would also give us a proportion. The two technical teams from Kenya and Uganda are going to get the source primary documents from England. In getting these documents, it will be these very teams to work on the matter and yet now the Kenya team believes that the island belongs to them and definitely the Uganda team also believes that the island belongs to us. I would propose that a third party, that is an arbitrator, also from England, form part of the technical team. They will be seen as a more neutral body and be able to state the realities about this border. I think that would help us a lot *-(Interruption)*

MR OKUMU: Madam Speaker, the information I want to give my hon. colleague is that when you are defining neutrality, you must define it with a lot of interest. The United Kingdom and the United States have a bigger capital base in Kenya than in Uganda. That is why when there is any little chaos in Nairobi, like in the last election, everybody was there. They were doing each and everything and they were protecting the interests of their businessmen. So, if they are to be called at this time, I think let us not expect any neutrality because they are going to side with where their business interest lies.

Secondly, we should also know that continental drift has been taking place. I only wish that this technical team which has been put in place would also take this into consideration. If the continent of Africa has been moving away from the United States, this continental drift affects the boundary especially in the water area and there is a possibility that Migingo may have existed the other time somewhere and today it has drifted somewhere else. I only wish that we would have the technicality in that particular area too.

MR ACHIA: Well, I say this for a purpose. As mentioned in the statement, the source of information to guide the process was agreed upon. The order in council of 1926, which is of course still in Britain, was issued. This is why I say our colonial masters should be able to have that information which should be able to help us. That is why I was also suggesting that. However, in case you may doubt that, still the information should be got from England and you may get some other person to work as a neutral body. Thanks.

8.30

MR JOWALI KYEYAGO (NRM, Bunya County South, Mayuge): Thank you, Madam Speaker. I thank the minister for coming up with this report. The report clearly gives us the indication that Government is alert. When you see a situation that seems to be tricky, you go and occupy it for the purposes of national security. Much as I applaud government for that, I think this report is somehow misleading. When you are occupying an island, which is being contested from 2004 to 2009 and you take the situation casually yet it is creating excitement and rage among the population, I feel that government ought to have acted fast.

I have stood up to debate this subject because I think government should be very smart when dealing with territorial boundaries. Even in my constituency, I have a problem regarding territories. The bigger Iganga where we came from had seven islands attached to Iganga but because of poor service delivery then, those seven islands seceded to Mukono. When I go to my constituency, people are saying *-(Interruption)*

MR WILLIAM NSUBUGA: Madam Speaker, I have risen on a point of order. I have a lot of respect for my colleague but unless he lays the facts on the Table, he cannot insinuate that the islands that are bordering Iganga and these include Luwiya Island, Namiti, Kireewe, Makalaga and Nambagga, belong to Iganga. Those islands belong to Mukono and Buvuma consists of 56 residential islands. As regards the issue of services, even as we talk the whole of Buvuma is neglected. Actually Busoga was much nearer than Mukono so there is no way those islands could prefer to belong to Mukono instead of Iganga. I want to encourage him to pursue the idea of Migingo today. Is he in order to divert Parliament from Migingo and bring in internal district boundaries? Is he in order?

THE DEPUTY SPEAKER: Hon. Members, I really would not want to see an internal Migingo here and if there are issues about boundaries, please deal with the Minister for Local Government but for now, deal with Migingo, please. Don't create another conflict here.

MR KYEYAGO: Madam Speaker, I just raised that to alert him that I am aware that there are some islands that are under contestation and he has named them.

Cabinet has approved a budget for the survey and mapping of the marine section of Lake Victoria. I think that government should go beyond the Uganda-Kenya border and extend to the Uganda-Sudan border as well because like my brother was saying, I also heard that we have wrangles on the border of Uganda and Sudan. Before we clash with Sudan, let this be worked on at once *-(Interruption)*

MR BAKKA: Madam Speaker, yesterday I was speaking to the Woman Member of Parliament for Yumbe, discussing Migingo. She was telling me that there is a rock, which separates Uganda and Sudan. However, she was saying that the Sudanese authorities constructed a health centre five kilometres after the rock into Uganda. She added that there is no problem. Certainly in future there is going to be a problem because the health centre is five kilometres from the rock separating Yumbe and –

THE DEPUTY SPEAKER: Are you members suggesting that we re-open all the boundaries of the country? Is that what you are saying?

MR OKUMU: Madam Speaker, the information I want to give is that Uganda has contributed a lot to the liberation of Southern Sudan and some of those things that you see are good gestures. When NRA took over power, because our President also got some support from a section of people in Tanzania, Uganda actually built a school in Karagwe across the border and inside Tanzania. That does not mean that in future we should go to annex that school to become part of Uganda. So these are the solidarities that can be extended when you co-exist together during hard times.

MR KYEYAGO: Madam Speaker, as I wind up I request that as members who are pushing for the East African Federation, let us learn to deal with our trivial issues in-house. Thank you.

8.34

THE MINISTER OF STATE FOR REGIONAL AFFAIRS (Mr Isaac Musumba): I want to thank members and you, Madam Speaker for the considerable leadership skills that you have demonstrated during this debate. We do not want and did not want to be as unreasonable as the people from another Parliament who were making statements that were abusive, inciting and

using language, which is unacceptable about another sovereign state. So I want to thank this House for this demonstration of leadership.

Migingio is a challenge but I think it is also an opportunity for us to have our borders clearly demarcated. This is because even when you are going for a federation, you go with a known whole. You just don't say we are federating, therefore, it doesn't matter. We in the government have now begun a process starting with Migingio to progressively ensure that the borders with DRC, Sudan and Tanzania are re-examined. That is a commitment of the government.

Secondly, we are also using this challenge to ensure that we have the opportunity to enforce our natural resource exploitation in our waters. It has been mentioned that from Kisumu to the Island of Migingio is in the region of two hours and from our mainland to the Island of Migingio is over six hours. The exploitation of the resources around that area, which are our waters, has been done more by the people of Kenya than the people of Uganda. This challenge is now making sure that we put in place a mechanism to police our natural resources in that area and specifically the fish catch that exists in those areas.

I would like to quickly go through some of the things that have been raised because I want to assure you that government is committed to the peaceful settlement of this matter. In keeping with what hon. Amongi said, we in Uganda want to ensure that the problems that may arise between us and Kenya are resolved in a manner that is sustainable but also peaceful. To that effect therefore, we are resolving this matter both technically and bilaterally. We, however, are encouraging the East African Community to come and give observer status to what is being done so that whatever is being done is something that has been seen by other people as well and not just limited to the two of us.

The issue of the mindset, which has been raised, is very important. A lot of emotions have been drummed up in Kenya by big political people although I hasten to add that it is not state inspired. The state in Kenya is in agreement with the state in Uganda that this is a problem that is technical and which can be resolved by technical people.

However, there are people who have their own political motives and want to use this island to demonstrate points of political nature within Kenya. To this I want to say that we will and we are making sure that we sensitise our other allies within the East African region, within the Great Lakes region and within IGAAD to which we are all members to be aware of what is happening so that even after we have resolved these differences, the result which will be technical and will be internationally accepted should be able to persuade even those doubting Thomases that this is that position.

MR OKUMU: Madam Speaker, the clarification I want to get from the honourable minister is that recently in the government newspaper, the President was quoted to have said that actually Migingio Island is in Kenya but the water is in Uganda. Can you clarify the status of that statement? Because if the island is somewhere, how can the water be in Uganda?

MR MUSUMBA: The President was misquoted and soon thereafter a clarification was given.

If I will continue, the hon. Okello-Okello and many others after him raised the issue of the position of Deputy Secretary-General in Arusha et cetera. I can only say that the summit sat today and this information got to me today; I believe there will be opportunity for us to give a clarification after we have received the full set of facts. As of now I do not know exactly what

transpired at the summit to be able to give this clarification in respect to the well respected Ambassador Onen.

Hon. Okupa, the Leader of Government Business has clarified on these jobs of East Africa et cetera. She will bring a statement; so that is the clarification she gave.

There have also been questions by hon. Okupa as to why Migingo has taken so long. What is it? Migingo is just one acre of rock. I have explained that Migingo has three important elements to us: one, if you fail to define your borders today, somebody takes an inch, one acre today, and tomorrow he will claim four acres and the day after will be eight acres. Islands and marine issues are such that it is possible for someone to keep on making claims unless there is a clearly marked floating boundary mark that will be identified on water. So, we cannot just secede Migingo even if it is one acre of hard rock. If it is a territory of Uganda, it is a territory of Uganda for which the Constitution mandates this government to preserve the territorial integrity of this country at all costs.

The hon. Lulume Bayigga is gone. His asks: why was the flag flying and now there is no flag? Why have you lowered it? Is President Museveni a coward? President Museveni is not a coward and everyone knows that! He is not a coward; he is a General; the evidence is there, it is in the public domain. However, if you have a contest and both of you have agreed that you are going to bring evidence – your own documentation relating to that particular piece of property - you make it neutral to enable the technical people to do their measurements. To this extent, therefore, it was okay for the flag to be removed since the mission is about to begin to do their survey work. Those were the grounds and not grounds of cowardice or otherwise.

He also alleged that the President deployed heavily with gunships. That has never been true and it is not true. He has his information wrong.

The hon. Ocula says the Constitution marks out borders and how come they have not been marked up to now. The borders were marked; the borders are set out in the annex of the Constitution in the schedule to the Constitution. However, we have agreed to open up the borders - and by the way as the hon. Member for Buliisa said, unless you have floating buoys on the water, for an ordinary person you would not know where a particular border line is on a marine area.

The hon. Tubwita, yes, it is true that the Prime Minister of Kenya made strong statements. We do not want to do that here; we respect him as a Prime Minister of a neighbouring, sovereign country and we hope that wisdom will prevail in due course.

The hon. William Nsubuga, yes, it is the beach management unit and money that Baganda people from Mukono who were competing for – I did not want to go into the details of competition of the two people and so on; I wanted to stick to the principle which is that the island is in contest. But that history was useful and it is true; I agree with it.

The hon. Bakka, I have said that Rukwanzi is one of those that will be reconsidered in all this. We are going to survey all these borders; that is a point of fact – to resurvey or to open up boundaries as they say redraw or open, I think. Madam Speaker, I am being confused by -

THE DEPUTY SPEAKER: Opening boundaries.

MR MUSUMBA: The hon. Kasozi, again the same point was made about drawing up borders and the hon. Member for Buliisa on coordinates being visible.

Then hon. Baba Diri, “Why are the Kenyans making us so vulnerable, every small problem, they say they are going to suffocate us?” That is a valid point. What we are doing, however, is that we are turning this challenge into an opportunity; the government is now moving fast to ensure that the southern route is made more operational because it is there. Today you can import things through Dar-es-Salaam but it is still more expensive. The government is working to ensure that the costs are more affordable so that we have plan B at all material times.

This point was also echoed by hon. Mugambe who said: “Isn’t there an international obligation for a landlocked country to access the sea?” It is there and to disrupt that corridor –(*Interruption*)

MR OKELLO-OKELLO: Thank you, Madam Speaker. I thank the honourable minister for giving way. The southern route, after the fall of Amin that was a very hot debate, and the government at that time came out to assure the people of Uganda that within a very short time that alternative route would be available. It is almost 30 years now. We are getting another assurance. How sure can we be that this statement of today will not be like those others?

MR MUSUMBA: I am sorry hon. Okello-Okello, I really cannot answer for that government. What I am saying now is that today you can use the southern route. The only difference is that it is more costly to use the southern route. The government is now going to move to ensure that it is relatively cheaper to use the southern route to bring things to Uganda.

The other hon. Members like Nokrach and Kyeyago were all talking about the same thing, which I already explained much earlier and, therefore, I want to end here.

THE DEPUTY SPEAKER: I think we need to close.

MR OKUPA: Madam Speaker, as we were speaking, we were restricted to Miging Island but there is a colleague from the other side who raised an issue which I would have wanted to be answered.

I remember two months ago hon. Okumu led a team of the Committee on Commissions, we went to West Nile but what we found out from Vula is that Uganda Revenue Authority, which was operating in Vula, woke up in the morning and found that the Congolese had erected the flag on the Ugandan side, and deployed heavily. So, URA staff withdrew and that information which was raised here, I thought you would also answer because it is not us erecting the flag; it is the Congolese that have raised the flag. So, how far have you gone in addressing that matter or if you are not aware –(*Interjections*)- the soldiers are two kilometres deep. If you do not have the answer now, possibly you would bring the responses because these things are everywhere now.

MR MUSUMBA: Thank you, hon. Okupa. First of all, I do have the answer now. The answer is that that happened but through diplomatic efforts, the head of state here met the head of state of DRC; these matters were discussed and agreed upon and today the situation is normal. Madam Speaker, I really want to thank you and this House. (*Ms Betty Amongi rose*_)

THE DEPUTY SPEAKER: Do you really still think you should move this motion?

MS AMONGI: Madam Speaker, this is an important matter. We have made general statements and we need to make a position. That is why I want to read a resolution and then people can agree or disagree. It is important that we have a position on the matter.

MR MUSUMBA: Madam Speaker, I really have a lot of sympathy for hon. Amongi but I have looked at what she had proposed to move and the gist of what she intends to move is what this House has just had and a statement has been made and has been fully discussed before this House. I want to propose that we be given a chance as government to resolve this matter the way we have undertaken and we will get back and update Parliament about how far we have gone with that matter.

BILLS
SECOND READING
THE POLITICAL PARTIES AND ORGANISATIONS (AMENDMENT) BILL, 2008

THE DEPUTY SPEAKER: Hon. Members, when we adjourned last week we agreed that we would go to the second reading of the Bill today but let us hear what the Attorney-General has to say on that matter.

8.56

THE MINISTER OF JUSTICE AND CONSTITUTIONAL AFFAIRS AND ATTORNEY-GENERAL (Prof. Edward Khiddu Makubuya): Thank you, Madam Speaker. Since then I received the following communication and it is dated, 27 April 2009. It is addressed to hon. Daudi Migereko, Government Chief Whip: “*Attention: The Attorney-General, Deputy Attorney-General, Chairperson Legal and Parliamentary Affairs committee: Proposal to restructure a Political Parties (Amendment) Bill, 2008:*

Please find attached a comprehensive proposal for the amendment of the above Bill. The various details capture concerns raised and submissions made by political parties and other stakeholders. Contributions of Members to the debate of the Bill and suggestions as to the debate of the Bill and suggestions made during recent consultation.

My view is that time is required to reflect on and consult on the amendment.

I, therefore, propose that the plenary of Wednesday be postponed to next week.

Prof. M.W Ogenga-Latigo, Leader of Opposition in Parliament.”

This document talks about a comprehensive proposal for the amendment, and the proposal is really comprehensive. Prof. Ogenga-Latigo has left but hon. Arumadri is here and he can stand in for him. What I see when I look at this proposal is that you are talking about constitutional, financial, administrative and equity implications.

Time is definitely necessary to interface with the author of this proposal and in my estimation, you need to take the proposal seriously because he has taken some time and effort and intellectual energy to put it together, and to do some content analysis of the part of the debate which took place here. So, it is not the kind of thing you just throw out summarily.

May I, therefore, ask for time to do the necessary consultation and to be able to really respond substantively and meaningfully to this proposal? I need to consult vertically, horizontally and

otherwise and it will take me about two weeks. So I crave your indulgence and Parliament's indulgence on this matter. Thank you.

MR WILLIAM NSUBUGA: Thank you, Madam Speaker. I received an SMS ten minutes ago, informing me that there is a Cholera outbreak in my constituency, in Mubale landing site, in Buvuma. I took the trouble to call the person who sent the message and he told me that yesterday three people were evacuated and taken to Jinja. They died and today two people have died at Mubale landing site.

I have talked to the Leader of Government Business. The appeal I want to make to this august House is to make sure that government really acts very fast to make sure that this Cholera outbreak is addressed and given the fact that we are going to adjourn up to next week, it is imperative that government takes immediate action.

THE DEPUTY SPEAKER: Fortunately, the Leader of Government Business is sitting very close to you. I hope they have heard.

Hon. Members, I want to thank you for all the work done today. The House is adjourned sine die.

(The House rose at 9.03 p.m. and adjourned sine die.)

EXHIBIT 108

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

-----x

SEXUAL MINORITIES UGANDA,

Plaintiff,

Civil Action No.

-against-

3-12-CV-30061-MAP

SCOTT LIVELY,

Defendant.

-----x

May 12, 2015

10:10 a.m.

Deposition of CALEB BRUNDIDGE, taken by
Plaintiff, pursuant to Notice, at the
offices of Dorsey & Whitney, 51 West 52nd
Street, New York, New York, before Joelle
Falsetta, a certified Shorthand Reporter
and Notary Public within and for the State
of New York.

1
2 APPEARANCES:
3
4
5
6 DORSEY & WHITNEY, LLP
7 Attorneys for Plaintiffs
8 51 West 52nd Street
9 New York, New York 10019
10 BY: VIKRAM KUMAR, ESQ.
11 KALEB MCMEELY, ESQ.
12
13 LIBERTY COUNSEL
14 Attorneys for Defendant
15 P.O. Box 540774
16 Orlando, Florida 540774
17
18 BY: HORATIO G. MIHET, ESQ.
19 VP of legal Affairs and
20 Chief Litigation Counsel
21
22 JOHN P. MARGAND,ESQ.
23 Attorney for witness
24 670 White Plains Road, Suite 322
25 Scarsdale, New York 10583

22 ALSO PRESENT:
23 Juan Torres, Videographer
24 Pam Spees
25 Azure Wheeler

[Page 2]

1
2 STIPULATIONS
3
4 IS HEREBY STIPULATED AND AGREED
5 By and between the attorneys for the
6 respective parties herein, and in
7 compliance with Rule 221 of the Uniform
8 Rules for the Trial Courts
9 THAT the parties recognize the provision
10 Of Rule 3115 subdivisions (b), (c) and/or
11 (d).
12 All objections made at a deposition shall
13 be noted by the officer before whom the
14 deposition is taken, and the answer shall
15 be given and the deposition shall proceed
16 subject to the objections and to the right
17 of a person to apply for appropriate
18 relief pursuant to Article 31 of the CPLR.
19 THAT every objection raised
20 during a deposition shall be stated
21 succinctly and framed so as not to suggest
22 an answer to the deponent and, at the
23 request of the questioning attorney, shall
24 include a clear statement as to any defect
25 in form or other basis of error or
irregularity. Except to the extent
permitted by CPLR Rule 3115 or by this
rule, during the course of the examination
persons in attendance shall not make
statements or comments that interfere with
the questioning.
THAT a deponent shall answer
all questions at a deposition, except (i)
to preserve a privilege or right of
confidentiality, (ii) to enforce a
limitation set forth in an order of a
court, or (iii) when the question is
plainly improper and would, if answered,
cause significant prejudice to any person.
An attorney shall not direct a
deponent not to answer except as provided
in CPLR Rule 3115 or this subdivision.
Any refusal to answer or direction not to
answer shall be accompanied by a succinct
and clear statement

[Page 3]

1
2 does not answer a question, the examining
3 party shall have the right to complete the
4 remainder of the
5 deposition. THAT an attorney shall not
6 interrupt the deposition for the purpose
7 of communicating with the deponent unless
8 all parties consent or the communication
9 is made for the purpose of determining
10 whether the question should not be
11 answered on the grounds set forth in
12 section 221.2 of these rules and, in such
13 event, the reason for the communication
14 shall be state for the record succinctly
15 and clearly.
16
17 THAT failure to object to any
18 question or to move to strike and
19 testimony at this examination shall not be
20 a bar or waiver to make such objection or
21 motion at the time of the trial of this
22 action, and is hereby reserved; and
23 THAT this examination may be
24 signed and sworn to by the witness
25 examined herein before any Notary Public,
but failure to do so or to return the
original of the examination to the
attorney on whose behalf the examination
is taken shall not be deemed a waiver of
the rights provided by Rules 3116 and 3117
of the CPLR, and shall be controlled
thereby, and
THAT certification and filing
of the original of this examination are
waived; and
THAT the questioning attorney
shall provide counsel for the witness
examined herein with a copy of this
examination at no charge.

[Page 4]

1
2 CALEB BRUNDIDGE
3 THE VIDEOGRAPHER: The
4 time is 10:05 a.m. This begins
5 video number one of the video
6 deposition of Mr. Caleb Brundidge
7 in the matter of Sexual
8 Minorities Uganda versus Scott
9 Lively on May 12, 2015.
10 My name is Juan Torres and
11 I am the legal video specialist.
12 All counsel present will be
13 noticed on the transcript.
14 Will the court reporter
15 please swear in the witness.
16 THE COURT REPORTER: Please
17 raise your right hand.
18 Do you solemnly swear that
19 the testimony you are about to
20 give is the truth, whole truth
21 and nothing but the truth?
22 THE WITNESS: Yes, I do.
23 EXAMINATION BY MR. KUMAR:
24 Q. Good morning,
25 Mr. Brundidge.
A. Good morning.

[Page 5]

1 CALEB BRUNDIDGE
2 A. No.
3 Q. Do you recall meeting
4 someone named Johnson Musimguzi while
5 you were there?
6 A. No.
7 Q. Do you recall Scott Lively
8 meeting with anyone involved with any
9 Ugandan publication while you were
10 there?
11 MR. MIHET: Form.
12 A. No.
13 MR. KUMAR: Would you be
14 amenable to a 15 minute break?
15 MR. MIHET: Sure.
16 THE VIDEOGRAPHER: The
17 time is 11:15 a.m. this ends
18 video number one.
19 (Off the record.)
20 THE VIDEOGRAPHER: The
21 time is 11:38 a.m. and this
22 begins video number two.
23 Q. Mr. Brundidge, we were
24 speaking a little bit about meetings
25 that may have taken place outside the

[Page 74]

1 CALEB BRUNDIDGE
2 actual seminar itself in March of 2009
3 in Uganda.
4 Do you recall any meetings where
5 people asked for any kind of privacy?
6 MR. MIHET: Form.
7 MR. MARGAND: Objection to
8 the form. Privacy in connection
9 with what?
10 MR. KUMAR: I'll rephrase.
11 Q. Were there any meetings
12 where you specifically did not want the
13 media or other people present?
14 A. No.
15 Q. Were there any meetings
16 where you asked for people to leave in
17 order for the meeting to be private?
18 A. No.
19 Q. Were there any meetings that
20 you are aware of that Scott Lively had
21 in which he had asked that the meeting
22 be private?
23 A. No.
24 Q. Going back to the seminar
25 itself, you mentioned certain portions

[Page 75]

1 CALEB BRUNDIDGE
2 you were there for and certain portions
3 you were not?
4 A. Yes.
5 Q. What were you doing when you
6 were not at the seminar itself?
7 A. At the place that I was
8 staying and shopping.
9 Q. Do you recall any other
10 activities you may have been
11 participating in while the seminar was
12 going on during the time which you were
13 not at the seminar?
14 A. No.
15 Q. Mr. Brundidge, are you aware
16 of a piece of Uganda legislation
17 entitled the anti homosexuality bill?
18 A. Yes.
19 Q. How did you become aware of
20 that bill?
21 A. Through the Internet.
22 Q. Did you have any knowledge
23 of the bill during your time in Uganda
24 in March of 2009?
25 A. No.

[Page 76]

1 CALEB BRUNDIDGE
2 Q. Are you aware as to when
3 that bill was introduced to Ugandan
4 parliament?
5 A. No.
6 Q. Did you ever review drafts
7 of the Ugandan anti homosexuality bill?
8 A. No.
9 Q. Did you ever make any
10 comments to any Ugandan legislators
11 about the Ugandan anti homosexuality
12 bill?
13 A. No.
14 Q. Did you ever discuss the
15 Ugandan anti homosexuality bill with
16 Scott Lively?
17 A. No.
18 Q. Did you ever discuss the
19 anti homosexuality bill with Stephen
20 Langa?
21 A. No.
22 Q. Did you ever discuss the
23 anti homosexuality bill with Martin
24 Sempa?
25 A. No.

[Page 77]

1 CALEB BRUNDIDGE
2 Q. Did you ever discuss the
3 anti homosexuality bill with someone
4 named David Bahati?
5 A. No.
6 Q. Did you ever discuss the
7 anti homosexuality bill with someone
8 named James Buturo?
9 A. No.
10 Q. Did you ever discuss any
11 potential Ugandan legislation on the
12 topic of homosexuality with Scott
13 Lively?
14 A. No.
15 Q. Did you ever discuss any
16 potential Ugandan legislation on the
17 topic of homosexuality with Stephen
18 Langa?
19 A. No.
20 Q. Did you ever discuss any
21 potential Ugandan legislation on the
22 topic of homosexuality with Martin
23 Sempa?
24 A. No.
25 Q. Did you ever discuss the

[Page 78]

1 CALEB BRUNDIDGE
2 Ugandan anti homosexuality bill with
3 anyone at all?
4 A. No.
5 Q. Were you ever contacted by
6 the media about your views on the
7 Ugandan anti homosexuality bill?
8 A. No.
9 Q. Are you aware as to whether
10 the Ugandan anti homosexuality bill was
11 passed or not?
12 A. No.
13 Q. Have you had any
14 conversations or correspondence with
15 Scott Lively since you came back from
16 Uganda in March of 2009?
17 A. No.
18 Q. Scott Lively ever send you
19 an e-mail since you came back from
20 Uganda in March of 2009?
21 A. No.
22 Q. Have you ever had any
23 conversations or correspondence with
24 Stephen Langa since you came back from
25 Uganda in March of 2009?

[Page 79]

1 CALEB BRUNDIDGE
2 A. Yes.
3 Q. What did you discuss?
4 A. It was e-mail, just a thank
5 you for coming.
6 Q. Beyond the thank you e-mail
7 you just described --
8 A. No.
9 MR. MARGAND: Wait for the
10 question.
11 Q. Beyond the thank you e-mail
12 you just described, did you have any
13 conversations with Stephen Langa since
14 coming back from Uganda in March of
15 2009?
16 A. No.
17 Q. Did you have any
18 conversations with Don Schmierer since
19 coming back from Uganda in March of
20 2009?
21 A. No.
22 Q. Going back to the anti
23 homosexuality bill, did you have any
24 conversations or correspondence with
25 Richard Cohen about that bill?

[Page 80]

1 CALEB BRUNDIDGE
2 A. No.
3 Q. Do you know if Richard Cohen
4 wrote a letter to members of Ugandan
5 parliament concerning the anti
6 homosexuality bill?
7 A. Yes.
8 Q. Did you discuss the letter
9 and the contents or the contents of
10 that letter --
11 A. Yes.
12 Q. -- with Richard Cohen?
13 Did you discuss the letter or
14 the contents of that letter with
15 Richard Cohen?
16 A. Yes.
17 Q. What was your discussion
18 with Richard Cohen about the letter?
19 A. Just about let's see, just
20 about the draft of the letter, you
21 know, just when he wrote it, the
22 statement of it and you know.
23 Q. Did you get a chance to
24 review that draft letter?
25 A. Yes.

[Page 81]

1 CALEB BRUNDIDGE
 2 Q. Do you agree with the
 3 positions expressed in that draft
 4 letter?
 5 MR. MARGAND: Objection.
 6 MR. MIHET: Objection.
 7 MR. MARGAND: Establish
 8 what was his understanding of
 9 what was said in the letter.
 10 MR. MIHET: And I object
 11 to the form as well.
 12 Q. Mr. Brundidge, what is your
 13 understanding of what was in the draft
 14 letter that Richard Cohen wrote to the
 15 members of Ugandan parliament
 16 concerning the anti homosexuality bill
 17 that you reviewed?
 18 MR. MIHET: Form.
 19 A. My understanding was that we
 20 didn't go there with the purpose of any
 21 knowledge of the bill in the first
 22 place. We didn't agree with the whole
 23 spirit behind that letter.
 24 MR. MARGAND: The letter
 25 or the bill?
 [Page 82]

1 CALEB BRUNDIDGE
 2 A. I mean the bill, yes. And
 3 that's not what we believe in kill
 4 someone for their sexual preference.
 5 Q. Did Richard Cohen express to
 6 you any other views about the anti
 7 homosexuality bill?
 8 A. No.
 9 Q. After receiving the draft
 10 letter, did you provide Mr. Cohen with
 11 any sort of feedback?
 12 A. Yes.
 13 Q. What did you say?
 14 A. I said okay it was fine.
 15 Q. Did you suggest --
 16 MR. MARGAND: You're
 17 talking about the letter?
 18 MR. KUMAR: Did I say the
 19 bill by accident?
 20 Q. After receiving the draft
 21 letter, did you provide Mr. Cohen with
 22 any sort of feedback?
 23 A. Yes.
 24 Q. What did you say?
 25 A. It was fine.
 [Page 83]

1 CALEB BRUNDIDGE
 2 MR. MARGAND: The letter
 3 was fine?
 4 THE WITNESS: The letter
 5 was fine.
 6 Q. Did you provide any sort of
 7 additional content for that letter?
 8 MR. MIHET: Form.
 9 A. What do you mean?
 10 Q. In addition to telling Mr.
 11 Cohen that the letter was fine?
 12 A. Yes.
 13 Q. Did you suggest any changes
 14 or additions to that letter?
 15 A. No.
 16 Q. Are you aware as to whether
 17 the letter expressed any viewpoints on
 18 whether the Ugandan anti homosexuality
 19 bill was persecutorial?
 20 A. No, I am not aware.
 21 MR. MARGAND: Objection to
 22 the form. You said prosecutorial
 23 or persecutorial?
 24 MR. KUMAR: Persecutorial.
 25 MR. MARGAND: What do you
 [Page 84]

1 CALEB BRUNDIDGE
 2 mean my persecutorial?
 3 MR. KUMAR: Whether the
 4 bill would have had the affect of
 5 persecuting certain sexual
 6 minorities.
 7 MR. MARGAND: By
 8 persecuting, what do you mean by
 9 persecuting?
 10 MR. KUMAR: By persecuting,
 11 I mean oppressing, damaging or
 12 otherwise harming.
 13 MR. MIHET: I'll object.
 14 MR. MARGAND: I object to
 15 the form as well. Persecutorial
 16 is such a broad term and easily
 17 misapplied and misunderstood. So
 18 I object to the form just for the
 19 record.
 20 MR. MIHET: I object to
 21 the form as well.
 22 Q. Do you recall whether the
 23 letter stated that the bill, the anti
 24 homosexuality bill was persecutorial?
 25 A. I don't know what per --
 [Page 85]

EXHIBIT 109

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS
SPRINGFIELD DIVISION

- - - - -X

SEXUAL MINORITIES UGANDA, :

Plaintiff, : Civil Action No.

vs. : 3-12-CV-30061-MAP

SCOTT LIVELY, :

Defendant. :

- - - - -X

Videotaped Deposition of RICHARD COHEN, M.A.

Washington, D.C.

Monday, June 15, 2015

10:12 a.m.

Job No. 147404

Pages: 1 - 126

Reported by: Dana C. Ryan, RPR, CRR

<p>1 2 3 Videotaped Deposition of RICHARD 4 COHEN, M.A., held at the law offices of: 5 6 Dorsey & Whitney LLP 7 1801 K Street, Northwest 8 Suite 750 9 Washington, D.C. 20006 10 (202) 442-3553 11 12 13 14 15 16 17 Pursuant to agreement, before Dana C. Ryan, 18 Registered Professional Reporter, Certified 19 Realtime Reporter and Notary Public in and for the 20 District of Columbia. 21 22 23 24 25</p> <p style="text-align: right;">[Page 2]</p>	<p>1 APPEARANCES CONTINUED 2 3 ON BEHALF OF THE DEFENDANT: 4 HORATIO G. MIHET, Esquire 5 VP Of Legal Affairs And 6 Chief Litigation Counsel 7 Liberty Counsel 8 P.O. Box 540774 9 Orlando, Florida 32854 10 Telephone: (800) 671-1776 11 12 13 ON BEHALF OF THE WITNESS: 14 JOHN R. GARZA, Esquire 15 Garza Law Firm, P.A. 16 Garza Building 17 17 West Jefferson Street 18 Suite 100 19 Rockville, Maryland 20850 20 Telephone: (301) 340-8200 21 Email: jgarza@garzanet.com 22 23 24 ALSO PRESENT: 25 Mikkos Goodhill, Videographer</p> <p style="text-align: right;">[Page 4]</p>
<p>1 APPEARANCES 2 3 ON BEHALF OF THE PLAINTIFF: 4 JUDITH BROWN CHOMSKY, Esquire 5 Law Offices of Judith Brown Chomsky 6 8120 New Second Street 7 Elkins Park, Pennsylvania 19027 8 Telephone: (215) 782-8367 9 Email: jchomsky@igc.org 10 11 - and - 12 13 VIKRAM KUMAR, Esquire 14 Dorsey & Whitney LLP 15 51 West 52nd Street 16 New York, New York 10019 17 Telephone: (212) 415-9200 18 Email: kumar.vikram@dorsey.com 19 20 21 22 23 24 25</p> <p style="text-align: right;">[Page 3]</p>	<p>1 CONTENTS 2 EXAMINATION OF RICHARD COHEN, M.A.: PAGE: 3 By Ms. Chomsky 8 4 By Mr. Mihet 106 5 By Ms. Chomsky 119 6 7 8 9 EXHIBITS 10 (Attached to the Transcript) 11 COHEN DEPOSITION PAGE: 12 Exhibit 15 January 5, 2010 Letter To 14 13 President Museveni From 14 Richard Cohen 15 Exhibit 16 January 5, 2010 Letter To 14 16 Uganda Legislators From 17 Richard Cohen 18 Exhibit 17 International Healing 61 19 Foundation Summer 2009 20 Newsletter 21 Exhibit 18 June 9, 2015 Email From 77 22 John Garza To Vikram Kumar 23 Forwarding A March 2011 24 Email Chain 25 Exhibit 19 April 2015 Email Chain 79</p> <p style="text-align: right;">[Page 5]</p>

1 A Uh-huh.
 2 Q -- about the deposition of
 3 Mr. Brundidge?
 4 A No.
 5 Q I'm going to show you a document which
 6 we will mark as 15.
 7 MR. KUMAR: It's the letter?
 8 MS. CHOMSKY: Yes.
 9 You should mark 15 and 16.
 10 MR. KUMAR: Right.
 11 I'm marking as Exhibit 15 a letter
 12 dated January 5th, 2010, with the salutation, Dear
 13 President Museveni.
 14 Mr. Cohen, this is for you. And,
 15 Harry, if you wouldn't mind passing that around.
 16 (Cohen Deposition Exhibit 15 was marked
 17 for identification and attached to the
 18 transcript.)
 19 MR. KUMAR: And, simultaneously, I'm
 20 marking as Exhibit 16 a letter dated January 5th,
 21 2010, with the salutation, Dear Uganda
 22 Legislators.
 23 Mr. Cohen (indicating).
 24 THE WITNESS: Thank you.
 25 (Cohen Deposition Exhibit 16 was marked

[Page 14]

1 for identification and attached to the
 2 transcript.)
 3 Q Mr. Cohen, do you recognize what's been
 4 marked as Exhibit 15?
 5 A Yes.
 6 Q And are you the author of that letter?
 7 A Yes.
 8 Q And with regard to the document that's
 9 marked Exhibit 16, are you also the author of that
 10 letter?
 11 A Yes.
 12 MR. KUMAR: Judith, just one moment.
 13 Mr. Garza, I'll take the spares of
 14 those.
 15 MR. GARZA: Okay. Can you reach them?
 16 MS. CHOMSKY: The table is too big.
 17 MR. KUMAR: Sorry about that.
 18 BY MS. CHOMSKY:
 19 Q Other than the difference in
 20 salutation, is there any difference in the letter?
 21 MR. MIHET: Objection. The letters
 22 speak for themselves.
 23 BY MS. CHOMSKY:
 24 Q You can answer.
 25 A In all honesty, to my recolle- -- well,

[Page 15]

1 let me just -- I think they're basically the same
 2 letter.
 3 (Witness reviews documents.)
 4 Same.
 5 Q Why did you send the letter dated
 6 January 5th, 2010?
 7 MR. GARZA: Objection.
 8 MR. MIHET: Objection --
 9 BY MS. CHOMSKY:
 10 Q You can --
 11 MR. GARZA: -- vague and ambiguous.
 12 BY MS. CHOMSKY:
 13 Q Go on.
 14 A So I can answer?
 15 Q Yeah.
 16 A Are you asking me why did I send it
 17 that particular date or in general why did I send
 18 it?
 19 Q Well, let's start with why did you send
 20 it.
 21 MR. MIHET: Okay. Counsel, are we
 22 talking about 15 or 16?
 23 BY MS. COMSKY:
 24 Q Let's talk about 15.
 25 A Okay. I was made aware after we sent

[Page 16]

1 Caleb Brundidge that -- I forget his name --
 2 Bahati, a member of their parliament, had
 3 introduced a bill entitled the anti-homosexuality
 4 bill. In the media, they were saying that Caleb
 5 Brundidge participation in the conference, which
 6 was organized by Stephen Langa and his new -- his
 7 Family Life Network, perhaps had some influence in
 8 the proposal of this bill.
 9 I was very sad, upset, with that
 10 imposition -- or supposition, and I wanted to let
 11 the legislators -- well, both the president and
 12 the legislators know in Uganda that I do not
 13 support this bill as it was written. And, as it
 14 says in the letter, that Caleb Brundidge and I
 15 would have perhaps been incarcerated for a
 16 lifetime or murdered under the proposed
 17 legislation, and we would never have been able to
 18 go through the transformation in our personal
 19 lives that we both did.
 20 So that's why I wrote it, to publicly
 21 make it known to the president and, in Exhibit
 22 Number 16, to the legislators that I was against
 23 the legislation as it was written.
 24 Q You referred in your answer to "the
 25 media." What media are you referring to?

[Page 17]

[5] (Pages 14 to 17)

EXHIBIT 110



January 5, 2010

Dear President Museveni,

My name is Richard Cohen. I am a psychotherapist, *former* homosexual, and director of the International Healing Foundation in the Washington, D.C., metropolitan area. In March 2009, we sent a representative, Caleb Brundidge, to Kampala to share his wonderful story of transformation from homosexual to heterosexual at the Family Life Network conference. The purpose of the conference, as we understood it, was to inform people about the causes and potential healing of unwanted same-sex attraction. We had absolutely no idea that the teachings at the conference would be misused to contribute in any way to the persecution and criminalization of homosexuals as proposed in the Anti-Homosexuality Bill No. 18. If we had had any inkling of such an outcome, we never would have considered participating.

Over the past twenty years, as a psychotherapist, I was privileged to help thousands of men and women worldwide find freedom from homosexuality and fulfill their heterosexual dreams. Mr. Brundidge has likewise helped many find freedom from homosexuality. However, I shudder to think that if we had lived in Uganda under this proposed Anti-Homosexuality Bill, at a time before we found a way out of homosexuality, your legislation may have resulted in our being executed or incarcerated, as we both lived openly homosexual lives previous to our transformation. That thought is horrifying, and makes this bill very personal to me. I struggled for years with my unwanted same-sex attractions (SSA), but no one knew how to help me. Finally, after many years and tears, I discovered the causes for my same-sex attractions and then deep, lasting, and profound healing occurred in my life. Today I am living my dream, married to my wonderful wife Jae Sook (who hails from Korea) and we have three beautiful children.

I strongly believe that Bill No. 18 is extreme, cruel, and counter-productive. No one will benefit if you criminalize people who experience homosexual feelings that they never chose and cannot simply wish away through willpower or prayer alone. We have found that sexual reorientation therapies have been extremely beneficial and effective for those seeking change. However, this bill would frighten all people from seeking the very help they need, and that many want. In such a punitive environment, people like me would be terrified to reach out and ask for the help, love, and support that *can* bring real change.

I understand that a motivating factor behind this proposed legislation is the report of young children and those with disabilities being raped by HIV-infected persons. There is no doubt that this terrible behavior must be stopped. However, I believe that the bill, as written, is too broad in incriminating *all* persons who experience homosexual feelings and does not take into account heterosexual sexual abuse and the spread of HIV through heterosexual activity. I recommend amending the language in the bill to be more specific regarding consequences for those who abuse and rape minors and disabled people, regardless of their sexual preference. Furthermore, if you truly wish to be pro-active in the issue of homosexuality we recommend: 1) make available in your therapeutic agencies, places of worship, and public institutions opportunities for men and women who experience same-sex attractions to voluntarily receive confidential counseling, and 2) insure the legal protection of former homosexuals. Such an enlightened program would become a beacon of light in the world for true healing and transformation, far better than condemnation and punishment, by providing care, concern, and solution.

We at the International Healing Foundation believe in promoting understanding, love, and support for those struggling with unwanted same-sex attraction, and also providing help for their family members and friends. This bill, as written, would punish the very people who are hurting and in need and discourage them from seeking the assistance that could otherwise result in transformation. In fact, it would send them underground, suffering in silence, only generating more pain and sadness.

I implore you to rewrite this proposed legislation and remove any criminalization for people who experience homosexual attractions. Rather, please provide counseling and opportunities for change which would be far more beneficial for those in need.

Thank you for your kind consideration in this matter.

Sincerely,

A handwritten signature in blue ink that reads "Richard".

Richard Cohen, M.A.
Director

International Healing Foundation
P.O. Box 901, Bowie, MD 20718-0901, Tel: (301) 805-6111, Fax: (301) 805-5155
Email: IHFinfo@ChangeIsPossible.com / Blog: <http://RevolutionOfLove.wordpress.com>
Internet: www.ChangeIsPossible.com

EXHIBIT 111



January 5, 2010

Dear Uganda Legislators,

My name is Richard Cohen. I am a psychotherapist, *former* homosexual, and director of the International Healing Foundation in the Washington, D.C., metropolitan area. In March 2009, we sent a representative, Caleb Brundidge, to Kampala to share his wonderful story of transformation from homosexual to heterosexual at the Family Life Network conference. The purpose of the conference, as we understood it, was to inform people about the causes and potential healing of unwanted same-sex attraction. We had absolutely no idea that the teachings at the conference would be misused to contribute in any way to the persecution and criminalization of homosexuals as proposed in the Anti-Homosexuality Bill No. 18. If we had had any inkling of such an outcome, we never would have considered participating.

Over the past twenty years, as a psychotherapist, I was privileged to help thousands of men and women worldwide find freedom from homosexuality and fulfill their heterosexual dreams. Mr. Brundidge has likewise helped many find freedom from homosexuality. However, I shudder to think that if we had lived in Uganda under this proposed Anti-Homosexuality Bill, at a time before we found a way out of homosexuality, your legislation may have resulted in our being executed or incarcerated, as we both lived openly homosexual lives previous to our transformation. That thought is horrifying, and makes this bill very personal to me. I struggled for years with my unwanted same-sex attractions (SSA), but no one knew how to help me. Finally, after many years and tears, I discovered the causes for my same-sex attractions and then deep, lasting, and profound healing occurred in my life. Today I am living my dream, married to my wonderful wife Jae Sook (who hails from Korea) and we have three beautiful children.

I strongly believe that Bill No. 18 is extreme, cruel, and counter-productive. No one will benefit if you criminalize people who experience homosexual feelings that they never chose and cannot simply wish away through willpower or prayer alone. We have found that sexual reorientation therapies have been extremely beneficial and effective for those seeking change. However, this bill would frighten all people from seeking the very help they need, and that many want. In such a punitive environment, people like me would be terrified to reach out and ask for the help, love, and support that *can* bring real change.

I understand that a motivating factor behind this proposed legislation is the report of young children and those with disabilities being raped by HIV-infected persons. There is no doubt that this terrible behavior must be stopped. However, I believe that the bill, as written, is too broad in incriminating *all* persons who experience homosexual feelings and does not take into account heterosexual sexual abuse and the spread of HIV through heterosexual activity. I recommend amending the language in the bill to be more specific regarding consequences for those who abuse and rape minors and disabled people, regardless of their sexual preference. Furthermore, if you truly wish to be pro-active in the issue of homosexuality we recommend: 1) make available in your therapeutic agencies, places of worship, and public institutions opportunities for men and women who experience same-sex attractions to voluntarily receive confidential counseling, and 2) insure the legal protection of former homosexuals. Such an enlightened program would become a beacon of light in the world for true healing and transformation, far better than condemnation and punishment, by providing care, concern, and solution.

We at the International Healing Foundation believe in promoting understanding, love, and support for those struggling with unwanted same-sex attraction, and also providing help for their family members and friends. This bill, as written, would punish the very people who are hurting and in need and discourage them from seeking the assistance that could otherwise result in transformation. In fact, it would send them underground, suffering in silence, only generating more pain and sadness.

I implore you to rewrite this proposed legislation and remove any criminalization for people who experience homosexual attractions. Rather, please provide counseling and opportunities for change which would be far more beneficial for those in need.

Thank you for your kind consideration in this matter.

Sincerely,



Richard Cohen, M.A.
Director

International Healing Foundation
P.O. Box 901, Bowie, MD 20718-0901, Tel: (301) 805-6111, Fax: (301) 805-5155
Email: IHFinfo@ChangeIsPossible.com / Blog: <http://RevolutionOfLove.wordpress.com>
Internet: www.ChangeIsPossible.com

EXHIBIT 112



November 12, 2009

President & Mrs. Yoweri Kaguta Museveni
c/o Principal Private Secretary, Amelia Kyambadde
State House Nakasero
P.O. Box 24594
Kampala, Uganda

Dear President & Mrs. Museveni,

As evangelical Christian leaders dedicated to advancing the truths of the Bible worldwide, we commend your work to promote ethics in Uganda. In addition, your efforts to eradicate the HIV/AIDS epidemic have been appropriately praised internationally and we are praying for your continued success.

We want to humbly share our concerns regarding The Anti-Homosexuality Bill of 2009, introduced before the Ugandan parliament on October 14, 2009. First, we believe that sexual crimes against children, homosexual or heterosexual, are the most serious of offenses and should be punished accordingly. Homosexual behavior in consensual relationships, however, is another matter.

While we do not believe that homosexual behavior is what God intended for individuals, we believe that deprivation of life and liberty is not an appropriate or helpful response to this issue. Furthermore, the Christian church must be a safe, compassionate place for gay-identified people as well as those who are confused about and conflicted by their sexuality. If homosexual behavior and knowledge of such behavior is criminalized and prosecuted, as proposed in this bill, church and ministry leaders will be unable to assist hurting men, women and youth who might otherwise seek help in addressing this personal issue. The Christian church cannot and should not condone homosexual living or gay-identified clergy within its leadership, but it must be permitted to extend the love and compassion of Christ to all. We believe that this legislation would make this mission a difficult if not an impossible task to carry out.

Many of us and those we know and work with have personally struggled with unwanted homosexual attractions and once lived as gay individuals, but have since found a new identity in Jesus Christ and have gone on to live lives that reflect the teaching of the Christian faith. We sincerely believe that such transformations cannot be best achieved in an environment of government coercion where the vital support, care and compassion of others within the Christian community is discouraged and prosecuted.

Please consider the influence this law will have upon those who may seek help in dealing with this difficult issue as well as church and ministry leaders committed to demonstrating the compassion of Christ to all. We are praying for you, for this matter and for the people of Uganda.

Sincerely,

Alan Chambers
President of Exodus International
Former homosexual

Christopher Yuan
Adjunct Instructor, Moody Bible Institute
HIV Survivor
AIDS Activist
Former homosexual

Warren Throckmorton, Ph.D.
Associate Professor of Psychology, Grove City College

Don Schmierer
Exodus International Board Member
Author of An Ounce of Prevention: Preventing the Homosexual Condition in Today's Youth

EXHIBIT 113



Scott Lively <sdllaw@gmail.com>

RE: PLEASE ASSIST

1 message

Stephen Langa <stephenlanga@yahoo.com>

Fri, Jun 12, 2009 at 6:23 AM

To: Scott Lively <sdllaw@gmail.com>

Dear Scott,

What is the name of the German man who first coined the word "homosexuality" in 1860, and where is that word derived from?

Thanks.

Stephen Langa

EXHIBIT 114



Scott Lively <sdllaw@gmail.com>

Re: Redeeming the Rainbow smaller file

1 message

Stephen Langa <stephenlanga@yahoo.com>
To: Scott Lively <sdllaw@gmail.com>

Wed, Jun 24, 2009 at 8:40 AM

Dear Scott,

Thank you for this great work.

God bless.

SL

-- On Tue, 6/23/09, **Scott Lively** <sdllaw@gmail.com> wrote:

From: Scott Lively <sdllaw@gmail.com>
Subject: Redeeming the Rainbow smaller file
To: "Scott Lively" <sdllaw@gmail.com>
Date: Tuesday, June 23, 2009, 5:08 AM

Friends,

Here's the book in a smaller file. Please forward to your lists. Remember that this is "Gay Pride Month" so it is the perfect time to get this Christian response to the "gay" agenda into peoples hands.

Blessings,

Scott

EXHIBIT 115



Scott Lively <sdllaw@gmail.com>

RE: COMING TO NEW YORK, USA

3 messages

Stephen Langa <stephenlanga@yahoo.com>
To: Scott Lively <sdllaw@gmail.com>

Thu, Aug 13, 2009 at 2:38 PM

Dear Scott,

Let me hope that this email finds you and your family in good health.

I will be coming to New York, USA on September 4th 2009 to attend a conference organized by Transform World about transformation of the developing world through the youth. I have been asked to make a presentation to the participants on how this can be achieved. The organizers have heard about what God is doing at our end in the area of family, morality and community transformation through the church and would like to have other people hear about it.

The Lord has been doing amazing things this end and we are presently working on some of the stories which we will share with the outside world.

God bless.

Stephen Langa

Scott Lively <sdllaw@gmail.com>
To: Stephen Langa <stephenlanga@yahoo.com>

Thu, Aug 13, 2009 at 6:16 PM

Please send me the details. Perhaps Anne and I can come down to visit you.

[Quoted text hidden]

Stephen Langa <stephenlanga@yahoo.com>
To: Scott Lively <sdllaw@gmail.com>

Fri, Aug 14, 2009 at 9:40 AM

Dear Scott,

I will send you the details early next week because I am still finalizing on some details. That would be great if you and Anne could meet me, I look forward to that.

God bless.

Stephen Langa

--- On Thu, 8/13/09, Scott Lively <sdllaw@gmail.com> wrote:

From: Scott Lively <sdllaw@gmail.com>
Subject: Re: COMING TO NEW YORK, USA
To: "Stephen Langa" <stephenlanga@yahoo.com>
Date: Thursday, August 13, 2009, 3:16 PM

[Quoted text hidden]

EXHIBIT 116



Scott Lively <sdllaw@gmail.com>

RE: I AM IN NEW YORK, USA

3 messages

Stephen Langa <stephenlanga@yahoo.com>
To: Scott Lively <sdllaw@gmail.com>

Fri, Sep 11, 2009 at 9:02 PM

Dear Scott,

I am right now in New York attending a Global Cities Initiative conference that is ending today. The program has been very very busy, so busy that I have hardly got a chance to communicate properly. I am staying at Doubletree Hilton Hotel at Fort Lee in New York, Tel 201-461-9000.

We have been having meetings at another location and then returning later to the hotel after 9.00pm. The meetings have just ended this afternoon.

Tomorrow I am going to be free most of the day before I leave at 7.30pm for Atlanta. I know that it is late, but would have loved to meet you if that was possible, but at least I would wish to at least talk to you by phone. Please send me your telephone contact so that we can talk at some point tomorrow.

I will be in the country until I leave towards the end of the month.

God bless.

Stephen Langa

Scott Lively <sdllaw@gmail.com>
To: Stephen Langa <stephenlanga@yahoo.com>

Sat, Sep 12, 2009 at 11:35 AM

My phone number is 413-250-0984.

Sundays are our busiest days so it won't be possible to meet you, but I look forward to talking with you.

Scott

[Quoted text hidden]

Stephen Langa <stephenlanga@yahoo.com>
To: Scott Lively <sdllaw@gmail.com>

Sat, Sep 12, 2009 at 2:24 PM

Dear Scott,

I am checking out of the hotel now and since I am still in USA, I will definitely talk to you on phone.

God bless and thank you for the great work you are doing for the Kingdom.

Stephen Langa

--- On **Sat, 9/12/09**, **Scott Lively** <sdllaw@gmail.com> wrote:

From: Scott Lively <sdllaw@gmail.com>
Subject: Re: I AM IN NEW YORK, USA
To: "Stephen Langa" <stephenlanga@yahoo.com>
Date: Saturday, September 12, 2009, 8:35 AM

[Quoted text hidden]

EXHIBIT 117



Scott Lively <sdllaw@gmail.com>

ATM Web Msg - BOOKS IN PDF

5 messages

Pastor Mark Christopher <runningrev@lhbc.co.za>
To: sdllaw@gmail.com

Sat, Sep 5, 2009 at 9:21 AM

I am a missionary in Cape Town, South Africa who has written a book released earlier this year :Same-Sex Marriage:Is It Really the Same? As part of my on going research I would like to purchase your books, but only in a PDF format to save time and bookshelf space. Is this possible?

Thanks You
Mark Christopher

User-Agent: Mozilla/5.0 (Windows; U; Windows NT 5.1; en-US; rv:1.9.0.13) Gecko/2009073022 Firefox/3.0.13 (.NET CLR 3.5.30729)

Scott Lively <sdllaw@gmail.com>
To: Pastor Mark Christopher <runningrev@lhbc.co.za>


Sat, Sep 5, 2009 at 6:57 PM

You may freely distribute my most recent book, Redeeming the Rainbow, which I have attached. If you are able to make a donation to support my ministry at <http://www.defendthefamily.com/help/donate.php> that would be most welcome.

In Jesus,

Dr. Scott Lively

[Quoted text hidden]

 **Redeeming the Rainbow smaller file for e-mail.pdf**
3859K

Mark Christopher <runningrev@lhbc.co.za>
To: Scott Lively <sdllaw@gmail.com>

Tue, Sep 8, 2009 at 3:49 PM

Dear Dr. Lively,

Thank you for the copy of your new book, I certainly do appreciate it. I have sent a check to your ministry--I haven't used my PayPal account in years, so they locked my account. I have one more request, would it be possible for you to send me a PDF of *The Pink Swastika* ? Or at least tell me where I can access the complete book? That whole topic intrigues me, as they are teaching the extermination of the homosexual community in Germany during WW2 here in South African schools. If you could help me with this, I would be ever grateful.

Yours For His Kingdom
Pastor Mark Christopher
Cape Town, South Africa

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: Mark Christopher <runningrev@lhbc.co.za>
Cc: Stephen Langa <stephenlanga@yahoo.com>, Martin Ssempa <ssempam@gmail.com>, ssempa@aol.com

Tue, Sep 8, 2009 at 6:31 PM

Hi Mark,

My other books are published online at <http://www.defendthefamily.com/pfrc/>. I would be pleased to send you a free print copy of The Pink Swastika if you give me your address. I am also publishing a 5th Edition Psw for Internet in a website format at www.thepinkswastika.com but it is in the early stages of what will be a long process.

I am willing to come to South Africa to train pro-family advocates how to oppose the "gay" agenda, including the lie of the "gay holocaust." I have provided such training to Christians in many countries, including most recently Uganda. I will copy this e-mail to my ministry partners Steven Langa and Martin Ssempe in Kampala. They desire to organize an Africa-wide pro-family conference. Please introduce yourself to them as an ally.

In the interim, I encourage you to promote Redeeming the Rainbow as a textbook for anyone interested in this issue.

In Jesus,

Scott

[Quoted text hidden]

Stephen Langa <stephenlanga@yahoo.com>
To: Mark Christopher <runningrev@lhbc.co.za>, Scott Lively <sdllaw@gmail.com>
Cc: Martin Ssempe <ssempam@gmail.com>

Fri, Sep 11, 2009 at 8:49 PM

Dear Mark,

My name is Stephen Langa and I am based in Kampala, Uganda running a pro-family ministry known as Family Life Network. As someone working towards the restoration of families, this subject is one that I have done a lot of work on up to legislation level in our country.

We are planning a Africa-Wide consultation meeting sometime in the future on this subject. In the meantime we will be happy to share our experience and challenges.

God bless.

Stephen Langa

--- On Tue, 9/8/09, Scott Lively <sdllaw@gmail.com> wrote:

From: Scott Lively <sdllaw@gmail.com>
Subject: Re: ATM Web Msg - BOOKS IN PDF
To: "Mark Christopher" <runningrev@lhbc.co.za>
Cc: "Stephen Langa" <stephenlanga@yahoo.com>, "Martin Ssempe" <ssempam@gmail.com>, ssempa@aol.com
Date: Tuesday, September 8, 2009, 3:31 PM

[Quoted text hidden]

EXHIBIT 118



Scott Lively <sdllaw@gmail.com>

Uganda Pastors Response to Rick Warrens on Anti-Homosexuality Bill 2009

3 messages

Martin Ssempe <ssempam@gmail.com>

Sat, Dec 19, 2009 at 4:15 PM

To: rickw@saddleback.net, "Warren, Kaye" <kayw@saddleback.net>, info@saddleback.net

Cc: Sarah Pulliam Bailey <spulliam@christianitytoday.com>, "Styffe, elizabeth" <elizabeths@saddleback.net>, speaker@parliament.go.ug

UGANDA NATIONAL PASTORS TASK FORCE AGAINST HOMOSEXUALITY

Task-force Chair: Martin Ssempe PhD

The taskforce represents

The National Fellowship of Born again Churches

The Seventh Adventists Church

The Uganda Joint Christian Council which also represents:

The Orthodox Church in Uganda.

The Roman Catholic Church in Uganda

The Islamiic Office of Social Welfare in Uganda

Born Again Faith Federation

familypolicycenter@gmail.com

Dear Rick Warren,

Christmas greetings from the Pro Faith, Family, and Human Rights Leaders here in Uganda. We acknowledge receipt of a letter from you in which you called on us (Ugandan Pastors) to "speak out" against the proposed "Anti-homosexuality Bill 2009" which is currently before our parliament. This bill has been greatly misrepresented by some homosexual activists causing **hysteria** and we take this opportunity to give you the background, facts and response to the concerns you raised. A special meeting of 20 denominational heads met on Thursday 17th Dec in the offices of the minister of Ethics and Integrity, examined your letter and formed a joint task force to respond to you as well as help support the parliament in the passage of this bill. We are further distressed by your unwarranted abuse of our duly elected officials who are in the process of making laws in the fulfillment of their mission and make demand that you biblically issue an apology for having wronged us as demonstrated by the facts of this letter.

Developments underlying the Bill

Several developments in Uganda and around the world constitute the compelling circumstances that have necessitated the Anti-homosexuality Bill. These include:

- a) increasing incidents of homosexual abuse of children and youth by people exercising power and influence over them like teachers, pastors, parents etc. A recent report shows this. Uganda: Child Abuse rampant;
- b) recruitment of youth into homosexual practice with inducements including money. (Homosexual admits recruiting students). While we have a law that currently prohibits "acts against the order of nature", this law is not comprehensive enough to cover the promoters of these acts. The draft law seeks to stop promotion and further recruitment of unsuspecting children and youth into homosexuality.
- c) promotion of homosexuality by some organizations, including a pro-gay book by UNICEF circulated in schools without seeking permission of the Ministry of Education; (UNICEF Book supports teen homosexuality)
- d) creation of organizations whose sole purpose is to promote homosexuality in Uganda; (e.g. (Sexual Minorities Uganda); (Gay Uganda); (Integrity Uganda)
- e) government-led campaigns at the UN led by some countries like France and Brazil to secure a UN General Assembly resolution imposing homosexuality as an internationally protected human right. For example, on November 18th 2008, France and Netherlands initiated a law which seeks to use the UN to push homosexuality on

other nations of the world. This explains provisions in the Bill preventing ratification of treaties and conventions affirming homosexuality and related practices.

f) un-believable growth in the power of the homosexual lobby in western countries, clearly seen since this Bill was proposed in Uganda – entire governments in Europe and America have used their diplomatic offices on an issue that should be freely debated and dealt with by their citizens at civil society level.

g) the mistake in western society, where the issue of homosexuality was treated with kid-gloves as a minor, private issue, but these societies are waking up too late on realizing that the matter affects how their entire society is ran, what children are taught at school and literally what everybody “must believe and practice”. This waking-up is for example seen in anti-gay-marriage campaigns in United States, where US citizens are fighting to retain family values against stiff competition from gay-activists in 31 states where the matter has come up for a referendum vote, winning such battles by the skin of their teeth. These countries are stuck with a huge population of their citizens that has been recruited into homosexual practice over decades of lax attitude that has seen the rise of powerful, well-funded organizations that misinform children and youth about homosexuality and daily recruit them into their ranks. This discontented population is angry, a threat to public order and is demanding equality for self-evident disordered and harmful behavior. This represents a mismanagement of human behavior by public institutions, because legal safeguards were not put in place in time to prevent the spread of homosexuality and related practices.

h) The take-over by homosexuals of western institutions that should have remained as defenders and protectors of moral integrity in society, **particularly the church**, to the extent that even evangelical church leaders in America no longer protest when a practicing homosexual is appointed into pastoral leadership in the church (e.g. the election to the office of Bishop of Mary Glasspool in your state of California last week and Gene Robinson in New Hampshire before her). This institutional takeover by homosexuals has been systematic and planned, to the extent that other bodies like the UN, national governments, financial institutions, private companies, NGOs, etc. have become spokespersons of the gay movement and daily use official resources to promote the gay agenda and to arm-twist anyone who opposes this agenda. In a globalized world, this western takeover of institutions by homosexuals has turned into international promotion of homosexuality and of other vices like abortion and pornography in other countries.

Some members of Parliament in Uganda have looked at all these developments as a threat to strongly held family values in Uganda and everywhere and have sought to use their mandate as people's representatives to seek remedies before it is too late. The Anti-homosexuality Bill, 2009, therefore, while acknowledging that homosexuality is not an innate condition, states as its object: **"to establish a comprehensive consolidated legislation to protect the traditional family by prohibiting (1) any form of sexual relations between persons of the same sex; and (2) the promotion or recognition of such sexual relations in public institutions and other places through or with the support of any Government entity in Uganda or any non-governmental organization inside or outside the country"**.

What's the death penalty all about?

Some people have asked about the rationale of a death penalty mentioned in the Bill. There has been a lot of misinformation about this matter with headlines such as: **"Gays face death penalty in Uganda"**. These headlines are deliberately misleading. This penalty applies only in special cases termed **"aggravated homosexuality"**, which include, those convicted of unlawful homosexual rape of a child or handicapped invalid; **This is a conviction of paedophiles!** As highlighted in the problem of **"virgin rape cures HIV/AIDS"** the offender can be a person living with HIV; a parent or guardian of the victim where there is abuse of authority! Finally is the use of drugs to stupefy the child so that they can rape them!. Clearly, the intent of this penalty is to protect weaker members of society from being victimized. **Please note that for over 15 years Uganda has had the same penalty for persons who have carnal knowledge of minors heterosexually, mainly to protect against sexual abuse of girls by men. This time, this provision intends to provide equal protection of boys, among others.**

In the early 1990s, at the height of the HIV Crisis, Uganda sought to protect children, principally girls, from sexual abuse by adults and infection with HIV. There was troubling concern over some people living with HIV/AIDS (PLWA) who raped and infect girls with HIV/AIDS in a grotesque belief of a **"virgin sex cure"** prescribed by some witchdoctors. Since 1997, Section 123 of the Penal Code **only provided** protection against defilement (sexual abuse) of girls under 18 years of age. Section 123(1) states that: - **"Any person who unlawfully has sexual intercourse with a girl under the age of eighteen years is guilty of an offense and is liable to suffer death."** Sub-section 2 of Section 123 of the Penal Code provides for attempts to defile a girl under the age of eighteen years. It states that: **"Any person who attempts to have unlawful sexual intercourse with a girl under the age of eighteen years is guilty of an offense and is liable to imprisonment for eighteen years with or without corporal punishment"**. This has and continues to be the law which no one has complained that it is unchristian or a human right violation. Many boys have been violated without legal protection leaving their evil oppressors to get away with no law enforcement protection. The current draft law, simply aims at **providing equal protection** of the boy child and other vulnerable persons, as currently exists for the girl child. The question for you is this; does the sexual abuse of a boy constitute a lesser crime than the rape of a girl?

The question of human rights and privacy:

Some people have asked whether this law raises questions of human rights infringement. Some have asked whether it infringes the right to privacy, for example, asking what legitimate interest the state has in what people do in the privacy of

their bedrooms? But not all things done in private are free of negative consequences on the public. Most harmful behavior occurs in private: corruption, bribery, abortion, murder, rape, etc. Many laws prohibit these private practices. **Practices like homosexuality and bisexuality are associated with serious, yet preventable public-health risks.** The risk of HIV transmission in male homosexuality is for example about 10 times that of heterosexual sex, simply due to use of parts of the body for inappropriate functions. Other diseases and medical complications are also associated with these practices. Secondly, by its nature, behavior spreads in the population through experimentation, modeling and social affirmation. **Increase in homosexual and bisexual practice could thus rapidly reverse Uganda's success against HIV/AIDS.** The state's interest in public health requires that it takes action on these preventable health risks, not only through education, but also legal deterrents for those who misinform and mislead the public.

An organization recruiting and encouraging people to continue in homosexual practice lacks justification but one dealing in counseling and helping people with behavior management is justified. The clause requiring mandatory reporting of known offenses may therefore need an amendment to exempt disclosure made in counseling situations.

Our Historical Struggle:

When you-(Rick Warren) came to Uganda on Thursday, 27 March 2008, and expressed support to the Church of Uganda's boycott of the pro-homosexual Church of England, you stated; "The Church of England is wrong, and I support the Church of Uganda". You are further remembered to say, "homosexuality is not a natural way of life and thus (its) not a human right. We shall not tolerate this aspect at all". (Gay Row-US Pastor supports country on boycott) He was indeed affirming Uganda's long historical struggle against institutionalized homosexuality. This recent boycott was not the beginning of the struggle. In fact on June 3rd 1886, 26 Ugandan Christian converts to were martyred for their stand against a deviant king who had taken to the practice of sodomy. Their faith in Christ emboldened them to stand against homosexuality, resisting even up to death. Today we honor them, and June 3rd is a national holiday where millions of Ugandan believers converge to remember and renew their strength.(When faith, state and state inspired homosexuality clash). As you yourself have said, "...the Bible says evil has to be opposed. Evil has to be stopped. The Bible does not say negotiate with evil. It says stop it. Stop evil". (12/2007) Since homosexuality is evil, you cannot possibly be against a law that seeks to stop it unless you have misunderstood it.

Clarification on the spirit of the Mandatory reporting clause 14:

Finally, sexual abuse of children takes place in institutions such as boarding schools, churches etc. Research by ACFODE, "The situational review of rape, sexual harassment and defilement 2005" in three districts found unusually high levels of coercive heterosexual/homosexual rape and harassment especially in single-sex schools. Unfortunately the school officials and some police officers, maintain a conspiracy of silence, ignoring the pleas of the children and victims who report these crimes. They value the reputation of the school or other institution above the welfare of the children and adults in their custody. **This is the reason for section 14, of mandatory reporting of the offenses within 24 hours.**

This reporting is similar to the mandatory reporting of all "unlawful sexual intercourse" in the state of California in Penal Code 11165 which includes, - rape (261), incest (285), sodomy (286), child molestation (647.6), and statutory rape (261.5). California Penal Code 11166; 11165.7 requires that Teachers, Social workers, District attorneys, Doctors, Psychologists, marriage and family counselors, clergy members and state or county public health employees are required by law to report "unlawful sexual intercourse" as defined by the state of California. If mandatory reporting has been deemed necessary in other in America on sexual offenses, Uganda could use the same measure in specified situations.

What has been our recommendation on the law?

At a special sitting of the Uganda Joint Christian Council a taskforce sat and reviewed the bill to make comments. We resolved to support the bill with some amendments which included the following:

- a. We suggested reduction of the sentence to 20 years instead of the death penalty for the offense of aggravated homosexuality.
- b. We suggested the inclusion of regulations in the law to govern provision of counseling and rehabilitation to persons experiencing homosexual temptations. The churches are willing to provide the necessary help for those seeking counseling and rehabilitation.
- c. Even with the provision for counseling and rehabilitation in the law, homosexuality should remain a punishable offense to control its spread.

Warning of a widening shift.

We note with sadness the increasing levels of accepting of the evil of homosexuality. The ordination of Mary Glasspool a Lesbian as a bishop in Los Angeles without any condemnation from you, has increased the widening gap between the global south church in Africa and the global north church in Europe and America. In these increasingly dark days, we encourage you not to give into the temptation to water down what the bible says so as not to offend people. Jesus's gospel is a

stumbling block, and a rock of offense. Rick you are our friend, we have bought many of your books and have been blessed by them. Do not let the pressure of bloggers and popular media intimidate you into becoming a negotiator for homosexual paedophilia rights in Africa. As you yourself say about evil, – "the Bible says evil has to be opposed. Evil has to be stopped. The Bible does not say negotiate with evil. It says stop it. Stop evil."(RW-12/2007) Since the bible says that the giant of homosexuality is an "abomination" or a great evil, you cannot achieve the peace plan without a purpose driven confrontation with evil.

Ugandan Clergy Demand for your apology within:

Please note that on Friday 11th December, more than 200 of Uganda's top religious leaders met and supported the legislators in strengthening the law against homosexuality. (Church leaders back anti-gay bill.) The issue is, we all want the law on homosexuality, the only debate is on what penalties are appropriate.

Your letter has caused great distress and the pastors are demanding that you issue a formal apology for insulting the people of Africa by your very inappropriate bully use of your church and purpose driven pulpits to coerse us into the "evil" of Sodomy and Gaymorrah. This is expected within seven days from this date.

Sincerely Yours,

Martin Ssempe, Phd
Bishop David Kiganda
Pastor Ssozi Peter
Prof. Peter Claver Matovu
Seventh Day Church Representative.
familypolicycenter@gmail.com

PS: A video Youtube response will be sent as possible.

The taskforce represents
The National Fellowship of Born again Churches
The Seventh Adventists Church
The Uganda Joint Christian Council which also represents:
The Orthodox Church in Uganda.
The Roman Catholic Church in Uganda
The Islamiic Office of Social Welfare in Uganda

Scott Lively <sdllaw@gmail.com>
To: Martin Ssempe <ssempam@gmail.com>

Sat, Dec 19, 2009 at 6:57 PM

Well done.
[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: Scott Lively <psalm37nasb@gmail.com>

Thu, Apr 10, 2014 at 8:09 PM

[Quoted text hidden]

EXHIBIT 119

Act

Anti-Homosexuality Act

2014

THE ANTI-HOMOSEXUALITY ACT, 2014.

ARRANGEMENT OF SECTIONS.

PART I—PRELIMINARY.

Section

1. Interpretation.

PART II—PROHIBITION OF HOMOSEXUALITY.

2. The offence of homosexuality.
3. Aggravated homosexuality.
4. Attempt to commit homosexuality.
5. Protection, assistance and payment of compensation to victims of homosexuality.
6. Confidentiality.

PART III—RELATED OFFENCES AND PENALTIES.

7. Aiding and abetting homosexuality.
8. Conspiracy to engage in homosexuality.
9. Procuring homosexuality by threats, etc.
10. Detention with intent to commit homosexuality.
11. Brothels.
12. Same sex marriage.
13. Promotion of homosexuality.

PART IV—MISCELLANEOUS PROVISIONS.

14. Extradition.
15. Regulations.

Schedule

Currency point.

Act

Anti-Homosexuality Act

2014

THE ANTI-HOMOSEXUALITY ACT, 2014.

An Act to prohibit any form of sexual relations between persons of the same sex; prohibit the promotion or recognition of such relations and to provide for other related matters.

DATE OF ASSENT:

Date of Commencement:

BE IT ENACTED by Parliament as follows:

PART I—PRELIMINARY.

1. Interpretation.

In this Act, unless the context otherwise requires—

“authority” means having power and control over other people because of your knowledge and official position; and shall include a person who exercises religious, political, economic or social authority;

“child” means a person below the age of eighteen years;

“court” means a chief magistrates court;

“currency point” has the value assigned to it in the Schedule to this Act;

Act

Anti-Homosexuality Act

2014

“disability” means a substantial limitation of daily life activities caused by physical, mental or sensory impairment and environment barriers resulting in limited participation;

“felony” means an offence which is declared by law to be a felony or if not declared to be a misdemeanor is punishable without proof of previous conviction, with death or with imprisonment for three years or more;

“HIV” means the Human Immunodeficiency Virus;

“homosexual” means a person who engages or attempts to engage in same gender sexual activity;

“homosexuality” means same gender or same sex sexual acts;

“Minister” means the Minister responsible for ethics and integrity;

“misdemeanor” means any offence which is not a felony;

“serial offender” means a person who has previous convictions of the offence of homosexuality or related offences;

“sexual act” includes—

- (a) physical sexual activity that does not necessarily culminate in intercourse and may include the touching of another’s breast, vagina, penis or anus;
- (b) stimulation or penetration of a vagina or mouth or anus or any part of the body of any person, however slight by a sexual organ;
- (c) the unlawful use of any object or organ by a person on another person’s sexual organ or anus or mouth;

“sexual organ” means a vagina, penis or any artificial sexual contraption;

“touching” includes touching—

(a) with any part of the body;

(b) with anything else;

(c) through anything;

and in particular includes touching amounting to penetration of any sexual organ, anus or mouth.

“victim” includes a person who is involved in homosexual activities against his or her will.

PART II—HOMOSEXUALITY AND RELATED PRACTICES.

2. The offence of homosexuality.

(1) A person commits the offence of homosexuality if—

(a) he penetrates the anus or mouth of another person of the same sex with his penis or any other sexual contraption;

(b) he or she uses any object or sexual contraption to penetrate or stimulate sexual organ of a person of the same sex;

(c) he or she touches another person with the intention of committing the act of homosexuality.

(2) A person who commits an offence under this section shall be liable, on conviction, to imprisonment for life.

3. Aggravated homosexuality.

(1) A person commits the offence of aggravated homosexuality where the—

(a) person against whom the offence is committed is below the age of eighteen years;

(b) offender is a person living with HIV;

Act *Anti-Homosexuality Act* **2014**

- (c) offender is a parent or guardian of the person against whom the offence is committed;
- (d) offender is a person in authority over the person against whom the offence is committed;
- (e) victim of the offence is a person with disability;
- (f) offender is a serial offender; or
- (g) offender applies, administers or causes to be used by any man or woman any drug, matter or thing with intent to stupefy or overpower him or her so as to enable any person to have unlawful carnal connection with any person of the same sex.

(2) A person who commits the offence of aggravated homosexuality shall be liable, on conviction, to imprisonment for life.

(3) Where a person is charged with the offence under this section, that person shall undergo a medical examination to ascertain his or her HIV status.

4. Attempt to commit homosexuality.

(1) A person who attempts to commit the offence of homosexuality commits a felony and is liable, on conviction, to imprisonment for seven years.

(2) A person who attempts to commit the offence of aggravated homosexuality commits an offense and is liable, on conviction, to imprisonment for life.

5. Protection, assistance and payment of compensation to victims of homosexuality.

(1) A victim of homosexuality shall not be penalized for any crime committed as a direct result of his or her involvement in homosexuality.

(2) A victim of homosexuality shall be assisted to enable his or her views and concerns to be presented and considered at the appropriate stages of the criminal proceedings.

(3) Where a person is convicted of homosexuality or aggravated homosexuality under sections 2 and 3 of this Act, the court may, in addition to any sentence imposed on the offender, order that the victim of the offence be paid compensation by the offender for any physical, sexual or psychological harm caused to the victim by the offence.

(4) The amount of compensation shall be determined by the court and the court shall take into account the extent of harm suffered by the victim of the offence, the degree of force used by the offender and medical and other expenses incurred by the victim as a result of the offence.

6. Confidentiality.

(1) At any stage of the investigation or trial of an offence under this Act, law enforcement officer, prosecutor, judicial officer and medical practitioner, and any party to the case, shall recognize the right to privacy of the victim.

(2) For the purpose of subsection (1), in cases involving children and other cases where the court considers it appropriate, proceedings of the court shall be conducted in camera.

(3) Any editor, publisher, reporter or columnist in case of printed materials, announcer or producer in case of television and radio, producer or director of a film in case of the movie industry, or any person utilizing trimedia facilities or information technology who publishes or causes the publicity of the names and personal circumstances or any other information tending to establish the victim's identity without authority of the victim or court, commits an offence and is liable, on conviction, to a fine not exceeding two hundred and fifty currency points.

PART III—RELATED OFFENCES AND PENALTIES.

7. Aiding and abetting homosexuality.

A person who aids, abets, counsels or procures another to engage in acts of homosexuality commits an offence and is liable, on conviction, to imprisonment for seven years.

8. Conspiracy to engage in homosexuality.

A person who conspires with another to induce another person of the same sex by any means of false pretence or other fraudulent means to permit any person of the same sex to have unlawful carnal knowledge of him or her commits an offence and is liable, on conviction, to imprisonment for seven years.

9. Procuring homosexuality by threats.

(1) A person who—

- (a) by threats or intimidation procures or attempts to procure any woman or man to have any unlawful carnal knowledge with any person of the same sex; or
- (b) by false pretences or false representations procures any woman or man to have any unlawful carnal connection with any person of the same sex;

commits an offence and is liable on conviction to imprisonment for seven years

(2) A person shall not be convicted of an offence under this section upon the evidence of one witness only, unless that witness is corroborated in some material particular by evidence implicating the accused.

10. Detention with intent to commit homosexuality.

A person who detains another person with the intention to commit acts of homosexuality with him or her or with any other person commits an offence and is liable, on conviction, to imprisonment for seven years.

11. Brothels.

(1) A person who keeps a house, room, set of rooms or place of any kind for purposes of homosexuality commits an offence and is liable, on conviction, to imprisonment for seven years.

(2) A person being the owner or occupier of premises or having or acting or assisting in the management or control of the premises, induces or knowingly suffers any man or woman to resort to or be upon such premises for the purpose of being unlawfully and carnally known by any man or woman of the same sex whether such carnal knowledge is intended to be with any particular man or woman generally, commits a felony and is liable, on conviction, to imprisonment for five years.

12. Same sex marriage.

(1) A person who purports to contract a marriage with another person of the same sex commits the offence of homosexuality and shall be liable, on conviction, to imprisonment for life.

(2) A person or institution commits an offence if that person or institution conducts a marriage ceremony between persons of the same sex and shall, on conviction, be liable to imprisonment for a maximum of seven years for individuals or cancellation of licence for an institution.

13. Promotion of homosexuality.

(1) A person who—

- (a) participates in production, procuring, marketing, broadcasting, disseminating, publishing of pornographic materials for purposes of promoting homosexuality;
- (b) funds or sponsors homosexuality or other related activities;
- (c) offers premises and other related fixed or movable assets for purposes of homosexuality or promoting homosexuality;
- (d) uses electronic devices which include internet, films, mobile phones for purposes of homosexuality or promoting homosexuality; or

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- (e) who acts as an accomplice or attempts to promote or in any way abets homosexuality and related practices;

commits an offence and is liable, on conviction, to a fine of five thousand currency points or imprisonment of a minimum of five years and a maximum of seven years or both fine and imprisonment.

(2) Where the offender is a corporate body or a business or an association or a non-governmental organization, on conviction its certificate of registration shall be cancelled and the director, proprietor or promoter shall be liable, on conviction, to imprisonment for seven years.

PART IV—MISCELLANEOUS.

14. Extradition.

A person charged with an offence under this Act shall be liable to extradition under the existing extradition laws.

15. Regulations.

The Minister may, by statutory instrument, make regulations generally for better carrying out the provisions of this Act.

Act

Anti-Homosexuality Act

2014

SCHEDULE

s.1.

CURRENCY POINT

One currency point is equivalent to twenty thousand shillings.

EXHIBIT 120



Scott Lively <sdllaw@gmail.com>

Request

1 message

Scott Lively <sdllaw@gmail.com>

Sun, Dec 20, 2009 at 3:44 PM

To: Martin Ssempe <ssempam@gmail.com>

Hi Martin,

I hope you're being careful with your communication with Throckmorton.

He is NOT trustworthy. I noticed in a prior e-mail that he suggested himself as an "expert" for a panel on the anti-homosexuality law.

Please, please do not allow him to insinuate himself into this news story. He is trying to leverage it for his own advantage. He is not a big name figure in the US on any subject but acts as if he is. Don't let him fool you.

Blessings,

Scott

EXHIBIT 121



Scott Lively <sdllaw@gmail.com>

Hi Stephen

3 messages

Scott Lively <sdllaw@gmail.com> Sun, Jan 10, 2010 at 10:34 PM
To: Stephen Langa <stephenlanga@yahoo.com>

An aggressive homosexual activist is distributing a video attacking me, using clips from our seminar in Kampala. Do you know how he got them? Can you send me the footage of my lectures? I will post the whole thing in segments to counter his manipulative editing.

You can see it at <http://www.boxturtlebulletin.com/2010/01/06/19081>

What are the prospects for getting the revised bill through the parliament?

I will send you and Martin the final version of my press release in support of the revised bill momentarily

Blessings,

Scott

Stephen Langa <stephenlanga@yahoo.com> Sat, Jan 16, 2010 at 1:36 PM
To: Scott Lively <sdllaw@gmail.com>

Dear Scott,

The tapes of your presentation were made available to the public shortly after the conference, someone from the gay movement must have got a copy. Besides, we came to learn that there was a Zambian who disguised himself and attended the seminar and was conducting a research for the homosexuals. It is said that he was recording using very sophisticated and disguised equipment. But as you know very well, the gay agenda and manipulators, so I am not surprised about the manipulation they have made about what they claim you said.

God bless.

SL

--- On Sun, 1/10/10, Scott Lively <sdllaw@gmail.com> wrote:

From: Scott Lively <sdllaw@gmail.com>
Subject: Hi Stephen
To: "Stephen Langa" <stephenlanga@yahoo.com>
Date: Sunday, January 10, 2010, 7:34 PM
[Quoted text hidden]

Scott Lively <sdllaw@gmail.com> Thu, Apr 10, 2014 at 1:18 PM
To: Scott Lively <psalm37nasb@gmail.com>

[Quoted text hidden]

EXHIBIT 122



Scott Lively <sdllaw@gmail.com>

Distribution help needed for PR

14 messages

Scott Lively <sdllaw@gmail.com>

Sat, Jan 9, 2010 at 2:10 PM

To: Cliff Kincaid <kincaid@comcast.net>, "Peter L." <PeterLaBarbera@comcast.net>, Diane Gramley <diane@afaofpa.org>, Linda Harvey <lpharvey@missionamerica.com>

Brothers,

I want to send out the attached PR (also pasted below) as broadly as possible, but I don't have a media list. Can any of you send it out through your system? I'm assuming you've got the in-house ability to reach a lot of media. Or do you know who can help? I don't have funds to pay a wire service right now

Blessings,

Scott

Abiding Truth Ministries
www.defendthefamily.com, sdllaw@gmail.com

January 9, 2010

PRESS RELEASE

For Immediate Release

Contact: Dr. Scott Lively

413-250-0984, sdllaw@gmail.com

Defend The Family Intl Endorses Revised Uganda Bill

A leading U.S. based pro-family NGO has today endorsed the Ugandan anti-homosexuality bill after it was revised to remove its "unacceptable" provisions and to add a provision offering treatment to sufferers of same-sex attraction. Dr. Scott Lively of Defend the Family International, who advised the Ugandan Parliament on the issue of homosexuality in March rejected the prior version of the bill because it contained extremely harsh punishments including the death penalty and life imprisonment for certain forms of "aggravated homosexuality" such as adult/child incest and sexual abuse of the disabled. It also focused entirely on punishment and not rehabilitation as Dr. Lively had urged. However, as was reported today by Bloomberg.com, the Ugandan bill has been revised to remove these extreme sanctions and add a provision for therapy of homosexuality. The revised bill will soon go to a vote of the Parliament.

"When I addressed the Ugandan Parliament this Spring, my advice was to take a positive, pro-active approach to the problem, and actively promote marriage-based culture," said Lively. "I suggested for example that they require age-appropriate instruction to school children at every level designed to promote faithful marriage as the goal of each student, and to prepare young people to be good husbands and wives in their adult lives. By taking this approach," Lively

argued " the entire population could be inoculated to the excesses of the sexual revolution that have done so much damage in the West.

Regarding homosexuality, specifically, I urged the government to lead the world in emphasizing rehabilitation for homosexuals through their public policy.

"Frankly, when I learned that bill included the death penalty I was mortified," said Lively. "I publicly rejected it as written, and privately expressed my strong disapproval through my pro-family allies in Kampala, asking them to pass my concerns along to the MPs. Thank God the sponsors did in fact agree to change the bill. I can't say that I necessarily agree with every element of the revised bill, but I believe this revision is an acceptable compromise under the circumstances and well within the prerogative of a civilized sovereign nation."

Prior to the revision of the bill, Dr. Lively had been the subject of intense criticism in the international media, which implied without evidence that he had advocated for the death penalty. Even The New York Times joined in the attack under the headline " After Americans Visit, Uganda Weighs Death for Gays."

"I'm used to being hated by the Left," said Lively, "because I speak plainly and truthfully about the global homosexual movement and it's terribly destructive agenda. I make no apologies for my views, and accept the hate from the "gays" and their allies as a cost of standing up to a vicious adversary. Too few people are willing to do that. However, when the Left uses its media power to engender hatred against me in the general public based on lies and misrepresentations, that really riles me. I deserve an apology from The New York Times, The Guardian, Rachel Madow and all the rest of the liars who have defamed me. ...But I'm not holding my breath."

Defend The Family International is a subsidiary of Abiding Truth Ministries, which is based in California. Dr. Scott Lively is a Christian attorney, pastor, and human rights advocate who has defended the pro-family position in nearly forty countries. His teachings in Uganda were drawn from his latest book, Redeeming the Rainbow: A Christian Response to the "Gay" Agenda, which may be downloaded from his website without charge.

 Uganda PR.wps.rtf
8K

kincaid@comcast.net <kincaid@comcast.net>
Reply-To: kincaid@comcast.net
To: Scott Lively <sdllaw@gmail.com>

Sat, Jan 9, 2010 at 2:41 PM

I will send it out through USA survival and do a column incorporating your comments in an AIM column. I admire your courage.

Sent from my Verizon Wireless BlackBerry

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: kincaid@comcast.net

Sat, Jan 9, 2010 at 2:50 PM

Many Thanks! Here's a slightly revised/corrected version.

[Quoted text hidden]



Uganda PR.wps.rtf
8K

Scott Lively <sdllaw@gmail.com>
To: kincaid@comcast.net

Sat, Jan 9, 2010 at 2:50 PM

How soon will it go?

On Sat, Jan 9, 2010 at 2:41 PM, <kincaid@comcast.net> wrote:

[Quoted text hidden]

kincaid@comcast.net <kincaid@comcast.net>
Reply-To: kincaid@comcast.net
To: Scott Lively <sdllaw@gmail.com>

Sat, Jan 9, 2010 at 3:06 PM

I am out of my office until the pm.
Sent from my Verizon Wireless BlackBerry

-----Original Message-----

From: Scott Lively <sdllaw@gmail.com>

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: kincaid@comcast.net

Sat, Jan 9, 2010 at 3:08 PM

OK. Let me know when it's out. I'm sending it to my e-mail supporters list now and posting it to my site.

Thanks for the help!!

[Quoted text hidden]

kincaid@comcast.net <kincaid@comcast.net>
Reply-To: kincaid@comcast.net
To: Scott Lively <sdllaw@gmail.com>

Sat, Jan 9, 2010 at 3:26 PM

By the way, it I spelled M A D D O W
Sent from my Verizon Wireless BlackBerry

-----Original Message-----

From: Scott Lively <sdllaw@gmail.com>

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: kincaid@comcast.net

Sat, Jan 9, 2010 at 3:31 PM

Thanks again. Maddow is afraid to have me on her show. She asked thru Warren "Benedict Arnold" Throckmorton if I would, but then never called -- same with Thom Hartman and the NY Times writer.

[Quoted text hidden]

kincaid@comcast.net <kincaid@comcast.net>
Reply-To: kincaid@comcast.net
To: Scott Lively <sdllaw@gmail.com>

Sat, Jan 9, 2010 at 3:55 PM

What's the deal with Throckmorton?
Sent from my Verizon Wireless BlackBerry

-----Original Message-----

From: Scott Lively <sdllaw@gmail.com>

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: kincaid@comcast.net

Sat, Jan 9, 2010 at 3:59 PM

He's gone to the dark side but stays in favor with the Christian media by hiding his transformation behind the "act" of being a policeman of our side. Hasn't said a word against the "gays" in a long time, as far as I can tell, but has been very hostile to numerous pro-family folks, including me and Richard Cohen. ask Pete L to show you the transcript of his interview with Signorile.

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: kincaid@comcast.net

Sat, Jan 9, 2010 at 4:11 PM

he was the first blogger on this Uganda story -- while I was still there in March. Started attacking based on his alliances with "gay" activists who were feeding him data. Didn't even check with me before he started blasting and was completely unrepentant when I confronted him.

[Quoted text hidden]

kincaid@comcast.net <kincaid@comcast.net>
Reply-To: kincaid@comcast.net
To: Scott Lively <sdllaw@gmail.com>

Sat, Jan 9, 2010 at 4:19 PM

Has the bill been officially revised?
Sent from my Verizon Wireless BlackBerry

-----Original Message-----

From: Scott Lively <sdllaw@gmail.com>

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: kincaid@comcast.net

Sat, Jan 9, 2010 at 4:22 PM

Yes, per Bloomberg's S. Africa office:
<http://www.bloomberg.com/apps/news?pid=newsarchive&sid=ajROCFqLP2Lo>

I knew it would be after Martin Ssempea publicized that he was recommending a softening of the bill. He's the main driving force on this in Kampala.

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: kincaid@comcast.net

Sat, Jan 9, 2010 at 4:26 PM

in rereading I gues the revision hasn't been presented yet, but it doesn't matter for my purposes. Besides, I'm going on vacation later this week and need to get the press exposure before I leave or face a lot of intrusions into my family time.

On Sat, Jan 9, 2010 at 4:19 PM, <kincaid@comcast.net> wrote:

[Quoted text hidden]



Uganda to Drop Death Penalty, Life in Jail for Gays (Update1)

By Fred Ojambo - Dec 09, 2009

Dec. 9 (Bloomberg) -- Uganda will drop the death penalty and life imprisonment for gays in a refined version of an anti-gay bill expected to be ready for presentation to Parliament in two weeks, James Nsaba Buturo, the minister of ethics and integrity, said.

The draft bill, which is under consideration by a parliamentary committee, will drop the two punishments to attract the support of religious leaders who are opposed to these penalties, Buturo said today in a phone interview from the capital, Kampala.

Ugandan lawmaker David Bahati presented a private member's bill on Oct. 14 which sought the death penalty and life imprisonment for gay people in the country. The Ugandan government supports the bill because homosexuality and lesbianism are "repugnant to the Ugandan culture," Buturo said. Still, it favors a more refined set of punishments, he said.

In addition to formulating punishments for the gay people, the bill will also promote counseling to help "attract errant people to acceptable sexual orientation," said Buturo.

The proposed legislation has attracted criticism from gay rights activists, both locally and internationally, who argue that the law would promote discrimination and hatred toward the gay community.

To contact the reporter on this story: Fred Ojambo in Kampala via the Johannesburg bureau at pmrichardson@bloomberg.net.

To contact the editor responsible for this story: Antony Sguazzin at asguazzin@bloomberg.net

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EXHIBIT 123



Scott Lively <sdllaw@gmail.com>

My endorsement of the revised bill

2 messages

Scott Lively <sdllaw@gmail.com>

Sat, Jan 9, 2010 at 2:28 PM

To: Stephen Langa <stephenlanga@yahoo.com>, Martin Ssempe <ssempam@gmail.com>

Friends,

I was greatly relieved to see that the bill has been revised to remove the death penalty and life imprisonment. I have been taking a terrible pounding in the American media as the "inspiration" for the prior version of the bill.

I have attached a press release I would like to send out soon giving my endorsement of the revised bill, but I really should read it before I start getting press calls. I will maintain my public disagreement with any incarceration but endorse it anyway as an effective compromise (see the PR).

Please send me a copy asap.

Please consider this a draft only at this time, but when I release it sometime in the next two days I ask that you distribute it to your national and local media.

Blessings,

Scott

Scott Lively <sdllaw@gmail.com>

Thu, Apr 10, 2014 at 1:05 PM

To: Scott Lively <psalm37nasb@gmail.com>

[Quoted text hidden]

EXHIBIT 124



Scott Lively <sdllaw@gmail.com>

The Draft PR

2 messages

Scott Lively <sdllaw@gmail.com>

Sat, Jan 9, 2010 at 2:28 PM

To: Stephen Langa <stephenlanga@yahoo.com>, Martin Ssempe <ssempam@gmail.com>

Abiding Truth Ministries
www.defendthefamily.com, sdllaw@gmail.com

January 9, 2010

PRESS RELEASE
For Immediate Release
Contact: Dr. Scott Lively
413-250-0984, sdllaw@gmail.com

Defend The Family Intl Endorses Revised Uganda Bill

A leading U.S. based pro-family NGO has today endorsed the Ugandan anti-homosexuality bill after it was revised to remove its unacceptable provisions and to add a provision offering treatment to sufferers of same-sex attraction. Dr. Scott Lively of Defend the Family International, who advised the Ugandan Parliament on the issue of homosexuality in March rejected the prior version of the bill because it contained extremely harsh punishments including the death penalty and life imprisonment for certain forms of "aggravated homosexuality" such as adult/child incest and sexual abuse of the disabled. It also focused entirely on punishment and not rehabilitation as Dr. Lively had urged. However, as was reported today by Bloomberg.com, the Ugandan bill has been revised to remove these extreme sanctions and add a provision for therapy of homosexuality. The revised bill will soon go to a vote of the Parliament.

"When I addressed the Ugandan Parliament last Spring, my advice was to take a positive, pro-active approach to the problem, and actively promote marriage-based culture," said Lively. "I suggested for example that they require age-appropriate instruction to school children at every level designed to promote faithful marriage as the goal of each student, and to prepare young people to be good husbands and wives in their adult lives. By taking this approach," Lively argued "the entire population could be inoculated to the excesses of the sexual revolution that have done so much damage in the West.

Regarding homosexuality, specifically, I urged the government to lead the world in emphasizing rehabilitation for homosexuals through their public policy.


"Frankly, when I learned that bill included the death penalty I was mortified," said Lively. "I publicly rejected it as written, and privately expressed my strong disapproval through my pro-family allies in Kampala, asking them to pass my concerns along to the MPs. Thank God the sponsors did in fact agree to change the bill. I can't say that I necessarily agree with every element of the revised bill, but I believe this revision is an acceptable compromise under the circumstances and well within the prerogative of a civilized sovereign

nation.”

Prior to the revision of the bill, Dr. Lively had been the subject of intense criticism in the international media, which implied without evidence that he had advocated for the death penalty. Even The New York Times joined in the attack under the headline “ After Americans Visit, Uganda Weighs Death for Gays.”

“I’m used to being hated by the Left,” said Lively, “because I speak plainly and truthfully about the global homosexual movement and it’s terribly destructive agenda. I make no apologies for my views, and accept the hate from the “gays” and their allies as a cost of standing up to a vicious adversary. Too few people are willing to do that. However, when the Left uses its media power to engender hatred against me in the general public based on lies and misrepresentations, that really riles me. I deserve an apology from The New York Times, The Guardian, Rachel Madow and all the rest of the liars who have defamed me. ...But I’m not holding my breath.”

Defend The Family International is a subsidiary of Abiding Truth Ministries, which is based in California. Dr. Scott Lively is a Christian attorney, pastor, and human rights advocate who has defended the pro-family position in nearly forty countries. His teachings in Uganda were drawn from his latest book, Redeeming the Rainbow: A Christian Response to the “Gay” Agenda, which may be downloaded from his website without charge.

 Uganda PR.wps.rtf
8K

Scott Lively <sdllaw@gmail.com>
To: Scott Lively <psalm37nasb@gmail.com>

Thu, Apr 10, 2014 at 1:07 PM

[Quoted text hidden]

 Uganda PR.wps.rtf
8K

EXHIBIT 125



Scott Lively <sdllaw@gmail.com>

My endorsement of the revised bill

1 message

Scott Lively <sdllaw@gmail.com>

Sun, Jan 10, 2010 at 10:40 PM

To: Stephen Langa <stephenlanga@yahoo.com>, Martin Ssempe <ssempam@gmail.com>

Abiding Truth Ministries

www.defendthefamily.com, sdllaw@gmail.com

January 9, 2010

PRESS RELEASE

For Immediate Release

Contact: Dr. Scott Lively

sdllaw@gmail.com

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"Frankly, when I learned that bill included the death penalty I was mortified," said Lively. "I publicly rejected it as written, and privately expressed my strong disapproval through my pro-family allies in Kampala, asking them to pass my concerns along to the MPs. Thank God the sponsors did in fact agree to change the bill. I can't say that I necessarily agree with every element of the revised bill, but I believe this revision is an acceptable compromise under the circumstances and well within the prerogative of a civilized sovereign nation."

Prior to the revision of the bill, Dr. Lively had been the subject of intense criticism in the international media, which implied without evidence that he had advocated for the death penalty. Even The New York Times joined in the attack under the headline "After Americans Visit, Uganda Weighs Death for Gays."

"I'm used to being hated by the Left," said Lively, "because I speak plainly and truthfully about the global homosexual movement and it's terribly destructive agenda. I make no apologies for my views, and accept the hate from the "gays" and their allies as a cost of standing up to a vicious adversary. Too few people are willing to do that. However, when the Left uses its media power to engender hatred against me in the general public based on lies and misrepresentations, that really riles me. I deserve an apology from The New York Times, The Guardian, Rachel Madow and all the rest of the liars who have defamed me. ...But I'm not holding my breath."

Defend The Family International is a subsidiary of Abiding Truth Ministries, which is based in California. Dr. Scott Lively is a Christian attorney, pastor, and human rights advocate who has defended the pro-family position in nearly forty countries. His teachings in Uganda were drawn from his latest book, Redeeming the Rainbow: A Christian Response to the "Gay" Agenda, which may be downloaded from his website without charge.

EXHIBIT 126



Scott Lively <sdllaw@gmail.com>

Please reply

4 messages

Scott Lively <sdllaw@gmail.com>

Fri, Jan 15, 2010 at 9:08 PM

To: Stephen Langa <stephenlanga@yahoo.com>

Was the bill withdrawn or defeated? I just got a gloating e-mail from a homosexual activist, but can't find any fresh news on the net.

Blessings,

Scott

Stephen Langa <stephenlanga@yahoo.com>

Sat, Jan 16, 2010 at 2:02 PM

To: Scott Lively <sdllaw@gmail.com>

Dear Scott,

Sorry for taking a while before replying your email. Sometimes I get so busy that I hardly get time to check my email or to read all the mail I receive.

The anti-homosexuality bill in Uganda is still under the committee that is handling it and has not yet been revised nor brought back to the parliament for the second reading and debate. Besides, the parliament is still in recess at the moment so nothing is happening on this bill until parliament resumes. So all you are hearing at the moment is from the gay propaganda machinery.

God bless.

Stephen Langa

--- On Fri, 1/15/10, **Scott Lively** <sdllaw@gmail.com> wrote:

From: Scott Lively <sdllaw@gmail.com>
Subject: Please reply
To: "Stephen Langa" <stephenlanga@yahoo.com>
Date: Friday, January 15, 2010, 6:08 PM

Was the bill withdrawn or defeated? I just got a gloating e-mail from a homosexual activist, but can't find any fresh news on the net.

Blessings,

Scott

Scott Lively <sdllaw@gmail.com>

Sun, Jan 17, 2010 at 8:52 AM

To: Stephen Langa <stephenlanga@yahoo.com>

Thank you, brother.

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>

Thu, Apr 10, 2014 at 1:20 PM

To: Scott Lively <psalm37nasb@gmail.com>

EXHIBIT 127



Scott Lively <sdllaw@gmail.com>

Can you help

5 messages

Scott Lively <sdllaw@gmail.com>
To: Stephen Langa <stephenlanga@yahoo.com>

Mon, Jan 18, 2010 at 6:55 PM

Stephen,

If I were to come to Kampala, would President Museveni grant me an audience? Can you check on this? In the alternative, would he accept a copy of Redeeming the Rainbow from me? I will send some copies to you to deliver on my behalf and to give to other key leaders if you give me your address.

Blessings,

Scott

Stephen Langa <stephenlanga@yahoo.com>
To: Scott Lively <sdllaw@gmail.com>

Tue, Jan 19, 2010 at 2:08 PM

Dear Scott,

I sure can distribute copies of the book to influential people here in Uganda, but I cannot guarantee an appointment with the President. This is because it is not easy to secure an appointment with him.

My address however is: -

STEPHEN LANGA
FAMILY LIFE NETWORK,
GABA ROAD, KANSANGA, OPPOSITE KIU,
P.O.BOX 28614, KAMPALA.
UGANDA.
CELL PHONE : +256-772-476071

God bless.

Stephen Langa

--- On **Mon, 1/18/10**, **Scott Lively** <sdllaw@gmail.com> wrote:

From: Scott Lively <sdllaw@gmail.com>
Subject: Can you help
To: "Stephen Langa" <stephenlanga@yahoo.com>
Date: Monday, January 18, 2010, 3:55 PM

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: Stephen Langa <stephenlanga@yahoo.com>

Tue, Jan 19, 2010 at 4:19 PM

I will send some books.

[Quoted text hidden]

EXHIBIT 128



Scott Lively <sdllaw@gmail.com>

statement to Pres Obama

1 message

Martin Ssempe <ssempam@gmail.com>


Sun, Feb 7, 2010 at 5:25 PM

To: Scott Lively <sdllaw@gmail.com>

Dear Scott,

Kindly find and distribute.

Martin Ssempe

 **obama word FINAL.pdf**
162K

Date: 05th February 2010

For Immediate Release



Plot 56 Makerere Hill road, Box 21007 Kampala Uganda.
Phone 256-772-641028 Email: familypolicycenter@gmail.com
Martin Ssempe, PhD

Statement to President Barack Obama on his Prayer breakfast comments concerning Ugandas anti-homosexuality law.

"We may disagree about gay marriage, but surely we can agree that it is unconscionable to target gays and lesbians for who they are -- whether it's here in the United States or, as Hillary mentioned, more extremely in odious laws that are being proposed most recently in Uganda," Obama told the National Prayer Breakfast on 4 February in Washington.

President Barack Obama makes two mistakes; first Uganda's anti-homosexuality law only prescribes the capital punishment in cases where the victims are children or the handicapped. This is consistent with the existing laws for similar crimes by heterosexuals. We wonder if President Obama thinks that the heterosexual rape of a girl is a lesser crime than the homosexual rape of a handicapped boy?

Secondly, homosexuals and lesbians are never targetted for **who they are, rather what they do**. It is the repugnant sexual acts which they do which constitutes a crime, a sin and a rebellion against the order of nature. Here in Africa, we believe homosexuals can CHANGE. It is very disappointing for Africans to hear Obama who ran on the ticket of "**change we can believe in**" loosing courage when we postulate in faith that homosexuals can truly change. We wish to tell him, that Sodomy is neither the change we want nor can believe in.

Thirdly, we wish to remind Obama that the unborn babies killed under his extremely odious laws of abortion, are the ones who **are killed not for what they have done, but just because they are**. Shame on his administration for agitating to protect abnormal and deviant sexual acts, when innocent babies are butchered daily in the abortion industry which is funded by his administration.

Date: 05th February 2010

For Immediate Release

Obamas comments will not stop the passage of the **anti-homosexuality bill**, but rather it has shown us that of all the problems that Africa has, the priority is not HIV/AIDS or trade but Sodomy. African History will remember President George W. Bush for helping to stop the spread of the deadly HIV/AIDS, Malaria and Tuberculosis with his presidential emergency fund (PEPFAR). On the other hand we are writing Obamas history as one whose single focus is a divisive obsession with the spread of sodomy in Africa. We are sad that the presidential emergency response of Barack Obama is the use of the white house as a bully pulpit to spread sodomy, while enabling the murder of millions of unborn babies in his unconscionable and extremely odious abortion laws.

Martin Ssempe PhD
Family Policy and Human Rights Center.

EXHIBIT 129



Scott Lively <sdllaw@gmail.com>

Press release

1 message

Martin Ssempa <ssempam@gmail.com>


Fri, Feb 19, 2010 at 4:05 PM

To: Scott Lively <sdllaw@gmail.com>

Dear Scott,

Here is a press release from me on a story burning up the internet. Please share and give feedback.

Martin

 **On Screening Gay Porn.pdf**
159K

Date: 19th February 2010

For Immediate Release



23 Years of HIV/AIDS leadership.
Plot 56 Makerere Hill road, Box 21007 Kampala Uganda.
Phone 256-772-641028 Email: familypolicycenter@gmail.com
Martin Ssempe, PhD

Statement on “alleged screening of gay porn to children in church” and the homosexualist campaign to keep Africans ignorant of Sodomy.

“In spite of its very ghastly nature, recently the Uganda parliament watched a power point on the what female genital mutilation is, and how it affects womens reproductive parts. Equipping them with this information helped the legislators in quickly making a law to ban FGM inspite of many people in Sebei and Kapchorwa who considered it their human right. Showing adult Ugandans what homosexuals do was in no way different, for it is important that all legislation and debate be rooted in facts”.

On Wednesday 17 of March, about 300 Ugandans from all tribes, and religions gathered at for an anti sodomy workshop at Christianity Focus Center in Kisenyi Kampala. The workshop was for some of the religious, and tribal leaders who had planned to attend the **one million men march** which was postponed for security reasons. The workshop was addressed by **Hon. David Bahati** who educated the people on the contents of the draft anti homosexuality bill. He clarified that the **bill was NOT seeking the death penalty for all gays as alleged by president Barack Obama but rather death for paedophiles and those who raped the handicapped.** Many people asked questions, and a team of Moslems and Christians prayed for him as he was leading the charge against the evil of sodomy in Uganda.

In response to a the queston of “**Why should what two consenting adults do in the privacy of their bedroom be of any ones business?**” Dr. Martin Ssempe who is the executive director of the family policy and human rights center gave a researched presentation on “What” are the homosexual acts, and what are their consequence on the human body. It was very important that the proposed legislation would not be designed in ignorance and fear, but solid information on the acts which the bill seeks to legislate. **Since the presentation was for mature audience, ALL the children and youth were asked to leave the room.**

Date: 19th February 2010

For Immediate Release

The research presentation showed the secret but deviant acts of sodomy which included “**fisting, anal and fecal licking**”. **Paul Kagaba of ex gay Uganda**, the former spokesperson for “intergrity Uganda” (a homosexual organisation) confirmed the research and shared about the ongoing recruitment of young people into sodomy as funded by European and American organisations which bribe young people into sodomy with offers of money, ipod and laptops under the guise of “sexual and reproductive” rights seminars. Many people openly wept and cried out to God for mercy.

4 Reasons why it is vital for those debating anti-homosexuality legislation to know about “what homosexuals do”

1. The legislators to focus their legislation NOT on people, but rather acts. They therefore need to know what are these acts they are seeking to regulate. Homosexuals must never be defined on who they are rather WHAT they DO. The question for all concerned is to ask is which if these acts dont they do, and what do they actually do. See deviants dictionary.
2. It is hypocritical for those who often say the church is too quiet on sex, to suddenly scream condemnation when we actually get to talk about it. The bible says in Ephesians 5.10-11, “Have nothing to do with the fruitless deeds of darkness, but rather EXPOSE them”. We have a madate as a group of believers in an age appropriate way to bring the light on these shameful deeds of darkness. Many who are now complaining and distorting what happened are simply bothered that we now know their deviant secrets.
3. In Africa we have strong traditions of community. “I am because we are” and whatever takes place in the bedroom affects the clan and tribal community as well as the spirit world. Sodomy is an offense to our ancestors because it denies tribal and clan continuity through the birth and nurture of children. No wonder God destroyed the nations of Sodom and Gomorrah!
4. Finally, it is a gross blindness for President Barack Obama’s adminstration to be obsessed with protesting Uganda’s proposed legislation calling it odious and unconcianable. **While sodomy has been illegal in Uganda for more than 50 years, not a single homosexual has ever been arrested and killed for their deviant acts. Yet, every year more than 1.3 million American babies are murdered through abortions which are funded by Pres. Obamas adminstration.**

Jesus says in Matthew 7:4 “How can you think of saying to your friend, ‘Let me help you get rid of that speck in your eye,’ when you can’t see past the log in your own eye? Hypocrite! First get rid of the log in your own eye; then you will see well enough to deal with the speck in your friend’s eye.”

Martin Ssempha PhD
Family Policy and Human Rights Center.

Date: 19th February 2010

For Immediate Release

EXHIBIT 130

RECEIVED
HIGH COURT OF UGANDA
KAMPALA DIVISION
DATE: 22/03/16
FEE PAID: 21,200

On the 20th July 2005 at about 6.30 pm, she was alone at home when two men knocked at the door. She opened the nail clip and the door a bit to see who they were, but they pushed the door forcibly and aggressively and forced themselves inside.

Details are set out in the affidavits sworn by both applicants in support of the application. It is deponed by the 2nd Applicant that she was a Kenyan student at Makerere University at the material time. She resided part time with her friend the 1st applicant at her home in Kireka, a Kampala suburb.

The applicants brought this application by Notice of Motion under Article 50 of the Constitution and the Rule 3 of (Fundamental Rights and Freedoms) (Enforcement Procedure) Rules for Orders of enforcement of their fundamental rights and freedoms under Articles 27,23(1) and 24 of the Constitution, allegedly breached by the respondent or its agents and damages for the said breach.

JUDGEMENT

BEFORE: THE HON. LADY JUSTICE M.S. ARACH-AMOKO

ATTORNEY GENERAL:RESPONDENT

VERSUS

2. YVONNE OYO]APPLICANTS

1. VICTOR JULIET MUKASA]

CERTIFIED TRUE
COPY OF THE ORIGINAL
24/7/05
DEPUTY REGISTRAR
DATE

(CIVIL DIVISION)

IN THE HIGH COURT OF UGANDA AT KAMPALA

THE REPUBLIC OF UGANDA

She was uncomfortable and humiliated having to sit on her own urine for a great length of time and being refused access to the toilet.

When they arrived at what she presumed was the Chairman's office, she was made to sit in the said office for an unknown period of time and during that time, when she kindly asked if she could be directed to the "lod", her request was refused. As a result, she had to suffer gross pain forcing her to "pee" on herself.

The Chairman then seized a CD, some papers, and one or two booklets and a box of diskettes which he handed over to the other man. He then took a green folder. Then he ordered the 2nd Applicant to dress up and get out of the house. When she asked why he had taken her friend's documents, the second man shouted at her and ordered her not to question the Chairman. She was made to forcibly dress up and was taken from home. She was then forced along the road, with the LCI Chairman aggressively pushing her along the way.

In the process, one of the men later identified as the LCI, Chairman Kireka (hereinafter referred to as "The Chairman", for brevity) violently pushed her and cause her to fall on a mat. Once inside the house, the Chairman proceeded to open and rummage through the bookrack and box and searched through documents and CDs in the box; while both men shouted at her and manifested an aggressive posture towards her. When she asked for identification, one of the men told her that he was the LCI chairman.

After a while, a woman took pity on her and asked the Chairman to allow her to go to the toilet. When she was finally allowed to go to the toilet, she was roughly shoved to the toilet by an armed male Local Defence unit soldier in view of which she was unable to relieve herself due to his presence and the trauma she was experiencing at that time.

When she returned from the toilet, the Chairman disgustedly pointed at her saying to a group of men and women, "*I found this creature in my area idle and disorderly*". After a while, the aforementioned LDU soldier was ordered by the Chairman to 'jerk' her by the waist so that she would not escape. The woman who had pleaded for her earlier on to be allowed to use the toilet tried to pacify the chairman, but he refused to listen to her.

She was thereafter physically man-handled and dragged to an unknown destination.

She was then taken to Kireka Police post, where the chairman handed over the items he had taken from the 1st applicant's house and again referred to her as "**this creature**". The Officer In Charge asked her whether she is male or female. Despite her saying that she is female, the OC ordered her to undress and to confirm her sex. She was forcibly undressed in the full glare of the O.C Kireka. The O.C then roughly proceeded to fondle her breasts. This was not only humiliating but also amounted to sexual harassment and indecent assault.

Upon inquiry from the neighbours, they didn't know the 2nd applicant's whereabouts. She began searching the local establishments in the area to find out if anyone had seen the 2nd

The 2nd applicant was no where in sight. This was strange because she expected her visitor to be at home at that time and to lock the house from inside.

The 1st applicant deponed that she was a tenant of rented premises at Kireka, a Kampala city suburb. The 2nd applicant was her visitor. On the 20th July 2005 at about 8 pm she returned home to find her house was padlocked from outside.

While at Kireka Police Post, the Chairman, the LDU soldiers and other persons jeered at her and ridiculed her and humiliated her. The LCI chairman then said that he did not want people like her in his area. The chairman then said he did not want people like her in his area, and menacingly threatened them with eviction. She asked for her lawyer as if she had committed any crime, but her request was maliciously dismissed and laughed at. The O.C then asked her what kind of job Ms Mukasa the 1st applicant does. She replied that Ms. Mukasa is a human rights activist and that the documents and the property confiscated were hers. The chairman then demanded and took the keys to Ms Mukasa's home from her. One LDU soldier said she should spend the night at the police post, but the O.C released her without writing or signing any document, a fact she questioned but to no avail. Instead the O.C ordered her to return the following day with the 1st applicant.

The following day, she went to the police station accompanied by a lawyer. When she inquired whether there was any file opened with respect to the 2nd applicant and whether any charges were pending against either of them and if so, what the charges were. The police

The Chairman then rudely told her that he had arrested the 1st applicant. He ordered her to be at the police post at 10 am the following day. When she asked him the reason, he just shouted, "I want you there" when she inquired further about the reason why she was being ordered to go to the police station, the chairman told her verbally that she was unlawfully accommodating someone at her house. He did not produce any paper stating any such thing when she insisted, the chairman just shouted, "You must". When she told him that she would need to first consult her lawyers, the chairman began shouting before everyone that she did not have manners. She was then advised by a Human Rights defender to leave the area.

The Chairman shouted across the other people demanding rudely to talk to her immediately. She asked him kindly to wait a moment to enable her to talk to the 2nd applicant first, but the chairman shouted "NOW". At that point, she received a call from the 2nd applicant who sounded very distressed and told her that she had been arrested and that the police were looking for her (Ms Mukasa). The 2nd applicant pleaded with her saying "don't go home please. They have arrested me and it is you that they want".

applicant. She then noticed that the Chairman was seated some distance away.

When she entered the house, she was dismayed to find that it had been ransacked. The stool was knocked over on its side and her property had been thrown around the house. Her official documents and papers from the book rack and box were scattered on the floor. There were also important documents, a CD and a box of diskettes that were indeed missing. The whole house was in disorder. Her heart sank to find her property invaded and her work ramped, destroyed and taken for no reason. The CD was later returned to her by the LCI chairman. The acts of the police, LDUs and the chairman were high handed, illegal, humiliating, and did not only cause them grief, injury and apprehension, but above all, these acts

The next day, Friday 22nd July, 2005, she went to the police station again, and was not given the CD. She was however concerned that perhaps other items would be taken so she went to her home for the first time since discovering that men had forced their way into it.

As she had not been inside her house since the time of the raid, she didn't know what had been taken from her house, but the 2nd applicant immediately realized that there was a CD, a box of diskettes and some documents that were being withheld. The O.C admitted that the CD was not there but denied that any other items were missing. He said "the Chairman has taken the CD to town. I will give it back to you tomorrow". He told her to return to the police station to nest day.

said there were no pending charges and that she could have back her documents.

Ms Isonde deponed that she was the officer in charge of Kireka Police post at the material time, and she is therefore well versed with the circumstances and facts regarding the applicants' complaint. Neither herself nor any officer in Kireka Police Post was aware or involved in

Naturally, the Respondent denied the allegations by the applicants. It relied on the affidavits by Isonde Rose dated 24th May 2007 and John Lubega of 10 September 2007.

- 24.(LCT chairman and the O.C Police).
- 3. The right to protection from any form of torture, cruel or inhuman and degrading treatment guaranteed by article
- 2. The right to personal liberty guaranteed under Article 23 (1) (arrest of 2nd applicant).
- Applicants house).

1. The right to privacy of the person, home and property guaranteed by Article 27 of the Constitution (the forcible ingress by the LCT Chairman of Kireka Zone into the 1st Applicants house).

The breaches complained of are:-

The actions were also gross violation of several International Human Rights Instruments to which Uganda is a signatory.

were a breach of several constitutional rights which are guaranteed by the Uganda Constitution which the Police, LCT Chairman and LDUs are enjoined to protect and defend. They were acting in the usual course of their employment and the Attorney General is therefore vicariously liable.

She also told the chairman to leave the items he had removed from the 2nd applicant at the bar with her for safe custody. She denied that the 2nd applicant was humiliated, sexually harassed nor indecently assaulted by herself, any other police officer or LDU at Kireka Police Post as alleged. She also denied that any LDU officer was involved in the case since she would have been the one to authorize their involvement in any operation in her area of jurisdiction. She stated that she did not see any reason to detain the 2nd applicant based on

According to her version, on that day, the Chairman came with the 2nd applicant to Kireka Police and the two were exchanging 'hot' words. Whereupon she took over the role of mediator to enable both parties to cool down so that she could get to the root of the fracas. She knows that the house of the 2nd applicant was not searched at any material time as she was informed by the LCI chairman which information. She believes to be true. Her information is to the effect that the 2nd applicant and her colleague were actually found and picked from a bar near their home. The Chairman further told her that he had received several complaints from residents in the area about the unbecoming behaviour of the applicants and that the residents had threatened to lynch them, so he decided to refer them to Police for further action. She told the chairman to provide sufficient evidence from witnesses with regard to the alleged homosexuality before Police could take action.

the alleged illegal search of the home of the 1st applicant, the alleged seizure of property, arrest and alleged harassment of the 2nd applicant at all.

Minority Uganda.

Mr. Lubega the LCI Chairman, also vehemently denied on his part that the 2nd applicant was arrested from her house at Kireka as alleged. According to his version of the story, the truth of the matter is that the 2nd Applicant was arrested from a drinking bar where she was about to be lynched together with the 1st applicant by residents. He had received several complaints from the residents of his area of jurisdiction about the unbecoming behaviour of the applicants who were kissing in a public place. When he reached the said bar owned by one Mayanja, he did witness for himself, the applicants kissing in public while the residents and children were looking at them. He proceeded to apprehend them to rescue them from the enraged and/or angry residents who wanted to lynch them. In the process he found them with several CDs, diskettes and documents titled " *Small*

the facts presented by the Chairman and she did not open up a file or record any statements in respect of the matter. The next day, when the two applicants appeared before her in the presence of the Chairman, she returned all the property that the chairman had deposited with her to the rightful owner, and it is not true that any property was detained by the her or any officer thereafter at Kireka Police Post as alleged by the 1st applicant. She further stated that she advised the Chairman to have the matter settled amicably in his area since she did not see any reason for the police to take over and investigate such a matter without evidence from witnesses. The allegations against herself, the police at Kireka police post and LDV's are therefore untrue, unfounded, malicious and without basis.

The 1st applicant also filed a rejoinder on the 21st June 2007 which I find argumentative and therefore violates the law on affidavits. An affidavit is evidence, not arguments or submissions. After expunging the argumentative parts, I can only say that she basically re-stated

By way of a rejoinder dated 11th June 2007, the 2nd applicant described the contents of Mr Lubega's affidavit as untrue and put the respondent to strict proof thereof. She specifically averred that there was no exchange of hot words with the LC1 chairman at all but that she was instead subdued after having been dragged by the waist to the police station under continual harassment by the LC1 chairman who referred to her as "This creature" and the police did not at anytime take over the role of mediator. The admission by the LC1 chairman that the properties were 'police' with the respondent by the LC chairman and retained overnight confirms the applicant's charge of illegal retention of property, as no records were kept by the police.

The 1st applicant escaped, so he managed to take only the 2nd applicant only to Kireka Police Post where he handed her to the O.C one Ison Rose together with the CDs, diskettes and documents in question. The following day, the applicants appeared at Kireka police post demanding for them, and the O.C handed over the CDs, diskettes and other documents to the applicants in his presence. It is not true that he entered the 1st applicant's house, humiliated, sexually harassed and indecently assaulted the 2nd applicant as alleged. It is also not true that he made her to sit in his office as she alleged. He took her directly to Kireka Police Post and not to his office as alleged.

Mr. Rwakafuzi, learned counsel for the applicant's invited court to answer all these issues in the affirmative and award his clients general damages of at least \$10 million each. His argument was based on the principle that a person's dignity is guaranteed by the constitution and should not be injured by anyone. That any injury to a person's dignity should be therefore condemned by the courts and

- 6) Remedies if any available to the applicants.
 - 5) Whether the 1st applicant's right to property was interfered with.
 - 4) Whether the 2nd applicant was treated in a cruel, inhuman and disregarding manner.
 - 3) Whether there was unlawful search of the 2nd applicant's premises.
 - 2) Whether there was unlawful arrest and detention of the 2nd applicant and by who?
 - 1) Whether there was unlawful interference with the applicant's privacy.
- both sides.

The following issues were identified from the evidence adduced by

The LCI chairman was cross-examined during the hearing. He basically stuck to his story that he arrested the 2nd applicant in the bar at Kireka where they were about to be lynched by residents for kissing in public, for their own protection.

her case in the rejoinder and attacked the respondent's evidence as untrue, and also put the respondent to stuck proof.

The applicants' case is that there was no bar incident at all. The bar incident is a figment of the chairman's fertile imagination. He set it up so that he could justify his acts of torture against the innocent girls. There was no bar incident and no lynching because if it were true that there were so many people against the girls in the said bar, why should they continue to do what the chairman alleges, namely kissing in public? Secondly if it were true that there was this bar incident and the 2nd applicant was held by her hand by the chairman and taken to police as stated by the chairman, to the police, then the O.C could not have deposed that they were exchanging hot words.

Additionally, and in relation to the LCI chairman, Mr Rwakafunzi submitted that he was not a witness of truth. He stated in cross-examination that the applicants were in the bar giving gifts to the patrons. It is therefore inconceivable that in an atmosphere where people are receiving literature in a bar, from the applicants there would be people wanting to lynch them at the same time.

the injured person should be compensated in damages. This application is basically about human dignity, which should be protected. Decided cases say that when a citizen says that his or her rights have been infringed by the state, then the state has the burden of proof to show that it was actually not true and that it was done in public interest. The state has not discharged that burden of proof because it has not denied that the LCI chairman was acting as an agent of the state.

The evidence of the O.C police had also rebutted the applicant's case. The police who are her clients in this matter were not involved at all in alleged search of the 1st applicant's premises. The O.C says that upon arrival at the station, she was a mediator. Her story is as was told by the LC Chairman. It is true that the applicant was about to be lynched. These statements are corroborated by the affidavit of the

day.

Ms Nabakooza, the learned Senor State Attorney who represented THE Attorney General, opposed the application relying on the affidavits in reply. Starting with the LC 1 chairman. Ms Nabakooza submitted that the chairman had been before the court. His evidence had remained firm and consistent even after cross examination. It should be accepted as the truth of what transpired on that particular

The applicant's properties namely CDs and documents were taken. There were no accompanying witnesses. The six people he talked about were not there. There was no mob.

That would not be possible if the 2nd applicant was being helped for her own safety. The true story is the one told by the applicants, that the 2nd applicant was arrested by the LC1 chairman while she slept in her room in Kireka, who forcibly took her to his office where she was denied toilet facilities and later escorted by a male person to the toilet, and eventually on taken to Kireka police post where she was undressed in the gaze of men and was mistreated by the LC1 chairman and police in breach of her constitutional guarantees as alleged.

Thirdly, there was no incidence at all of any cruel inhuman or degrading treatment by the police or any other person as alleged.

other person.

Secondly, there was no torture by the servants of Government or any

person.

The LCI chairman stated that there were several complaints in the area. The residents threatened to lynch the applicants. He saw them kissing in a public place after being summoned by the village. It was his duty as the LCI to prevent the public who were not comfortable with such acts from lynching the applicants. He told court that there have been lynching in his area before and he didn't want a repeat of the same, that is why he took the action he did to save the applicants from the crowd. There was therefore no breach of any rights as alleged because there was first of all no unlawful entry in any house by the chairman as alleged or by any other

chairman himself who also testified in Court. The O.C said she needed more evidence before she could consider taking up the matter for further investigation and released 2nd applicant and also returned all their documents and CDs. According to Ms Nabakooza, the police in their wisdom felt that the matter could be amicably settled in the area. The 2nd applicant was not humiliated or sexually harassed as alleged or indecently assaulted by the police or LDU. The allegation against the police are therefore untrue, unfounded, malicious and without basis.

I have carefully perused the affidavits and listened to the submission by both counsel. I respectfully agree with Mr Rwakafuzi, that there was no bar incident at all. The bar incident is a figment of the LCT chairman's imagination calculated to mislead the court and to justify the shabby manner in which the said Chairman treated the applicants particularly the 1st applicant. He said that at that time, the applicants were in Mayanja's bar, kissing each other. People were crowded and were shouting saying, "Chairman this time assist us, otherwise this time we are going to do something to them". He arrested them because he wanted to save them from the mobs that wanted to lynch them. No other independent witness, who was part of the mob, was called to testify. Mr. Mayanja in whose bar the incident allegedly occurred did not testify either. He did not even

In the unlikely event that it is found that the LCT Chairman breached any right of the applicants, which is denied, Ms Nabakooza submitted that, under the Local Government Act, (LGA) CAP 243 he is not a servant of Government and the respondent is not vicariously liable. They should have sued him separately under section 6 of the LGA. The Attorney general cannot carry another person's burden.

Fourthly, there was no search for homosexual tools or persons, undressing of the 2nd applicant and ridicule at Kireka police station or any other place. The evidence adduced by the applicants is therefore insufficient, and the LC chairman has rebutted it. They opted not cross examine the O.C Kireka; so it should be presumed that her evidence is unchallenged. The suit should therefore be dismissed with costs.

"50. Functions of the chairperson of an administrative unit council.

All these actions clearly amounted to a breach of their constitutional guarantees stated earlier and a violation of International Human Rights Instruments to which Uganda in a party. The 1st applicant's house was forcibly opened and unlawfully searched without a search warrant. The LC chairman had no such power. Section 50 of the LGA which spells out the functions of LC's does not give an LC chairman powers of arrest and search without a warrant. Mr. Lubega said he was the Chairman Local Council 1 Zone C of Kireka Parish, Kira Town Council. His actions were accordingly unlawful. The section reads:

Secondly, the police officer said the Chairman and the 2nd applicant arrived at the police post while exchanging hot words. Why would the 2nd applicant exchange 'hot' words with a person who was saving her from being lynched by a mob? The true story is therefore as given by the applicants. The 2nd applicant was arrested by LC1 chairman while she was in the 1st applicant's house resting. He took her to the police post forcibly via his office where he denied her the use of the toilet. From there he took her to the police under escort of LDU's from where she was forcibly undressed and "examined" and her breast fondled by the Police O.C to establish her sex.

state the name of the bar in question. In the circumstances I find it extremely dangerous to rely on the uncorroborated evidence of the LC1 Chairman, who was in my view only bent on saving his skin on realizing his predicament.

The LC Chairman is clearly part of the lower local government administrative unit namely Kira Town Council, which is capable of suing and being sued in its corporate name under the LGA.

"(1) Every local government shall be a body corporate with perpetual succession and a common seal, and may sue and be sued in its corporate name and may, subject to the provisions of the constitution, do enjoy or suffer anything that may be done, enjoyed or suffered by any body corporate"

However, Section 6 of the LGA provides that:

- (i) be the political head;**
- (ii) preside at meetings of the council;**
- (iii) monitor the general administration of the area under his or her jurisdiction;**
- (iv) perform other functions that may be necessary for the better functioning of the council, or which may be incidental to the functions of the chairperson or imposed on the chairperson by the law"**

- (a) At the country and parish level convene and preside at all meetings of the county or parish council; and in the absence of the chairperson, the vice chairperson shall perform those functions;**
- (b) At the village level-**

which reads:

i) The Universal Declaration of Human Rights particularly, Article 1

As pointed out earlier, the actions of the stated agents also violated the provisions of a number of International Human Rights instruments to which Uganda is a party. These include:-

No person shall be subjected to any form of torture or cruel, inhuman or disregarding treatment or punishment"

"24. Respect for human dignity and protection from inhuman treatment.

The Attorney General is however liable for the actions of the police. The O.C ordered the forceful undressing of the 2nd Applicant in public and fondled her breast. This is humiliating, and degrading and contravened Article 24 of the Constitution which militates against torture, cruel, inhuman and degrading treatment. It also amounted to abuse of office by the said OC. This case as Mr Rwakafuzi rightly pointed out in his submission is, however, about abuse of the applicants' human rights and not abuse of office. It is also not about homosexuality. This judgment is therefore strictly on human rights. Article 24 of the Constitution reads as follows.

Consequently, the Attorney General is not liable for the actions of the LCI Chairman as rightly stated by Ms Nabakooza. H

Learned Counsel proposed shs 10 million as a fair compensation for the humiliation, injury and trauma suffered by the 2nd Applicant at the words of state agents. I find that reasonable and I award it to the 2nd applicant. In Ronald Reagan Okumu & Others -vs- Attorney General MA 63/02, Kanja J. awarded the applicants shs 10 million

A

inhuman or degrading treatment or punishment

h) The right not to be subjected to torture, or other cruel,

g) The right to just and favourable condition of work;

mental health;

f) The right to the highest standard attainable of physical and

e) The right to be free from all forms of discrimination;

d) The right to equal protection under the law;

c) The right to liberty and security of person;

b) The right to equality

a) the right to life

alia:

"Women are entitled to the equal enjoyment and protection of all human rights and fundamental freedoms in the political, economic, social, cultural, and civil or any other field. These rights include, inter

Against Women (CEDAW), Article 3 which reads:

ii) The Covenant on the Elimination of All forms of Discrimination

I presume "brotherhood" includes "sisterhood"

towards one another in a spirit of brotherhood"

They are endowed with reason and conscience and should act

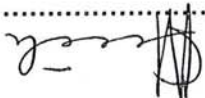
"All human beings are born free and equal in dignity and rights.

Judgment delivered in the presence of:

22/11/2008

JUDGE

M.S Arach-Arnoko



The applicants shall also have the costs of the application.

property"

"(2) No person shall be subjected to interference with the privacy of that person's home, correspondence, communication, or other

Constitution which reads:

In respect of the 1st applicant, the evidence of record shows that the police did not handle her documents properly. They gave the LC1 chairman unlimited access to the said documents even after he had handed them over to Police, and detained the said documents over night without any entry in their books in accordance with their laid down procedures. She is accordingly awarded 3 million shillings for violation of her rights to property contrary to article 27(2) of the

chairman's atrocities.

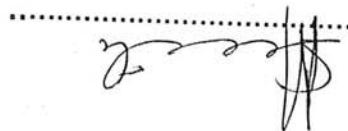
each for violation of their rights or personal liberty, and from torture, under Articles 23(1) and 24 of the Constitution. Here the award is in respect of violation of Article 24 only in view of my earlier findings that the Attorney General is not vicariously liable for the LC1

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 22/12/2008
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22/12/2008
Judge

M.S Arach-Amoko



Absent: Both Applicants.

- 1) Mr. Rwakafuzi
- 2) Ms Margaret Nabakooza for the Attorney General
- 3) Okuni Charles Court clerk.

EXHIBIT 131



Uganda

Bureau of Democracy, Human Rights, and Labor
2004

February 26, 2005

Uganda is a republic led by President Yoweri Museveni, who continued to dominate the Government following his reelection to a second 5-year term in 2001. He has ruled since 1986 through the Movement, an organization that continued to receive state support and function both as a political party and a state institution. Movement supporters remained in firm control of the legislative branch. Election observers believed that the 2001 presidential and parliamentary elections generally reflected the will of the electorate; however, both were marred by serious irregularities, particularly in the period leading up to the elections, such as severe restrictions on political party activities, incidents of violence, voter intimidation, and fraud. In March 2003, the Supreme Court declared unconstitutional two sections of law that prevented political parties from operating while the "Movement System" remained in place; however, severe restrictions on political activity continued, particularly for opposition parties. The judiciary generally was independent but remained understaffed, weak, and inefficient; in addition, the President had extensive powers of judicial appointment.

The Uganda People's Defense Force (UPDF) was the key security force, and a civilian served as Minister of Defense. The Internal Security Organization (ISO) remained under the direct authority of the President, and was an intelligence-gathering body; however, its operatives occasionally detained civilians. The Chieftancy of Military Intelligence (CMI), under UPDF control, detained civilians suspected of rebel and terrorist activity. The police were organized as a national force under the authority of the Ministry of Internal Affairs. The UPDF continued "Operation Iron Fist" in its 18-year war against rebels of the Lord's Resistance Army (LRA) in the northern and eastern portions of the country and in southern Sudan. A ceasefire announced by the Government on November 14 expired on December 31 after the two sides failed to agree on terms for its extension. Local leaders formed Local Defense Units (LDUs) to reinforce government efforts to protect civilians from LRA attacks. The country provided the use of its airfields and other logistical support for international peacekeepers operating in the Democratic Republic of the Congo (DRC); however, there continued to be allegations that security force members and some government officials supported militia activities in the DRC and profited from illegal trade. While civilian authorities generally maintained effective control of the security forces, there were frequent instances in which elements of the security forces acted independently of government authority. Members of the security forces committed numerous serious human rights abuses.

The country's population was approximately 25.3 million. The economy grew at a rate of approximately 6 percent during the year. Agriculture accounted for approximately one-third of the gross domestic product, and foreign economic assistance accounted for approximately half of government expenditures. The privatization of state-owned enterprises continued. Despite government efforts to curb corruption, perceptions of widespread corruption were cited by potential investors as a major concern.

The Government's human rights record remained poor; although there were some improvements in a few areas, serious problems remained. Domination by the Movement of the political process and continued restrictions on political party activity limited the right of citizens to change their government. Security forces committed unlawful killings and were responsible for short-term disappearances. Torture by security forces and beating of suspects to force confessions were serious problems. Security forces were responsible for incommunicado detention, and prison conditions remained harsh and frequently life threatening. The Government punished some security force officials who were guilty of abuses; however, impunity remained a problem. Arbitrary arrest and detention, including those of opposition supporters, and prolonged pretrial detention were problems. Poor judicial administration, lack of resources, a large case backlog, and lengthy trial delays limited due process rights, including the right to a fair trial. Security forces at times infringed on citizens' privacy rights. The Government at times restricted freedom of speech, the press, and association, and severely restricted freedom of assembly. There were some limits on freedom of religion and movement. Domestic violence against women, rape, and abuse of children, particularly sexual abuse, remained serious problems. Discrimination against women and persons with disabilities remained problems. The Government worked with nongovernmental organizations (NGOs) to combat the practice of female genital mutilation (FGM), which occurred in some parts of the country. The Government at times employed child soldiers. Trafficking in persons was a serious problem, particularly the trafficking of children by the LRA. Vigilante justice remained a problem. There continued to be limits on worker rights. Forced labor, including by children, occurred, and child labor was common, mostly in the informal sector.

The LRA, led by Joseph Kony, committed numerous, serious abuses and atrocities. The LRA increased attacks in the northern and eastern parts of the country during the first half of the year, and rebels routinely killed, maimed, tortured, and abducted civilians, including children. The LRA used children as soldiers, held children and others in slave-like conditions, and subjected female captives to rape and other forms of severe sexual exploitation during the year. Between 32,000 and 52,000 children known as "night commuters" traveled from conflict areas or internally displaced persons (IDP) camps each night to urban centers to avoid abduction by the LRA.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

Unlike during the previous year, there were no reports of politically motivated killings or executions by the Government or its agents; however, security forces committed unlawful killings during the year and were responsible for at least three deaths as a result of torture.

On March 2, the Joint Anti-Terrorism Task Force (JATF) publicly denied having executed or detained without trial Ismael Muviru, Mutwabil Walakira, Captain Seiwamuwa Daudi, and another unnamed man; Human Rights Watch (HRW) claimed the four men were executed without trial in September 2003. The UPDF, the Uganda Human Rights Commission (UHRC), and the independent Foundation for Human Rights Initiative (FHRI) reported that

they had investigated the allegations and could not find any evidence to verify the claim. There also was no known response to newspaper appeals for the public to come forward with any information on the case.

There were no developments in any of the other executions committed by security forces in 2003 and 2002.

During the year, there were credible reports that persons died as a result of torture by security forces. For example, on March 26, in Mayuge District, police arrested Jackson Muluta and Aloysius Mugabi on charges of theft; later the same day, the police reported that both men had died. An autopsy conducted on Muluta revealed that he died of a hemorrhage after his skull was fractured and his spleen ruptured. The Uganda Prison Services, which denied torturing either man, conducted a separate autopsy that attributed Muluta's death to hypoglycemia.

On July 20, in Mukono District, Isa Masifu died in his Lugazi police cell after being tortured; two other suspects were severely beaten. Seven policemen were arrested on torture and murder charges and were awaiting trial at year's end.

There were no reports of any action taken against security forces responsible for 2003 or 2002 deaths that resulted from torture.

During the year, police use of excessive force while pursuing suspected criminals resulted in deaths. For example, on January 20, in Kasese, an LDU officer shot and killed a man suspected of stealing a goat; a child standing nearby was also killed after being hit by a stray bullet. Police were deployed to prevent a mob from killing the LDU officer, who was subsequently arrested. No further information was available at year's end.

On March 17, in Kampala, police shot and killed Siraj Mwaike, a suspected mugger, as he fled arrest in Kampala.

On April 26, police shot and killed taxi driver Faisal Bagyeraki, who was wanted for numerous traffic violations, after Bagyeraki refused to stop at a roadblock in Mbarara; two other persons were injured in the incident. On May 10, after public demonstrations against Bagyeraki's killing, police officers Herbert Bamwine and Herbert Natukwaisa were arrested and charged with murder and attempted murder; both officers remained in prison awaiting trial at year's end.

There were no developments in 2003 or 2002 security force killings of criminals as a result of the use of excessive force.

Police forcibly dispersed meetings and demonstrations, which resulted in one death and numerous injuries (see Section 2.b.).

During the year, security forces killed numerous civilians during anti-LRA operations (see Section 1.g.).

LRA attacks continued during the year and resulted in thousands of deaths (see Section 1.g.).

LRA landmines resulted in deaths and injuries (see Section 1.g.).

Raids by armed cattle rustlers of the Karamojong ethnic group continued during the year in Katakwi, Kotido, Kumi, Nakapiririt, Moroto, Kaberamaido, Pader, Lira, and Kapchorwa districts in the northeast. These raids resulted in the deaths of more than 100 persons and the displacement of thousands. The Government continued its Karamoja disarmament program during the year (see Section 5). UPDF forces killed numerous persons during clashes with armed Karamojong warriors during the year.

Interethnic violence resulted in deaths (see Section 5).

Incidents of vigilante justice were reported frequently during the year. There were numerous instances in which mobs beat, stoned, or burned to death individuals suspected of petty theft, witchcraft, or infidelity. For example, on June 11, residents of Kinoni Village near Mukono burned a suspected thief to death. On July 14, a mob of motorcyclists smashed the head of a passenger, poured gasoline on his body, and set him on fire for not paying the transport fee in Mbarara town.

During the year, authorities prosecuted persons who engaged in mob violence. For example, in March, six persons were tried for murder by mob justice in Nakasongola District. On June 3, Kamuli police arrested 15 persons for lynching Samuel Tigawalana, who was suspected of witchcraft.

There were reports of actual or attempted ritual killings of children during the year (see Section 5).

Ethnic Pokot warriors killed civilians during the year. On April 10 and 13, Pokot rustlers from Kenya killed two civilians during a cattle raid in Kabei subcountry, Kapchorwa District. In a separate attack, Pokot rustlers from Kenya and the country killed 8 civilians in Namalu sub-country, Nakapiripit District.

b. Disappearance

There were no reports of politically motivated disappearances due to action by government forces; however, there continued to be reports of disappearances during the year. In most cases, the missing person was located after a period of incommunicado detention in the custody of security forces (see Section 1.d.).

On October 30, armed men in uniform apprehended James Kashajja, a supporter of opposition leader Kizza Besigye, at his home in Kampala, according to witnesses; Kashajja's whereabouts were unknown at year's end.

On February 2, the High Court in Kampala ordered the Army Commander to produce Captain Robert Ruteinama, who had been in military detention since his December 2003 arrest by security forces. The Army failed to produce Ruteinama, did not confirm or deny the arrest, and had not responded to the court by year's end.

Former Makerere University guild president Peter Ojur, who reportedly disappeared after he returned to the country in January 2003 after military training abroad, reappeared; Ojur was detained for several weeks in 2003 by security forces.

Rebel groups have abducted approximately 38,000 persons since 1986, according to UNICEF. The LRA continued to abduct thousands of civilians for training as guerrillas; most victims were children and young adults whom the LRA forced into virtual slavery as laborers, soldiers, guards, and sex slaves (see Sections 1.g. and 5).

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, there were widespread and credible reports that security forces tortured and beat suspects in unregistered detention facilities to force confessions. Between January and December, the UHRC received 2,249 complaints of mistreatment; 179 of

those complaints involved torture. The UHRC Tribunal confirmed many of these complaints and ordered the Government to compensate the victims. Security units involved in torture included the regular police, the UPDF, and the Violent Crimes Crack Unit (VCCU); on occasion, such torture resulted in death (see Section 1.a.).

On December 4, unidentified persons abducted and tortured Sam Aniga, a driver employed by Ogenga Latigo, an opposition Member of Parliament (M.P.); Aniga, who was released after 48 hours, had refused to answer questions about Latigo's alleged secret meetings.

In June 2003, at Makindye military barracks, the UHRC visited prisoners who claimed to have been arrested and tortured by the VCCU; the prisoners bore signs of torture. On April 21, the UHRC reported its findings to Parliament; however, no investigation had been conducted by year's end.

Unlike in the previous year, there were no reports that members of the LDUs, who frequently lacked training, mistreated prisoners and detainees; however, some LDU members committed abuses during the year, including killings (see Section 1.g.).

Police and security forces harassed and detained opposition activists (see Sections 1.d. and 2.b.).

There were reports that UPDF soldiers raped persons, particularly in conflict areas (see Sections 1.g. and 5).

During the year, the UHRC Tribunal awarded compensation to several persons who had been abused by security forces. For example, on April 1, the UHRC Tribunal awarded approximately \$35,000 (60 million shillings) to Fred Bagole as compensation for being tortured by military intelligence in Kampala District in 2001.

On April 14, the UHRC Tribunal awarded approximately \$20,500 (35 million shillings) to Jackson Cherop as compensation for his illegal arrest and torture by UPDF officers in Mbale District in 2002. In December, the Tribunal awarded \$31,000 (54 million shillings) to the family of Edrissa Omulago Isabiye, who died as a result of torture by the VCCU in 2002.

However, the Government has not compensated many complainants for the violation of their rights by police and security forces. In May, the UHRC revealed that the Government owed approximately \$412,000 (700 million shillings) awarded by the tribunal to approximately 50 persons.

No action was taken during the year against security organizations that reportedly tortured prisoners in Kigo Prison or CMI personnel who were illegally arresting and torturing persons to force them to pay their financial debts; in July 2003, the UHRC testified of such incidents before the Legal and Parliamentary Affairs Committee. No action was taken against VCCU officers responsible for the 2003 torture of Bumali Mubiri and Sam Okiring.

There were no further developments in the reported 2002 cases of torture or abuse by security forces.

During the year, civilians were killed, injured, and displaced as a result of security force operations against the LRA (see Section 1.g.).

During the year, the LRA continued to commit numerous atrocities, including the killing, torturing, and kidnapping of civilians, primarily children (see Section 1.g.).

There were numerous instances in which mobs attacked suspected thieves and other persons known or suspected to have committed crimes (see Section 1.a.). Motivated in part by distrust or misunderstanding of the formal judicial system, these mobs engaged in stonings, beatings, and other

forms of mistreatment. Such mistreatment included tying suspects' wrists and ankles together behind their backs, stripping suspects of their clothes, parading them through the streets, and other forms of torture and inhuman or degrading treatment.

For example, in July, a mob in Mayuge District tried to lynch Peter Isabirye, a traditional healer, for allegedly kidnapping and murdering a 2-year-old boy. No action was taken against the mob or Isabirye, who escaped the mob after police intervention.

Prison conditions remained harsh and frequently life threatening, primarily as a result of the Government's severely inadequate funding of prison facilities. In addition, there were several reports that security forces and guards tortured inmates. Prison conditions came closest to meeting international standards in Kampala, where prisons provided medical care, running water, and sanitation; however, these prisons also were among the most overcrowded. There were an estimated 19,000 inmates in the country's prisons and police cells. By one estimate, the country's prisons held approximately three times their planned capacity. The central prison system continued to work with NGOs and the donor community to improve prison buildings, water and sanitation systems, food, and the provision of uniforms; however, progress was minimal during the year. Although the law provides for access to prisoners by their families, ignorance of this right and fear of prison authorities often limited family visits. Prisoners held on treason charges complained that security officers kept files on and harassed their visitors. The UHRC reported that it received allegations that officers in charge of police cells sometimes demanded bribes to allow visits.

On August 3, approximately 340 inmates at Bushenyi government prison went on strike to protest lengthy pretrial detentions and the July torture by prison wardens of inmate Moses Batishaba. Prison authorities turned over to police the staff members alleged to have committed the torture.

Inmates at most prisons grew maize, millet, and vegetables; however, the UHRC accused prison farms of overworking inmates (see Section 6.c.).

The Community Service Act seeks to reduce prison congestion by allowing minor offenders to do community service instead of being imprisoned. Since 2001, 1,726 offenders have been sentenced to community service in 4 pilot districts. By year's end, the program had been expanded to 10 additional districts.

There were a number of deaths in custody, some due to torture (see Section 1.a.). Prisons were believed to have high mortality rates from overcrowding, malnutrition, diseases spread by unsanitary conditions, HIV/AIDS, and lack of medical care; however, accurate estimates were unavailable. According to the Prisons Department, 230 inmates died in custody between January and October. Approximately 60 percent of these deaths were due to HIV/AIDS-related diseases. During the year, government agencies sponsored or participated in several conferences on the judicial system and prison conditions and worked with international and domestic human rights organizations on prison reform efforts.

Female prisoners were held in segregated wings with female staff in most prisons; conditions were severely substandard. Due to lack of space in juvenile facilities, juveniles often were held in prisons with adults. The central prison system maintained one juvenile prison and four remand homes. School facilities and health clinics in all five juvenile institutions were grossly inadequate; prisoners as young as 12 performed manual labor from dawn until dusk. Severe overcrowding also was a problem at juvenile detention facilities and in women's wings. The remand home in Kampala, designed for 45 inmates, held more than 80 children. In Kampala jails, pretrial detainees were kept separate from convicted prisoners; however, in the rest of the country, due to financial constraints, pretrial detainees and convicted prisoners sometimes were held together.

During the year, the Government permitted access to prisons by the International Committee of the Red Cross (ICRC), foreign diplomats, and local

NGOs, principally FHRI and the Uganda Prisoners' Aid Foundation. The UHRC visited numerous prisons and reported on its findings publicly; however, the UHRC also complained that it was not given access to UPDF detention facilities or "safe houses." Prison authorities required advance notification of visits, a process that was sometimes subject to administrative delays.

d. Arbitrary Arrest or Detention

The Constitution prohibits such practices; however, members of the security forces arrested and detained citizens arbitrarily during the year.

The police force was widely perceived to be ineffective. Major constraints included low pay and lack of vehicles, equipment, and training. Police committed numerous abuses, and impunity was a problem. Widespread corruption resulted in the dismissal of some local police officials during the year. In conjunction with the UHRC, the UPDF continued a training program to educate officers on internationally recognized human rights standards. In addition, the police, UPDF, and the Prisons Department used a human rights manual in their training programs. The UPDF made attempts to improve relations between soldiers and civilians.

The Police Human Rights Desk received 300 allegations of police abuse during the year and reported that approximately 140 complaints had been resolved by year's end.

LDUs operated principally in rural areas. Such forces consisted entirely of volunteers and were authorized to carry arms. Their principal purpose was to provide defense to populations affected by rebellions. However, in some cases, they also participated in offensive military operations and carried out police functions. The structure and legal mandate of LDUs were often unclear. Some LDU members committed abuses during the year, including killings.

Under the Constitution, search warrants issued by competent judges or prosecutors are required to make arrests; however, in practice, suspects often were taken into custody without warrants. Despite a provision that suspects must be charged within 48 hours of arrest, many persons were detained for more than 48 hours without being charged. Suspects must be brought to trial or released on bail within 120 days (360 days for a capital offense); however, if the case is presented to the court before the expiration of this period, there is no limit on pretrial detention. Detainees must be informed immediately of the reasons for their detention, although authorities did not always enforce these procedural protections in practice. Suspects must have access to a lawyer; however, there was no provision ensuring family visitation. The Constitution provides for bail in all but capital cases and cases of treason.

The Anti-Terrorism Act permits suspects to be held for more than 48 hours without charge and states that persons convicted of terrorist acts that "directly result in the death of any person" shall be sentenced to death; however, no death sentences were carried out during the year. Several persons were detained under the Anti-Terrorism Act during the year (see Section 2.c.).

Security forces arbitrarily arrested political activists during the year. On July 16, the Uganda Peoples Congress (UPC) party announced that it was searching for 15 members who had been arrested in July and detained by the CMI in Lira District; 7 members were subsequently located in police stations. C.P. Okello, one of the seven, claimed to have been tortured by the CMI. On July 16, a court in Lira charged five of the missing members--Francis Odong, Gaba Olim, Joseph Etieng, Kenneth Oling, and Cyprian Okello--with treason. At year's end, seven members were in detention and eight remained unaccounted for.

Unlike in the previous year, there were no arrests of journalists.

Mass arrests during police sweeps for criminals remained a problem. For example, on January 20, police in Masindi arrested 400 persons after several criminal killings were committed in the area; it was unknown how many remained in detention at year's end. On July 21, police in Rubaga division in Kampala arrested 100 persons for being idle and disorderly; 40 were released on bond, and 60 were detained at Old Kampala Police Station. It is unknown how many remained in detention at year's end.

The number of persons still being held as a result of 2003 mass arrests in Kampala, Mbale, and Gulu remained unknown.

During the year, the Government released and sometimes compensated persons who had been arbitrarily arrested. On June 15, the High Court awarded Pascal Gakyaro, a supporter of the Reform Agenda (RA) political group, approximately \$17,500 (30 million shillings) as compensation for his unlawful arrest and detention in January 2003. Gakyaro claimed to have been tortured during his 8 days in detention. On June 23, the Court Martial withdrew charges of terrorism and released Corporal Patrick Olupot and Umaru Okello, who were arrested in May 2003. On August 13, 22 members of a Muslim group were set free after treason charges were withdrawn; the 22 were arrested in 2003 for allegedly financing the ADF.

On May 17, the UHRC awarded approximately \$1,700 (3 million shillings) to Stephen Mwebaze, who was detained illegally for 10 days in 1999.

It was unknown whether the 10 men arrested without charge by the JATF in August 2003 remained in unofficial detention centers in Kampala; 4 other persons arrested with the 10 were executed in 2003.

No action was taken during the year against the UPDF officer who ordered the illegal 2003 arrest of Gulu State Attorney Sydney Asubo.

The 2002 case of policeman Benson Ikonyat, who was charged with terrorism after being found with army uniforms and guns at Amusu village, was ongoing at year's end.

There were no developments in other 2002 cases of arbitrary arrest or detention.

Legal and human rights groups criticized the excessive length of detention prior to trial, which in many cases amounted to several years; such lengthy pretrial detentions both violated the constitutional rights of the detainees and contributed substantially to prison overcrowding (see Section 1.c.). Pretrial detainees comprised 60 percent of the prison population. The average time in pretrial detention was between 2 and 3 years. During the year, the UHRC heard several cases brought by prisoners challenging the length of their detention.

During the year, there were reports that civilians were detained in military barracks and unregistered detention facilities known as safe-houses. There were credible allegations that the CMI ordered detainees held incommunicado at police stations or in so-called safe houses. For example, on April 27, the High Court ordered CMI chief Colonel Noble Mayambo to produce Titus Kiwanuka, who had been detained without charge in military barracks since March 12; Kiwanuka was subsequently charged and moved to Kigo Prison, where he was awaiting trial at year's end.

There were reports of political detainees (see Section 2.b.). During the last 2 years, the Government has arrested and charged with treason more than 40 persons for collaborating with the People's Redemption Army (PRA); none of the 40 had been tried by year's end. For example, on November 22 and December 13, security forces detained, respectively, Joseph Musasizi, the brother of 2001 presidential candidate Kizza Besigye, and George

Owakukiroru, an elected official in the Rukungiri district government; both Musasizi and Owakukiroru, who were members of the opposition Forum for Democratic Change (FDC), were being detained at year's end. During November and December, the GMI arrested 16 persons, most of whom were opposition supporters, on charges of treason; all 16 were being detained at year's end.

The RA alleged in 2003 that more than 280 of its members had been arrested in 2003 and 2002 due to their political opinions. The Government maintained that the arrests were lawful and that some of those arrested would be prosecuted for treason.

RA supporter Dan Magarura, who in 2003 was arrested on treason charges, was released on bail in September 2003.

Patrick Biryomumaishe Kirasha and four others accused in 2003 of recruiting persons for the PRA rebel group remained in detention at year's end.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice; however, the President had extensive legal powers of judicial appointment. The President appoints Supreme Court, High Court, and Court of Appeal judges with the approval of Parliament. The President also nominates, for the approval of Parliament, members of the Judicial Service Commission, who make recommendations on appointments to the High Court, the Court of Appeal, and the Supreme Court. The judiciary ruled against the Government on several high-profile cases during the year; however, judicial corruption was a serious problem. For example, a High Court judge was accused during the year of soliciting a \$500,000 (850 million shillings) bribe; the case was pending at year's end. The lower courts remained understaffed, weak, and inefficient.

The Supreme Court ruled against the Government on several cases: The January 29 decision that invalidated a constitutional amendment on parliamentary rules; the February ruling that struck down a section of the Penal Code that prohibited the publication of "false news"; and the September 2 ruling that provisions of the 2000 Referendum Act were unconstitutional (see Section 3).

The highest court was the Supreme Court, followed by the Court of Appeal, which also functioned as the Constitutional Court for cases of first instance, the High Court, the Chief Magistrate's Court, local council (LC) level three (sub-county) courts, LC level two (parish) courts, and LC level one (village) courts. A minimum of six justices could sit on the Supreme Court and the Court of Appeal.

The LC courts had the authority to settle civil disputes, including land ownership and debt cases, and criminal cases involving children. These courts, often the only ones available to villagers, reportedly exceeded their authority by hearing criminal cases, including murder and rape. LC court decisions could be appealed to magistrates' courts; however, there often were no records made at the village level, and some defendants were not aware of their right to appeal. Unlike in the previous year, there were no reports of bribery and discrimination against women in some rural LC courts.

The civilian judicial system contained procedural safeguards, including bail and the right of appeal; however, an inadequate system of judicial administration and a lack of resources, resulting in a serious backlog of cases, limited the right to a fair trial. During the year, the High Court reduced its backlog from 84 to 51 cases. All nonmilitary trials were public.

Many defendants could not afford legal representation. The Constitution requires that the Government provide an attorney for indigent defendants accused of capital offenses, but there rarely was enough money to retain adequate counsel. The Uganda Law Society (ULS) operated legal aid clinics

in four regional offices, although services remained limited due to funding constraints. The ULS also assisted defendants in military courts. The local chapter of Uganda Women Lawyers Association and the FHRI practiced public interest law from offices in Kampala. The Law Development Center operated a legal aid clinic to address cases involving children and those accused of petty crimes. A public defense service also operated; however, it lacked government funding and relied solely on donor support.

Specialized courts also existed. The Industrial Court (IC) arbitrated labor disputes. Commercial courts resolved commercial disputes, improved commercial justice, and reduced case backlogs.

The military court system often did not assure the right to a fair trial. Although the accused had the right to legal counsel, some military defense attorneys were untrained and could be assigned by the military command, which also appointed the prosecutor and the adjudicating officer. The law establishes a court-martial appeals process; however, a sentence passed by a military court, including the death penalty, could be appealed only to the senior leadership of the UPDF. Under circumstances deemed exigent, a field court martial could be convened at the scene of the crime; however, the law does not permit an appeal under this provision. In 2002, the ULS filed a petition challenging the execution of soldiers under field court martial without the right of appeal; the case had not been resolved at year's end.

During the first 8 months of the year, the VCCU arrested and detained at least 1,100 suspects on various counts, including terrorism, aggravated robbery, murder, illegal possession of firearms, and desertion. The VCCU used military courts to try by court martial civilians found in possession of military property. The Government continued to arrest and charge persons for treason, especially captured rebel fighters, and opposition supporters (see Section 1.d.). During the year, numerous human rights abuses continued to be committed in connection with treason cases, including political detention, detention without charge, detention in unregistered and unofficial locations, and mistreatment, including torture.

The 2000 amnesty law applies to all persons involved in insurgencies since the Movement came into power in 1986. Between January and December, 3,048 former LRA combatants were granted amnesty; 7,613 former combatants have received amnesty since 2000. The amnesty law was extended through December.

There was at least one political prisoner: Bright Gabula Africa, whose death sentence for treason was upheld by the Supreme Court in 1995, remained imprisoned pending the outcome of his appeal to the Advisory Committee on the Prerogative of Mercy, a largely autonomous constitutional body.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions, and the Government generally respected these prohibitions in practice; however, there were some exceptions. Although the law requires that police obtain search warrants before entering private homes or offices, at times police did not obtain warrants prior to searches.

The Anti-Terrorism Act authorizes certain law enforcement officials to intercept communication to detect and prevent terrorist activities.

There continued to be reports that prison officials routinely censored prisoners' mail.

There were reports that the Government punished family members of suspected criminals and political opposition members, and some family members

of political opponents to the Government had difficulties at border crossings while leaving the country (see Section 2.d.).

g. Use of Excessive Force and Violations of Humanitarian Law in Internal and External Conflicts

Security forces tortured and abused civilians suspected of collaborating with the LRA; however, unlike in previous years, there were no reports that security forces killed suspected collaborators.

During the year, security forces killed and injured numerous civilians, including noncombatant children abducted by the LRA, during anti-LRA operations in the northern and eastern parts of the country. Some observers charged that UPDF tactics, including extensive use of helicopter gunships, resulted in deaths and injuries to such children and that the UPDF failed to protect noncombatants during engagements with the LRA. The UPDF denied such allegations, noting that more than 80 percent of LRA fighters were child soldiers, which made it difficult to distinguish between combatants and noncombatants during engagements with the LRA.

On April 4, at an IDP camp in Gulu, the UPDF's 309 Brigade fired a mortar and killed five civilians. In two separate incidents on December 19, LDU soldier Simon Ogwanga shot and killed a civilian in an IDP camp in Aloi sub-country, and LDU soldier Tom Ocen shot and killed two children in Kwera sub-country. Both soldiers were arrested and awaiting trial at year's end.

There also were persistent and credible reports that the UPDF failed to protect civilians threatened by the LRA. On February 5, for example, more than 40 persons were killed during an LRA attack on the Abiya IDP camp in Lira District under the protection of a small UPDF force; most of the UPDF unit had left to collect their pay, and the unit's commander allegedly had gone to Kampala without authorization.

Security forces were sometimes implicated in widespread reports of rape and sexual violence against women and girls. In some instances, perpetrators were punished after victims complained; however, most such incidents went unpunished, in part because the procedures for making such complaints were not widely known.

There were no new developments in the following 2003 killings by UPDF forces: The February killing of a Sudanese national; the July 22 and 24 killings of 21 civilians by UPDF helicopter gunships; and the October 2003 killings of two civilians by a UPDF soldiers in Gulu.

Unlike in the previous year, there were no reports that UPDF members were responsible for killings and other abuses in the DRC; however, militia groups operating in the area committed serious human rights abuses. Some of the worst abuses occurred in parts of northeastern DRC that were under UPDF influence. There were credible reports security forces and some government officials provided material support to armed groups operating in Ituri. Militia fighting resulted in the deaths of hundreds of civilians from the DRC. Independent observers often found access difficult due to hazardous security conditions and frequent impediments imposed by authorities.

LRA attacks increased during the first half of the year, and there were numerous atrocities. Civilians were summarily executed, often by gruesome methods, to terrorize local populations or as retribution for violating various LRA edicts, such as the prohibition on riding bicycles. LRA rebels also attacked private homes, schools, churches, and IDP camps in which persons were killed, injured, raped, mutilated, or abducted. During the year, LRA attacks resulted in the deaths of several thousand persons, including children; numerous injuries; and the destruction of homes and property.

During the first 3 weeks in February, LRA attacks in Lira district IDP camps resulted in more than 250 deaths and the displacement of 283,000 persons. For example, on February 21, in Lira District, LRA rebels attacked the Barfonyo IDP camp, killed more than 200 persons, and abducted an unknown number. Most of the dead, who were predominantly women and children, were burned alive when rebels set fire to thatched roofs in the camp. Other civilians were killed by rocket-propelled grenades and anti-tank weapons. The UPDF conceded that local militia had marshaled little resistance, were unable to operate their weapons properly, and suffered from "command problems."

On May 28, LRA rebels killed 2 persons and abducted 17 during an attack on Gweno-twom village in Gulu District.

On June 8, LRA rebels killed 25 civilians, abducted 26 persons, including children, and burned 600 thatched huts in Abrok IDP camp in Apac District.

No action was taken against LRA rebels who were responsible for numerous killings in 2003 and 2002.

The LRA continued to use landmines, which resulted in deaths and injuries during the year. For example, on February 25, a vehicle hired by a BBC crew hit a landmine on Lira-Okwang road; one soldier died, and the driver was seriously injured.

The LRA continued to abduct thousands of civilians for training as guerrillas; most victims were children and young adults whom the LRA forced into virtual slavery as laborers, soldiers, guards, and sex slaves (see Section 5).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government at times restricted these rights in practice. In addition, the law criminalizes offenses committed by the media and limited the media's ability to function effectively. The Government at times harassed and intimidated journalists, who continued to practice self-censorship. The Government did not restrict academic freedom.

On February 23, the Uganda Law Council upheld the regulation prohibiting lawyers from making public statements on legal matters that were before court; however, the ban continued to be widely disregarded without penalty.

Private media were generally free and outspoken. There were many privately owned publications and broadcasts. The New Vision, a government-owned daily newspaper, sometimes included reporting that was critical of the Government. The Monitor, the country's largest independent daily newspaper, consistently was critical of the Government. During the year, four independent weekly newspapers began publication. The East African, a Kenya-based weekly publication that provided extensive reporting on the country, continued to circulate without government hindrance.

Unlike in the previous year, there were no reports that persons were arrested for publicly criticizing the Government.

The Government continued to operate Radio Uganda, the only national radio station, and one television station (UTV), whose reporting was not considered to be independent. At year's end, there were at least 60 private radio stations in operation, with another 60 awaiting licensing. Several independent media outlets broadcast daily or weekly political talk shows, including recorded off-site radio public debates called "ekimeeza" (table talk), which were often very critical of the Government.

On November 25, Minister of Information James Nsaba Buturo instructed the Uganda Broadcasting Council to revoke the licenses of those stations that "abuse the President or use offensive language and fail to correct the behavior." Buturo also announced that no additional licenses would be issued for stations seeking to broadcast in Kampala; in 2003, the Broadcasting Council proposed regulations that would limit the number of FM radio stations, allegedly to prevent overburdening the airwaves and adversely affecting the quality of broadcasting. Critics charged that the restrictions targeted independent radio, which was the primary news source for 80 percent of the population.

There were four local private television stations and numerous private television stations available via satellite.

Unlike in the previous year, no journalists were arrested or detained; however, journalists were harassed during the year. On June 18, six journalists covering a court martial that involved army corruption were convicted by the same tribunal of contempt of court. Some of the six, who were sentenced and released without detention, were not provided legal counsel. At least some of the convictions were being appealed at year's end.

There were no developments in the ongoing trial of Vincent Matovu, who was arrested in January 2003 and charged with sedition for the publication of two articles.

Unlike in previous years, the Government did not ban broadcasts or publications due to editorial content; however, on April 16, the Government banned the tabloid *Entango Ya Rukundo* for allegedly publishing pornographic material.

On February 11, the Supreme Court in a unanimous decision declared unconstitutional the law prohibiting publication of "false information." On February 21, the Government dropped its case against two editors and a journalist for the Monitor on charges of publishing "false news" that threatened national security. The case arose from a Monitor report on an alleged UPDF helicopter crash in 2002.

During the year, the Government cited national security as grounds to suppress media reporting that criticized the Government or its handling of the LRA conflict, particularly reports that the LRA had killed UPDF soldiers. In January, army spokesperson Shaban Bantariza accused two Monitor journalists of being LRA rebel collaborators; the two journalists had covered the killing of UPDF soldiers by LRA rebels. In September, Vice President Gilbert Bukenya accused the electronic media of "painting a false image of the Government."

On September 19, the Government lifted its June 2003 ban on reporting by journalist Frank Nyakairu, who had contributed to a story about an alleged 2002 UPDF helicopter crash.

In March 2003, the UPDF warned that media outlets that published or broadcast classified information or abetted soldiers in leaking information would be subject to punishment, including the possibility of court-martial.

In November 2003, the Attorney General banned the media from reporting the declarations of assets and liabilities made by the country's political leaders; however, no action has been taken against journalists who published such information.

Media laws require that journalists be licensed to meet certain standards, such as possessing a university degree in journalism or the equivalent. A 1994 law also provides for a Media Council with the power to suspend newspapers and deny journalists access to state information. On January 14, the Media Council held its first meeting.

Unlike in the previous year, there were no reports that citizens harassed journalists. No investigations were conducted into 2003 attacks by ruling party members of Imelda Namulebi in February and Hadija Nakiende in December.

The Government did not limit access to the Internet.

Unlike in the previous year, there were no reports that police forcibly dispersed university political debates.

b. Freedom of Peaceful Assembly and Association

The law restricts freedom of assembly, particularly for political groups, by prohibiting any activities that interfere with the Movement system of governance; in practice, security forces often enforced these restrictions. For groups legally authorized to operate, permits were not required for public meetings; however, groups were required to notify the police prior to such gatherings. Police denied permission to hold public rallies to several opposition political groups during the year and, on several occasions, disrupted or forcibly dispersed opposition meetings and other events. Security forces arrested and detained opposition members.

Mainstream political opposition groups, including the FDC, the Democratic Party (DP), and the UPC, generally complied with government restrictions to hold meetings only in enclosed spaces; however, the ruling Movement had frequent public demonstrations in support of President Museveni and his efforts to eliminate presidential term limits.

During the year, security forces arrested and intimidated members of the opposition and disrupted numerous rallies and political events. On April 1, the Inspector General of Police, Major General Edward Katumba Wamala, directed police officers to arrest members of any unregistered political organization that held or was attempting to hold a political rally.

On January 25, police in Mukono District detained four members of the Popular Resistance Against Life Presidency (PRALP) for attempting to organize illegal meetings; the four reportedly were released the same day, but were instructed to report to court every month.

On February 29, police in Kampala arrested two members of Uganda Young Democrats, affiliated with the opposition DP, for organizing an illegal assembly. On March 2, the two were released; the case was pending trial at year's end.

On March 5, in Jinja, government supporters dispersed a political meeting organized by the Parliamentary Advocacy Forum (PAFO); several persons were injured, including an M.P. with disabilities who was pushed through a ground-floor window. The attackers reportedly had been paid approximately \$800 (1.5 million shillings) by progovernment officials to disrupt the meeting, which was attended by several opposition M.P.s. PAFO officials charged that local police, who did not intervene, had been ordered to step aside. A December 17 report by a parliamentary select committee charged two local officials with primary responsibility for the incident, but recommended that all those responsible be prosecuted.

On May 23, police briefly detained supporters of two rival candidates who clashed at a campaign rally in Mbale.

On June 5, police in Kyotera, Masaka District arrested and detained 17 PRALP activists for attempting to hold an illegal assembly. The 17, who were released after 1 week, did not appear for their October 14 court hearing; in December, police issued an arrest warrant for the 17.

On August 7, police accidentally shot and killed a secondary student during a street battle between Muslims and Christians in Kyazanga Town, Masaka District. Several others were injured in the incident.

On August 14, in Bugiri, the Resident District Commissioner fired live bullets in the air to disperse a meeting of the National Freedom Party; police subsequently arrested several members of the group for holding an illegal assembly.

On August 18, the police in Kampala detained and questioned M.P. Ken Lukyamuzi for 2 hours for allegedly "inciting violence" at a public rally in July. Police also blocked other types of demonstrations during the year. For example, on May 4, anti-riot police in Kasese prevented a demonstration by residents over alleged harassment of their chairman by district councilors.

In June, police in Mbarara dispersed a Uganda Youth Alliance conference because the group had not sought permission to hold such a gathering.

The Government reportedly settled out of court with the parents of freelance journalist Jimmy Higenyi, who was killed by police in 2002 during a UPC rally.

No further action was taken against the members of the police who forcibly dispersed demonstrations in 2003 or 2002.

The Constitution provides for freedom of association; however, the Government severely restricted this right in practice, particularly for opposition political parties and organizations (see Section 3). NGOs were required to register with the NGO Board, which included representation from the Ministry of Internal Affairs as well as other ministries.

c. Freedom of Religion

The Constitution provides for freedom of religion; however, in practice, the Government imposed some restrictions.

The law requires religious groups and foreign missionaries to register with the Government; failure to register is a criminal offense. The Government continued to refuse registration to the World Last Message Warning Church due to continuing suspicions arising from the killings of more than 1,000 citizens in Kanungu in 2000. There were no reports that the Government refused to grant such registration to any other religious organization.

Several religious groups, which had been shut down by police as suspected "cults" in previous years, remained closed at year's end. In addition, bans against nighttime prayer meetings by evangelical churches, reportedly for security and noise abatement reasons, were still in effect in residential areas of several districts. For example, in October, police in Kayunga banned night prayers to reduce insecurity in the district.

The May 2003 closure of Prophetess Nabaasa Gwaja's worship center in Ntuusi village remained in effect at year's end.

There were reports that security officials harassed Muslims; however, the Government maintained that certain Muslim suspects were detained on charges of treason and terrorism, not on religious grounds. On March 25, antiterrorism police in Kampala arrested two Muslim religious leaders and five other suspects on treason charges. The Muslim religious leaders claimed they were arrested for their religious beliefs, but the Government insisted they were arrested for recruiting for the ADF. The men were in detention awaiting trial at year's end.

Muslims occupied positions of authority in local and central government; however, some Muslim leaders claimed that the number of positions did not reflect their percentage of the population.

The LRA was responsible for attacks against religious institutions during the year. On May 18, LRA rebels abducted Anglican Bishop Benjamin Ojwang and 11 other persons from the Bishop's home in Kitgum; the abductees were rescued that night by UPDF forces. In June 2003, LRA leader Joseph Kony ordered the LRA to "destroy all church missions and kill all priests in northern Uganda."

No action was taken against LRA rebels responsible for killing, injuring, and abducting religious workers in 2003.

For a more detailed discussion, see the 2004 International Religious Freedom Report.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, the Government at times limited them in practice. Some local officials reportedly demanded payment of fees before writing a letter of introduction on behalf of individuals changing their residence. A married woman must obtain her husband's written permission on her passport application if children are to be listed on her passport.

On February 7, security agents seized the passport of Joseph Musasizi, the brother of exiled opposition leader Kizza Besigye, and prevented him from traveling abroad; on February 9, Musasizi's passport was returned to him.

On August 17, William Onyanga, a supporter of Kizza Besigye and Lira District Council speaker, was blocked from traveling to South Africa.

Continued attacks by the LRA and Karamojong warriors caused many ethnic Acholis and Iteso to leave their homes for urban centers, IDP camps, and villages guarded by the UPDF and LDUs. According to the U.N. office of the Coordinator for Humanitarian Affairs, there were more than 1.3 million registered IDPs as a result of this violence. At year's end, the number of IDPs per affected district were: Gulu, 558,765; Kitgum, 267,078; Pader, 279,589; and Lira, 298,197.

During the year, the LRA killed and injured numerous persons during attacks on IDP camps (see Section 1.g.). In the north, security forces continued their policy of maintaining UPDF detachments at IDP camps as a means of protecting civilians and denying support to the LRA. Security and health conditions in the approximate 200 IDP camps remained precarious, and several were the targets of large-scale rebel attacks (see Section 1.g.).

In April, in Adjumani District, LRA rebels in groups of 7 to 20 began attacking Sudanese refugee settlements in Adjumani; approximately 20,000 Sudanese refugees fled the camps.

Approximately 25,000 citizens of the country were refugees in the DRC, Sudan, and Kenya during the year.

The law does not provide for the granting of asylum or refugee status in accordance with the definition of the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol; however, the Government has established a system for providing protection to refugees. In practice, the Government provided protection against refoulement, the return of persons to a country where they feared persecution. The Government granted refugee status or asylum and generally cooperated with the office of the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian

organizations in assisting refugees and asylum seekers. Unlike during the previous year, the Government did not forcibly relocate refugees or deny UNHCR access to camps.

The Government provided temporary protection to individuals who may not qualify as refugees under the 1951 Convention and 1967 Protocol, and also provided land for temporary resettlement to citizens from neighboring countries. This practice was extended to significant numbers of refugees during the year. More than 70 percent of the approximately 220,000 refugees in the country were from southern Sudan; there also were refugees from the DRC, Rwanda, and other countries.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government; however, Movement domination of the Government and some restrictive constitutional and statutory provisions limited citizens' effective exercise of this right. On November 17, the Constitutional Court declared sections of the 2002 Political Parties and Organizations Act (PPOA) that restricted political meetings and the registration of political parties unconstitutional; a 2003 court decision ruled that PPOA sections that prevented political parties from operating while the "Movement System" remained in place were unconstitutional. However, during the year, both national and local government officials continued to interpret the law to restrict opposition political activities.

The Constitution provides for an autonomous, independently elected president and a 305-member unicameral parliament whose members are elected to 5-year terms. The President dominated the Government, and Movement supporters remained in control of the Parliament. However, members of the Movement disagreed on several critical issues, including whether the constitutional presidential term limit should be lifted. Supporters of President Museveni retained a majority in Parliament, but not necessarily in sufficient numbers to pass constitutional amendments.

In 2001, six candidates competed in the presidential elections, including President Museveni and Kizza Besigye. President Museveni was reelected with 69.3 percent of the vote. The presidential election generally reflected the will of the population; however, there were many complaints of irregularities prior to and on election day, particularly regarding the voting process. There also were numerous reports of election-related violence and intimidation by both the Government and the opposition.

In 2001, elections were held for the 214 directly elected parliamentary seats. The elections generally reflected the will of the population; however, there were numerous instances of election-related intimidation and violence. The number of opposition M.P.s increased to 35 from 12, including 9 UPC M.P.s and at least 6 M.P.s from the DP. Others were affiliated loosely with the DP, and the affiliation of several other M.P.s was unclear. There were 230 M.P.s elected from the Movement Party, giving it a clear majority; however, a number of moderate Movement M.P.s kept their seats in spite of President Museveni's active campaigning for their opponents.

A 2002 parliamentary committee that investigated violence and irregularities in the 2001 presidential, parliamentary, and LC elections recommended that acting Army Commander Major General James Kazini, Presidential Advisor on Political Affairs Major Kakooza Mutale, Brigadier Julius Oketa, and other security personnel be further investigated and prosecuted for alleged crimes related to election violence; however, by year's end, no action had been taken.

The 2000 referendum on the role of political parties resulted in the indefinite extension of the Movement form of government and the indefinite

continuation of restrictions on political parties. On June 25, the Constitutional Court ruled that numerous provisions of the 2000 Referendum Act, which established the rules and procedures for conducting the 2000 referendum, were unconstitutional; however, on September 2, the Supreme Court overturned parts of the Constitutional Court's ruling and validated the results of the referendum. Despite the referendum, the PPOA set rules for the registration and operation of political parties. These rules were highly restrictive, and many parties refused to register under the PPOA. In March 2003, the Supreme Court declared unconstitutional Sections 18 and 19 of the PPOA, which prohibit political parties from holding rallies, taking part in election campaigning, or holding offices outside Kampala; however, restrictions on both registered and unregistered opposition parties continued during the year. The Government restricted non-Movement political gatherings and dispersed numerous political meetings not sanctioned by the Movement (see Section 2.b.).

The ruling Movement regularly held rallies, conducted political activities, and in 2003 registered the National Resistance Movement-Organization, a new political party that generally operated without restriction. Some new parties, which registered under the 2002 PPOA, have been allowed to function, as have political parties that existed in 1986, when the Movement assumed power; however, there were significant limitations. During the year, many parties refused to register and continued to challenge the PPOA in the courts; however, nine opposition parties registered following the November Constitutional Court ruling.

On April 8, the Resident District Commissioner in Rukungiri instructed local officials to bar opposition candidates from campaigning at funerals or weddings.

During the year, the Electoral Commission organized parliamentary and district by-elections in Kamuli, Mbale Municipality, Bushenyi, Kabale, and Bukomansimbi. Observers characterized these elections as generally free and fair; however, there were some irregularities. For example, in Kamuli District, the presiding officer and polling assistants were arrested for "election malpractices." Several local council elections organized during the year by the EC were considered generally free and fair.

In September 2003, the Cabinet presented a list of its suggestions for constitutional change to the Constitutional Review Commission (CRC) that included the introduction of a multiparty system, increasing executive authority over the legislature, and the lifting of presidential term limits. After the CRC submitted its report to Parliament, the Legal and Parliamentary Affairs committee on December 21 recommended the rejection of some of the Government's proposed amendments, but made no recommendation on the lifting of presidential term limits. No action had been taken on the report's recommendations by year's end.

Corruption continued to be a major problem. Despite credible evidence of wrongdoing, there were no prosecutions during the year of senior officials accused of corruption. The law requires the declaration of wealth by government officials and their family members, and the Government enforced the law during the year. A hotline established in 2003 by the Ministry of Ethics and Integrity continued to receive reports of corruption.

The 2003 courts-martial of army officials suspected of maintaining under-strength units and pocketing salary payments for so-called "ghost soldiers" was ongoing at year's end.

The Constitution provides for public access to government information, and on January 29, the Supreme Court overturned a provision of the 2000 Constitution Amendment Act that would have restricted such access.

The Constitution requires elections through electoral colleges for the 81 seats reserved for special interest groups in Parliament: 56 seats were reserved for women; 5 for organized labor; 5 for persons with disabilities; 5 for youth; and 10 for the army, which were selected by the UPDF High Command, chaired by President Museveni.

The Government used quotas in an aggressive effort to place women in positions of authority. In 2001, women won 12 nonreserved seats for the 295-member Parliament and held a total of 72 seats. There were 3 female ministers and 12 female junior ministers in the President's 66-member Cabinet. One woman served as Deputy Speaker, another as Deputy Chief Justice of the Supreme Court, and a woman headed the CID.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were responsive to their views; however, in August 2003, President Museveni issued a statement calling on civil society organizations to avoid involvement in partisan politics. Active domestic groups included the FHRI; FIDA-U; Human Rights Focus; the National Association of Women's Organizations of Uganda; the International Federation of Human Rights; and the Human Rights and Peace Center of Makerere University. Government officials continued to attend conferences and seminars hosted by NGOs on social problems and cooperated with NGOs on legal and prison reforms.

No action was taken on the Government's March 2003 call for a code of NGO conduct to minimize corruption.

The Government allowed visits by the ICRC, UNHCR, and several international human rights NGOs, including Amnesty International, HRW, and the International Justice Mission. On July 16, the ICRC resumed operations in the country after a 3-year suspension that followed the 2001 killings of six relief workers in the Ituri District of the DRC, an area then controlled by the UPDF. During the year, the ICRC resumed its visits to prisons, police stations, and military detention facilities.

The Constitution establishes the UHRC as a permanent independent body with quasi-judicial powers. The President appointed the UHRC's eight-member board. Under the Constitution, the UHRC may subpoena information and order the release of detainees and the payment of compensation for abuses. In several cases during the year, the UHRC Tribunal awarded compensation to complainants who had proven their allegations against government organs (see Sections 1.c. and 1.d.). The UHRC continued to pursue suspected human rights abusers, including high-level officials in the Government and military, and had branches countrywide, including in Gulu, Soroti, Mbarara, Fort Portal, Jinja, and Moroto. The UHRC Tribunal headquarters in Kampala received 1,080 new cases during the year, including some against senior government leaders and military and police officials. In September, the Government withdrew previous constitutional proposals to abolish the UHRC.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The Constitution prohibits discrimination based on race, sex, disability, language, or social status; however, the Government did not enforce the law in matters of locally or culturally accepted discrimination against women, children, persons with disabilities, or certain ethnic groups. Continued instability in the northern region led to violations of the rights of some Acholi, an ethnic group that comprises a significant part of the population; LRA rebels, although predominantly Acholi themselves, were responsible for the most serious human rights violations.

Women

Violence against women, including rape, remained common. A 2003 Johns Hopkins University study indicated that one in three women living in surveyed rural areas experienced verbal or physical threats from their partners, and 55 percent sustained physical injuries as a result of domestic abuse. The law prohibits assault, battery, and rape; however, there were no laws that specifically protected women from spousal abuse. Many law enforcement officials continued to view wife beating as a husband's prerogative and rarely intervened in cases of domestic violence. Women remained more likely to sue for divorce than to file rape or assault charges against their husbands.

A 2003 HRW report concluded that married women were particularly vulnerable to HIV/AIDS infection as a result of forced sex in marriage by husbands with multiple partners or wives. HRW's report identified numerous social and legal obstacles to women's ability to protect themselves against HIV/AIDS infection in abusive relationships.

The law requires that bride prices be nonrefundable gifts to the parents of the bride. In March 2003, civil society organizations recommended to the CRC that bride prices be abolished; however, no action had been taken by year's end.

Thousands of women and girls were victims of abduction and rape by rebel forces. There also were reports that women were raped by the UPDF (see Sections 1.c. and 5. Children).

FGM was practiced by the Sabiny ethnic group, located in rural Kapchorwa District, and the Pokot ethnic group along the northeastern border with Kenya. There were approximately 10,000 Sabiny and approximately 20,000 Pokot in the country. Among the Sabiny, initiation ceremonies involving FGM were carried out every 2 years. In August, an official in Moroto District confirmed more than 84 cases of FGM in his sub-county; in 2003, there were 30 cases. In Kapchorwa District, there were 594 cases of FGM during the year, according to an anti-FGM organization.

There was no law against FGM, but the Government, women's groups, and international organizations continued programs to combat the practice through education. These programs, which received some support from local leaders, emphasized close cooperation with traditional authority figures and peer counseling. Significant press attention to these ongoing efforts brought public attention to the problem during the year.

Prostitution was illegal; however, it was common. There were no credible statistics available on the occurrence of prostitution, including child prostitution, during the year.

There were reports of trafficking in women, girls, and babies during the year (see Section 5, Trafficking).

Sexual harassment also was common. For example, in January, the Women's Commission for Refugee Women and Children reported that security forces, teachers, and others in the north sexually abused female "night commuters," the adults and children who fled their homes each night to seek shelter from LRA attacks and abductions. In March, Parliament registered complaints from women being asked for sexual favors during job interviews.

Traditional and widespread societal discrimination against women continued, especially in rural areas. Many customary laws discriminate against women in the areas of adoption, marriage, divorce, and inheritance. In many areas, women could not own or inherit property or retain custody of their children under local customary law. Traditional divorce law in many areas requires women to meet stricter evidentiary standards than men to prove

adultery. Polygyny is legal under both customary and Islamic law. In some ethnic groups, men can "inherit" the widows of their deceased brothers. Women did most of the agricultural work but owned only 7 percent of the agricultural land. During the year, employers in the private sector frequently failed to apply the statutory provision that provides women maternity leave.

There were limits on a married woman's ability to travel abroad with her children (see Section 2.d.).

Numerous NGOs sponsored conferences and training programs on women's rights throughout the country. There were several active women's rights groups in the country.

Children

The Government demonstrated a commitment to improving children's welfare. Education received the largest percentage of the national budget. The Government did not enforce effectively the Children's Statute, which outlines broad protections for children, because of the large proportion of children in the population (approximately half of the country's population was under 15), staffing and fiscal constraints on the judiciary, and cultural norms. The law stipulates parents' responsibilities and provides extensive protection for children in a wide variety of areas, including financial support, foster care placement, adoption, determination of parentage, and treatment of children charged with offenses. The law also prohibits children from taking part in any activity that was likely to injure the child's health, education, or mental, physical, or moral development; however, the Government often did not enforce these prohibitions.

The Government continued the Universal Primary Education (UPE) program, which provided free education through the seventh grade; however, education was not compulsory. UPE increased funding for education, provided additional skills training for teachers, and reduced the textbook to student ratio; however, some provisions had not been implemented fully by year's end. Strained finances, corruption, instability in some areas, infrastructure problems, and inadequate teacher training prevented full implementation. The UPE program made education more accessible financially; however, parents still had to pay for school supplies and some school costs.

According to UNICEF, the country's primary school enrollment rate was 86 percent for both boys and girls. Girls and boys theoretically had equal access to education in the lower grades; however, the proportion of girls in higher school grades remained low because families traditionally favored boys when making educational decisions. Boys also were more likely to finish primary school and performed better on examinations for admission into secondary school. The Government continued several programs to promote a national plan for the education of girls. According to the 2002-03 National Household Survey, only 59 percent of adult women were literate compared with 80 percent of adult men.

Child abuse remained a serious problem, particularly rape and other sexual abuse of girls, offenses known as "defilement." Defilement applied to all cases of sexual contact outside of marriage with girls younger than 18 years of age, regardless of consent or the age of the perpetrator. The perpetrators of defilement often were family members, neighbors, or teachers. During the year, 1,878 persons were convicted of defilement, and 1,818 suspects were awaiting trial at year's end. Defilement carried a maximum sentence of death; however, no court sentenced persons convicted of defilement to death during the year. In practice, defilement cases often were settled by a payment to the girl's parents.

During the year, teachers were arrested for defilement. For example, the Arua District education officer reported that between June and October, three teachers were arrested for defilement.

Corporal punishment is banned; however, many schools used it. In April, the UHRC summoned to testify Fabian Bahemuka and Fedeli Muleme, teachers of St. Aloysius Bukalagi Primary School, in Mipigi District, for allegedly caning a pupil into a coma in 2002. During the year, the UHRC tribunal mediated a settlement that required the teachers to pay the pupil's family \$115 (200,000 shillings).

There were credible allegations of actual and attempted ritual killings of children during the year. For example, in February, police in Kayunga District arrested and detained two traditional healers for allegedly attempting to murder an 11-year-old boy; no further information was available.

There were no developments in the February 2003 and May 2003 ritual killings of children. There were no developments in 2002 ritual killings of children.

The marriage of young girls by parental arrangements was common, particularly in rural areas.

FGM was performed on girls in the Sabiny and Pokot ethnic groups (see Section 5, Women).

Child prostitution and trafficking were problems (see Section 5, Trafficking).

The legal recruitment age for military service was 18 years; however, persons below the age of 18 occasionally enlisted, sometimes with the collusion of local officials. During the year, there were reports that the Government continued to recruit children into the UPDF. Other children were reported to have been recruited into LDJs. The UPDF denied that it had actively recruited child soldiers, but said some might have been allowed to join through deception or oversight. However, other reports indicated that the UPDF detained some former LRA child combatants for unacceptably long periods, and in some cases, used them on intelligence and reconnaissance missions.

During the year, the UPDF collaborated with UNICEF to identify and remove 300 to 400 underaged soldiers from the 60,000-soldier UPDF. There were also efforts to identify and remove underaged recruits from LDJs, where underage recruitment reportedly was a more serious problem.

There were an estimated 2 million children who had lost one or both parents. This large number of orphans resulted from wars and other instability, population dislocation, and HIV/AIDS.

Child labor was a problem (see Section 6.d.).

Approximately 12,000 children have been abducted during the last 2 years, and the LRA continued to abduct children and, at clandestine bases, to force them into virtual slavery as laborers, soldiers, guards, and sex slaves. In addition to being beaten, raped, and forced to march until exhausted, abducted children were forced to participate in the killing of other children who attempted to escape. More than 85 percent of LRA forces were made up of children whom the LRA abducted and forced to fight as rebels; most LRA rebels were between the ages of 11 and 16.

During the year, the UPDF rescued numerous children abducted by the LRA; 15,000 children have returned from LRA captivity since the conflict began. The UPDF's Child Protection Unit continued to provide treatment to returned abductees upon arrival at military facilities. It also escorted ex-abductees to NGO facilities, which provided assistance and counseling to the children and their families. The Government also worked closely with NGOs in the north to facilitate their assistance programs for amnesty seekers and rescued children; however, these programs were primarily financed by donors. The Amnesty Commission provided orientation to officials in Sudan to better assist applicants, including former abducted child soldiers, to

enter the amnesty program.

Between 32,000 and 52,000 children known as "night commuters" traveled from conflict areas or IDP camps each night to urban centers to avoid abduction by the LRA. In March, the U.N. estimated that nearly 18,800 children commuted nightly into Gulu town, 11,000 in Kitgum, and 11,000 in a Kalongo Hospital in Pader District. During the year, the Government cooperated with NGOs to establish shelters for such children in tented dormitories and other semi-permanent structures; in other cases, children slept under balconies or on the grounds of schools, churches, and hospitals. Conditions ranged from harsh to adequate. There were credible reports that many displaced girls became involved in prostitution.

Trafficking in Persons

The law does not specifically prohibit trafficking in persons; however, it prohibits trafficking-related offenses. The penalty for the procurement of women for purposes of prostitution or detention with sexual intent is up to 7 years' imprisonment; the penalty for trading in slaves is up to 10 years' imprisonment. A range of sentences up to the death penalty can be imposed for defilement (sex with minors). Forced labor is a misdemeanor. There were reports that persons were trafficked to, from, or within the country. During the year, persons were arrested for trafficking-related offenses; however, none reportedly were convicted.

In addition to trafficking related to LRA abductions (see Sections 1.b. and 5), adults and children were trafficked internally for labor, commercial sexual exploitation, and criminal activities.

During the year, there were media reports that several women from South Asia were trafficked to the country under false pretenses and forced into prostitution; some of the women also claimed that they had been tortured and raped. On June 30, police arrested the owner of the restaurant where some of the women were found. A parliamentary committee reportedly planned to investigate the extent of the trafficking of South Asian women to the country; however, no action had been taken by year's end.

Unlike in previous years, there were no reports that the SPLA forcibly recruited Sudanese refugees in the north for service in their forces.

The Government, through the military and civilian agencies, continued efforts to combat LRA trafficking in persons. The Government began Operation Iron Fist in 2002 to eradicate the LRA threat and has continued to offer amnesty to former rebels, providing resettlement packages with educational benefits and vocational training. The Government also established protected camps garrisoned by the UPDF that have helped to prevent abductions (see Sections 1.b. and 2.d.).

Persons with Disabilities

The Constitution provides persons with disabilities "a right to respect and human dignity"; however, widespread discrimination by society and employers limited job and educational opportunities for such persons. There was no statutory requirement that buildings be accessible for persons with disabilities. There was a Minister of State for Disabled Persons, and five seats in Parliament were reserved for representatives of persons with disabilities. There was also a Department for Disabled Persons within the Ministry of Gender, Labor, and Social Development; however, this institution lacked sufficient funding to undertake or support any significant initiatives.

The Children's Act required that children with disabilities be given necessary special facilities; however, in practice inadequate funding hampered enforcement of this provision.

National/Racial/Ethnic Minorities

Civil strife in the north and east led to the violation of the rights of members of the Acholi, Langi, and Ateso ethnic groups, who primarily resided in the districts of Gulu, Kitgum, Pader, Lira, Apac, and Soroti. LRA rebels, who themselves largely were Acholi, committed abuses against ethnic Acholi and other ethnic groups. The LRA in particular was implicated in the killing and kidnapping of Acholi tribe members (see Section 1.g.). During the year, the UPDF committed abuses against ethnic Acholi during combat operations against the LRA. Ethnic Acholi leaders also complained that outsiders were attempting to take advantage of continuing instability to steal their land.

Inter-ethnic violence between the Langi and Acholi ethnic groups resulted in deaths. On February 25, a joint force of UPDF troops and police fired in the air after a peace march commemorating the victims of the February 21 LRA attack on Batonyo IDP camp became violent. One person was shot to death by the joint force, and four persons were lynched by the mob; there were numerous injuries. Observers reported that approximately 500 members of the Langi ethnic group broke away from the demonstration to attack Acholis and their property and that the violence appeared to be exacerbated by February 24 anti-Acholi and anti-foreign broadcasts on Lira radio.

During the year, raids by armed Karamojong warriors in Katakwi, Kolobo, and Kapchorwa Districts in the northeast resulted in approximately 100 deaths. The raids reportedly exacerbated ethnic tensions in the northeast (see Section 1.a.). The Government's mandatory disarmament program for Karamoja, which has caused confrontations between the UPDF and the Karamojong, continued, and negotiations continued for a Karamojong-led solution. The UPDF and police continued efforts to improve security conditions by arresting cattle rustlers and preventing cross-border incursions.

Incitement to Acts of Discrimination

Anti-Acholi messages on Lira radio throughout the evening of February 24 contributed to the violence in a February 25 demonstration (see Section 5, National/Racial/Ethnic Minorities).

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right of every person to join workers' associations or trade unions; however, the Government at times did not respect this right in practice. Employers often did not observe the requirement to recognize a union. The right to form unions extended to civil servants; however, many "essential" government employees were not permitted to form unions, including police, army, and management-level officials throughout government. The Government failed to enforce the rights of some employees to join unions in newly privatized industries and factories.

The law allows unionization if 51 percent or more of the work force support it and if the proposed union represents at least 1,000 employees. These requirements effectively prevented workers in important parts of the private sector from forming unions, especially in the textile, hotel, and construction sectors.

The law does not prohibit anti-union discrimination by employers, and union activists were not protected sufficiently from retribution for union activities; however, there were no reported incidents of government harassment of union officials during the year. There were reports that several private companies urged workers not to take part in unionization efforts.

b. The Right to Organize and Bargain Collectively

The law provides for the right to organize and bargain collectively; however, the right to organize was rarely defended by the Government, and true collective bargaining occurred only in the small private sector of the modern economy. There are no export processing zones.

The Constitution provides for the right to strike; however, the Government seldom defended this right, and government policy required labor and management to make "every effort" to reconcile labor disputes before resorting to strike action. This directive presented unions with a complicated set of restrictions. If reconciliation did not appear to be possible, labor had to submit its grievances and give notification of the strike to the Minister of Labor, who usually delegated the dispute to the IC. In principle, IC rulings were final, but in practice, they could be appealed to the High Court, an option often taken by employers. The Minister of Labor generally did not permit strikes in the absence of a determination from the IC that "every effort" had been exhausted. The Government only took limited action on organized labor complaints; however, frustrated laborers often went on strike anyway.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred (see Sections 5 and 6.d.). Prison officials hired out prisoners to work on private farms and construction sites, where the prisoners often were overworked. Throughout the country, prison officials routinely supplemented their meager wages with cash crops grown by prisoners on the prison grounds (see Section 1.c.). Male prisoners performed arduous physical labor while female prisoners produced marketable handicrafts such as woven baskets. Juvenile prisoners performed manual labor, often for 12 hours per day. Compensation, when paid, generally was very low.

There were also complaints that the UPDF forced ethnic Acholi citizens to clear roadways in war-affected regions of the north.

d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits employers from hiring workers below the age of 18; however, child labor was common, especially in the informal sector. Demographics contributed to the problem of child labor; half of the population was under 15 years of age. Many children left school and went into agricultural or domestic work to help meet expenses or perform the work of absent or infirm parents, a situation common throughout the country (see Section 5). The problem was particularly acute among the large orphan population.

In urban areas, children sold small items on the streets, were involved in the commercial sex industry, worked in shops, or begged for money (see Section 5). Children were also employed in the tea harvesting sector.

In the past, smuggling was one of the larger informal industries and employed large numbers of child laborers at the borders with Kenya and Tanzania; however, there were no reports of such activity during the year.

The law prohibits forced and bonded labor by children; however, a lack of resources prevented the Government from enforcing this prohibition effectively. There were reports the UPDF used

former LRA child soldiers on reconnaissance and intelligence missions (see Section 5).

The LRA often forced abducted children into virtual slavery as guards, laborers, soldiers, and sex slaves (see Section 5).

The Ministry of Gender, Labor, and Social Development enforced the law on child labor; however, financial constraints limited the Ministry's efforts. The Government made efforts to decrease the incidence of child labor during the year. The Government coordinated its efforts to stop child labor through the National Steering Committee on Child Labor, which brought together representatives of the Ministry of Gender, Labor, and Social Development; the Ministry of Education and Sports; the Ministry of Local Government; the Federation of Uganda Employers; the National Organization of Trade Unions; NGOs; journalists; and academicians. The Government organized a number of child labor awareness workshops, disseminated printed information, and sponsored radio and television discussions to educate the public on child labor issues. Several human rights NGOs continued programs during the year aimed at removing children from hazardous work.

The Government also cooperated with the ILO, foreign governments, and NGOs in several initiatives to combat child labor, including the education and reintegration of children into their communities.

e. Acceptable Conditions of Work

The minimum legal wage was \$3.50 (6,000 shillings) per month, a rate set in 1984; however, this wage was not enforced effectively in practice. The Government and the private sector negotiated a new rate in 2003; however, no minimum wage legislation had been passed by year's end. The existing minimum wage did not provide a decent standard of living for a worker and family.

In industries that employed workers on an hourly basis, the normal workweek was 40 hours. There was no legal maximum workweek; however, employers were supposed to pay a time-and-a-half rate for each additional hour worked beyond a 48-hour workweek. Many industries paid workers incrementally to avoid overtime and circumvent the prohibition on child labor. Many companies employed workers as "casual laborers" or "contract workers" to avoid providing benefits.

The law establishes some occupational health and safety standards. The Workers' Compensation Act provides compensation, based on monthly salaries, for workers injured or killed at work. The Ministry of Gender, Labor, and Social Development's Department of Occupational Health was responsible for enforcement of occupational safety regulations; however, in practice, inspections were rare, primarily due to the lack of vehicles and funding for inspection trips. There were fatal accidents at several construction projects. The limited occupational safety regulations under the law did not prevent the dismissal of workers who refused to perform dangerous work; however, strong unions in certain dangerous industries protected such workers.

Foreign workers are protected under the Occupational Health and Safety Law. The law does not exclude illegal workers; however, illegal workers who filed claims risked government scrutiny of their employment status and possible prosecution or deportation.

<http://www.state.gov/j/dn/rls/hrmp/2004/41632.htm>

4/12/2016 12:13 PM

Uganda

27 of 27

EXHIBIT 132



Scott Lively <sdllaw@gmail.com>

ATM Web Msg - Meeting

4 messages

Youth for Democracy <president@youth4democracy.com>
To: sdllaw@gmail.com

Tue, Aug 3, 2010 at 6:53 AM

Greetings,

We want to improve the situation for homosexuals in Uganda. together we can promote the full and equal inclusion of gays and lesbians in the Uganda. It is important that as many voices as possible are raised in support of understanding that homosexuality is normal and homosexual rights. But there is much remains to be done as many people still lack knowledge and have negative feelings about homosexuals which too often lead to abuse and discrimination. We can encourage the churches and government in Uganda to understand that homosexuality is a normal human orientation and to recognize that when allowed homosexuals make great contributions to their countries.

Instead of this Uganda law which is in parliament of imprisonment and punishment, i need your helping hand to close the gap between the churches and government in Uganda and the less privileged homosexuals in Uganda???

Myself SEMWOGERERE FRANCIS the president of Youth for Democracy I will be happy to meet with you in person In this I walked in integrity and i will still walk in integrity i need to meet with you and we share heart to heart about a very ambitious work plan and budget

I WILL NEED YOU TO SEND ME A LETTER OF INVITATION IN ORDER I GET A VISA AT YOUR EMBASSY IN KAMPALA UGANDA PLUS AIR-TICKETS AND VISA FEES???

I am still standing on my strong statement about the treatment of homosexuals in Uganda. I think that you completely agree with me on this.

We are a youth oriented organization promoting empowerment and democracy \"without any political, religious, and gender discrimination\". Yes we can pursuing this wonderful goals.

Best wishes for success in your endeavors,

YOUTH FOR DEMOCRACY
(YFD - INTERNATIONAL)
\"The advocates of youth rights\"
Opportunities for all Youth
Closing the gap between the privileged & the less privileged

WEBSITE: www.youth4democracy.com
EMAIL: president@youth4democracy.com
P.o Box 24024
Kampala, Uganda, east Africa
Tel: +256753879671

User-Agent: Mozilla/5.0 (Windows; U; Windows NT 5.1; en-US; rv:1.9.2.8) Gecko/20100728 Firefox/3.6.8 CometBird/3.6.8

Scott Lively <sdllaw@gmail.com> Tue, Aug 3, 2010 at 12:34 PM
To: Stephen Langa <stephenlanga@yahoo.com>, Martin Ssempe <ssempam@gmail.com>

[Quoted text hidden]

Stephen Langa <stephenlanga@yahoo.com> Tue, Aug 10, 2010 at 3:43 AM
To: Martin Ssempe <ssempam@gmail.com>, Scott Lively <sdllaw@gmail.com>

Thanks for the info Scott. I will organize to investigate this group. God bless. SL

--- On Tue, 8/3/10, **Scott Lively** <sdllaw@gmail.com> wrote:

From: Scott Lively <sdllaw@gmail.com>
Subject: Fwd: ATM Web Msg - Meeting
To: "Stephen Langa" <stephenlanga@yahoo.com>, "Martin Ssempe" <ssempam@gmail.com>
Date: Tuesday, August 3, 2010, 9:34 AM

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com> Thu, Apr 10, 2014 at 1:33 PM
To: Scott Lively <psalm37nasb@gmail.com>

[Quoted text hidden]

EXHIBIT 133



Scott Lively <sdllaw@gmail.com>

Fwd: Google Alert - Martin Ssempea

3 messages

Martin Ssempea <ssempam@gmail.com>
To: Scott Lively <sdllaw@gmail.com>

Fri, Sep 3, 2010 at 1:54 PM

Scott,
Tell me what you think of this.

Martin

Begin forwarded message:

From: Google Alerts <googlealerts-noreply@google.com>
Date: September 3, 2010 7:34:03 PM GMT+03:00
To: ssempa@aol.com
Subject: Google Alert - Martin Ssempea

News

1 new result for **Martin Ssempea**

Senate Dems Pass, Ashburn Opposes, Uganda Condemnation SR 51
California Progress Report
While Warren last year began to publicly distance himself from Uganda's death penalty for homosexuality, **Martin Ssempea**, a frequent guest speaker at ...



California Progress Report

Tip: Use a minus sign (-) in front of terms in your query that you want to exclude. Learn more.

Remove this alert.
Create another alert.
Manage your alerts.

Scott Lively <sdllaw@gmail.com>
To: Martin Ssempea <ssempam@gmail.com>

Fri, Sep 3, 2010 at 9:24 PM

The CA legislature is controlled by homosexuals
[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: Scott Lively <psalm37nasb@gmail.com>

Fri, Apr 11, 2014 at 1:19 PM

[Quoted text hidden]

EXHIBIT 134



Scott Lively <sdllaw@gmail.com>

Please Respond

2 messages

Scott Lively <sdllaw@gmail.com>

Sun, Jan 30, 2011 at 1:09 PM

To: Stephen Langa <stephenlanga@yahoo.com>

Hi Stephen,

Can you help me to locate a copy of the seminar video from our 2009 conference? I am getting ready to go on the counter-attack here and it would be very helpful to be able to show how our enemies have distorted the message of that conference. I'd also like to hear how things are going there. How is your lovely wife and those wonderful children? I hope your lives are good!

It has been very rough here in the US. I can take it because I know this is the work of God, and I have no regrets about anything I have said or taught in Uganda. Indeed, I strongly pray that God will continue to use that work to protect Uganda from the homosexual agenda.

I have now been and will not be silenced about Biblical truth, in fact I will be going to the country of Moldova this month to do the same thing there that I did in Uganda.

Lets please keep in touch. I don't want our friendship to be harmed by any of the devil's mischief.

In Jesus,

Scott

Scott Lively <sdllaw@gmail.com>

Thu, Apr 10, 2014 at 1:39 PM

To: Scott Lively <psalm37nasb@gmail.com>

[Quoted text hidden]

EXHIBIT 135



Scott Lively <sdllaw@gmail.com>

Re: Please Respond

5 messages

Stephen Langa <stephenlanga@gmail.com>
To: Scott Lively <sdllaw@gmail.com>

Thu, Feb 3, 2011 at 4:01 PM

Dear Scott,

Thank you for your emails and valuable information. Sorry for taking long to reply. Actually you I now use this email more that the yahoo, that is why. I take long to check the yahoo address.

Anyhow, we are fine as a family and our daughter Grace got married six months ago.

We are continuing with our work as usual.

Brother, our friendship cannot be harmed by Satan's devices. We will keep on keeping on as long as the Lord gives us the strength.

I will be visiting the US sometime in March this year.

God bless.

Stephen Langa

--- On Sun, 1/30/11, Scott Lively <sdllaw@gmail.com> wrote:

From: Scott Lively <sdllaw@gmail.com>
Subject: Please Respond
To: "Stephen Langa" <stephenlanga@yahoo.com>
Date: Sunday, January 30, 2011, 10:09 AM

Hi Stephen,

Can you help me to locate a copy of the seminar video from our 2009 conference? I am getting ready to go on the counter-attack here and it would be very helpful to be able to show how our enemies have distorted the message of that conference. I'd also like to hear how things are going there. How is your lovely wife and those wonderful children? I hope your lives are good!

It has been very rough here in the US. I can take it because I know this is the work of God, and I have no regrets about anything I have said or taught in Uganda. Indeed, I strongly pray that God will continue to use that work to protect Uganda from the homosexual agenda.

I have now been and will not be silenced about Biblical truth, in fact I will be going to the country of Moldova this month to do the same thing there that I did in Uganda.

Lets please keep in touch. I don't want our friendship to be harmed by any of the devil's mischief.

In Jesus,

Scott

Scott Lively <sdllaw@gmail.com>
To: Stephen Langa <stephenlanga@gmail.com>

Sun, Feb 6, 2011 at 6:29 PM

Good to hear from you!! Please advise me when and where you will be in the US. I'd love to see you. Wow, Grace is married. Praise God.

Is there any way you can get me a copy of the March 2009 videos? I need to counter the propoganda against me here and those tapes would be very helpful.

Blessings,

Scott

[Quoted text hidden]

Stephen Langa <stephenlanga@gmail.com>
To: Scott Lively <sdllaw@gmail.com>

Mon, Feb 7, 2011 at 8:25 AM

Dear Scott,

I will try and see if I can come with the 2009 tapes when I come to the USA. Also my itinerary is still being worked upon. I will let you know once it is confirmed so that we can arrange to meet.

God bless.

Stephen Langa
[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: Stephen Langa <stephenlanga@gmail.com>

Mon, Feb 7, 2011 at 9:41 AM

Will you be near me at any time in your trip? Springfield Massachusetts is my new home.
[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: Scott Lively <psalm37nasb@gmail.com>

Thu, Apr 10, 2014 at 1:40 PM

[Quoted text hidden]

EXHIBIT 136



Scott Lively <sdllaw@gmail.com>

INT Training in defending the family

2 messages

Martin Ssempe <ssempam@gmail.com>
To: James Magara <jamesmagara@gmail.com>
Cc: Kisaale James <jkisaale@ura.go.ug>, Scott Lively <sdllaw@gmail.com>

Wed, Feb 9, 2011 at 8:56 PM

Dear Dr. James,

I would like to make a suggestion in taking INT to the next level. I would like to suggest that we take the fellows to another level with a training that is designed them to equip them with knowledge and skills in defending the biblical family. The current battles are nothing compared to the future ones we are going to be confronted. It is however imperative that we prepare the troops for the battles ahead.

I know Doctor Scott Lively as a very knowledgeable researcher and teacher on the issues of family and the great attacks of homosexuality, pornography, human right secularism and many others. It is because of his extensive research and knowledge that the enemies seek to silence him and villify him. I have an idea that if we could bring him onboard the oakseed training for a week it would greatly take us to a much higher level. My only caution is that this would all be done with discretion so that we dont awaken the enemies of the family before the training of the troops.

I am attaching his latest book which is prophetically called "redeeming the rainbow" as well as his biography which I culled out of his book below. My dream is that Dr Scott can complement the work of Proff by equipping the saints in this area in which knowledge is so limited and the true heroes are so villified. He can travell to the different INT groups and teach them as well. I am cc Mr James Kisaale who has been an able and helpful ally in our struggles as well as with Dr. Scott Lively. Please share this mail with proff.

We can take these mountains by equipping the saints for the work of ministry.

Martin Ssempe

2 attachments



pastedGraphic.tiff
2920K

7803765.pdf
11020K

Scott Lively <sdllaw@gmail.com>

Fri, Apr 11, 2014 at 1:21 PM

<https://mail.google.com/mail/u/0/?ui=2&ik=a92cd818c2&view=pt&q=Ssempe&qs=true&search=query...> 4/11/2014

To: Scott Lively <psalm37nasb@gmail.com>

[Quoted text hidden]

2 attachments



Small, illegible text block, likely a snippet of an email or document.

pastedGraphic.tiff
2920K


 **7803765.pdf**
11020K

EXHIBIT 137

Part 1 of 4



Scott Lively <sdllaw@gmail.com>

Murdering Uganda

54 messages

Scott Lively <sdllaw@gmail.com>

Wed, Feb 2, 2011 at 7:02 AM

To: Laurie Higgins <laurieblackburn@yahoo.com>, Peter LaB <peterlabarbera@comcast.net>, Bryan Fischer <bfischer@afa.net>, Matt Barber <mattbarber@liberty.edu>, Cliff Kincaid <kincaid@comcast.net>, Allyson Smith <allysons@cox.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>, Linda Harvey <lpharvey@columbus.rr.com>

Hi All,

The Lord woke me this morning at 2:45 with this short essay in my mind. I've been composing and refining it until now and am very happy with it. I normally would have my wife edit my work because I'm lousy on punctuation and capitalization, but I've decided not to involve her in this issue any more since it has really taken a toll on her since the Uganda attacks began.

I would appreciate any suggestions on edits that will not disturb the cadence of the piece, which, especially in the first two paragraphs is intended have a more poetic feel.

I would also appreciate any tips on getting this the widest possible audience without having to spend money. I no longer have a media list and my own e-mail list for ATM is only about 600 people.

Blessings,

Scott

Murdering Uganda

Uganda is being murdered. The nation once called The Pearl of Africa by Winston Churchill. The lush and beautiful country as fertile as the Nile Delta. The culture which retained its self-rule through centuries of African colonialism. The society which survived even the atrocities of the cannibal cultist Idi Amin. The land which has been thriving in Christian revival for over a dozen years. This great and honorable nation, alone in Africa to have all-but conquered the scourge of AIDS -- through abstinence -- and whose First Lady led a holy gathering of thousands of believers on the eve of the millennium, dedicating her homeland "to Jesus Christ for a thousand years;" this Uganda, a shining light in the dark continent, is being murdered.

The murderers are the lavender Marxists, the now global network of sexual revolutionaries bent on remaking the entire world in their own perverted image, whose juggernaut has toppled even once mighty Britain, crushing under their lavender boots after eight centuries the symbol of its Christian power: the Magna Charta whose first principle had proclaimed "The English church must be free!" These revolutionists of Sodom, who march triumphantly through all the major cities of the western world to flaunt their defeat of moral law, and who hold both Hollywood and the heart of America's president in their iron grip; these very same zealots have fixed their malevolent gaze on Christian Uganda.

Uganda is the only country in the world with a national holiday

commemorating its rejection of sexual perversion. Every June 3rd it honors the 22 young men and boys who were tortured and roasted alive in 1886 by homosexual King Mwanga, because they refused to submit to sodomy. Is it any wonder then, that Uganda has reacted violently against the army of agitators, led of course by George Soros, who now seek to re-homosexualize Ugandan culture. It is as if the militant ranks of "Code Pink" were transported back to 1890s America to agitate for "sexual freedom." Our great grandparents would not have suffered this. There would be violence, as there has now been in Uganda. And that is of course the strategy: the agents provocateur are goading unsophisticated natives into over-reacting while the "gay" media lie in wait to catch the images and spin the propaganda that is even now poisoning the gullible against the Ugandans.

There is indeed evil in Uganda today, but it is not the reaction of Christian and Moslem citizens to the rape of their culture, it is the pink-gloved hand of western powers that is cutting the throat of Africa's most God-fearing country, and one of the world's most promising Christian democracies.

Linda Harvey <lpharvey@columbus.rr.com>

Wed, Feb 2, 2011 at 8:24 AM

Reply-To: lpharvey@columbus.rr.com

To: Scott Lively <sdllaw@gmail.com>

Cc: Laurie Higgins <laurieblackburn@yahoo.com>, Peter LaB <peterlabarbera@comcast.net>, Bryan Fischer <bfischer@afa.net>, Matt Barber <mattbarber@liberty.edu>, Cliff Kincaid <kincaid@comcast.net>, Allyson Smith <allysons@cox.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>

It's fantastic, Scott. And so true.

[Quoted text hidden]

--

Barber, J. Matt <jmbarber@liberty.edu>

Wed, Feb 2, 2011 at 8:26 AM

To: Scott Lively <sdllaw@gmail.com>, Laurie Higgins <laurieblackburn@yahoo.com>, Peter LaB

<peterlabarbera@comcast.net>, Bryan Fischer <bfischer@afa.net>, Cliff Kincaid <kincaid@comcast.net>, Allyson Smith <allysons@cox.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>, Linda Harvey <lpharvey@columbus.rr.com>

Outstanding, Scott. I suggest you send it over to WND rstrom@wnd.com & OneNewsNow jody.brown@onenewsnow.com. This is the way to fight these sick monster's accusations that Christians (you & others) are to blame for the murder that homosexual activist.

Do you have it posted anywhere so I can disseminate at hyperlink?

God bless,

Matt

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>

Wed, Feb 2, 2011 at 8:32 AM

To: "Barber, J. Matt" <jmbarber@liberty.edu>

Cc: Laurie Higgins <laurieblackburn@yahoo.com>, Peter LaB <peterlabarbera@comcast.net>, Bryan Fischer <bfischer@afa.net>, Cliff Kincaid <kincaid@comcast.net>, Allyson Smith <allysons@cox.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>, Linda Harvey <lpharvey@columbus.rr.com>

I'm waiting for a verdict from the group re my punctuation. This piece is outside of my normal style so I'm uncertain.

[Quoted text hidden]

kincaid@comcast.net <kincaid@comcast.net>

Wed, Feb 2, 2011 at 8:52 AM

https://mail.google.com/mail/u/0/?ui=2&ik=a92cd818c2&view=pt&as_from=sdllaw%40gmail.com&as_... 5/2/2014

LIVELY 3375

To: "J. Matt Barber" <jmbarber@liberty.edu>

Cc: Scott Lively <sdllaw@gmail.com>, Laurie Higgins <laurieblackburn@yahoo.com>, Peter LaB <peterlabarbera@comcast.net>, Bryan Fischer <bfischer@afa.net>, Allyson Smith <allysons@cox.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>, Linda Harvey <lpharvey@columbus.rr.com>

Is it possible to include the facts about the murder and what is being done to prosecute the alleged killer?

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>

Wed, Feb 2, 2011 at 9:00 AM

To: kincaid@comcast.net

Have they caught the guy yet? Last report I heard was that the suspect was "a man who lived and worked" with Katu (read "gay" lover) and that he was still at large.

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>

Wed, Feb 2, 2011 at 9:17 AM

To: kincaid@comcast.net

Cc: "J. Matt Barber" <jmbarber@liberty.edu>, Laurie Higgins <laurieblackburn@yahoo.com>, Peter LaB <peterlabarbera@comcast.net>, Bryan Fischer <bfischer@afa.net>, Allyson Smith <allysons@cox.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>, Linda Harvey <lpharvey@columbus.rr.com>

How's this? I added a new 2nd to last paragraph

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Ugandan homosexual activist David Kato was recently beaten to death with a hammer, a horrific crime. These very media have rushed eagerly to judge this a hate crime and to blame those, such as the author, who have spoken against homosexuality in Uganda. It is the central (but patently false) narrative of the left that all criticism of homosexuality leads inevitably to violence and murder. Yet the evidence points to aggravated robbery, say the police, and the suspect, Kato's "roommate," remains at large.

There is indeed evil in Uganda today, but it is not the reaction of Christian and Moslem citizens to the rape of their culture, it is the pink-gloved hand of western powers that is cutting the throat of Africa's most God-fearing country, and one of the world's most promising Christian democracies.

On Wed, Feb 2, 2011 at 8:52 AM, <kincaid@comcast.net> wrote:

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Linda Harvey <lpharvey@columbus.rr.com>

Wed, Feb 2, 2011 at 9:20 AM

Reply-To: lpharvey@columbus.rr.com

To: Scott Lively <sdllaw@gmail.com>

Cc: kincaid@comcast.net, "J. Matt Barber" <jmbarber@liberty.edu>, Laurie Higgins <laurieblackburn@yahoo.com>, Peter LaB <peterlabarbera@comcast.net>, Bryan Fischer <bfischer@afa.net>, Allyson Smith <allysons@cox.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>

Yes, this really completes your piece. Terrific.

I didn't see any punctuation issues.

[Quoted text hidden]

--

Barber, J. Matt <jmbarber@liberty.edu>

Wed, Feb 2, 2011 at 9:27 AM

To: "lpharvey@columbus.rr.com" <lpharvey@columbus.rr.com>, Scott Lively <sdllaw@gmail.com>

Cc: "kincaid@comcast.net" <kincaid@comcast.net>, Laurie Higgins <laurieblackburn@yahoo.com>, Peter LaB <peterlabarbera@comcast.net>, Bryan Fischer <bfischer@afa.net>, Allyson Smith <allysons@cox.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>

Excellent. One question: Is Kato's "roommate" also homosexual? If so then this is yet another instance of "gay"-on-"gay" domestic violence. If that's the case, I would say it directly.

From: Linda Harvey [mailto:lpharvey@columbus.rr.com]
Sent: Wednesday, February 02, 2011 9:21 AM
To: Scott Lively
Cc: kincaid@comcast.net; Barber, J. Matt; Laurie Higgins; Peter LaB; Bryan Fischer; Allyson Smith; Gary Glenn; David Kupelian
Subject: Re: Murdering Uganda

[Quoted text hidden]

Allyson Smith <allysons@cox.net> Wed, Feb 2, 2011 at 9:24 AM
To: Scott Lively <sdllaw@gmail.com>, "Barber, J. Matt" <jmbarber@liberty.edu>
Cc: Laurie Higgins <laurieblackburn@yahoo.com>, Peter LaB <peterlabarbera@comcast.net>, Bryan Fischer <bfischer@afa.net>, Cliff Kincaid <kincaid@comcast.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>, Linda Harvey <lpharvey@columbus.rr.com>

I'm going to copy edit it right now. Stand by, please.

-----Original Message-----

From: Scott Lively [mailto:sdllaw@gmail.com]
Sent: Wednesday, February 02, 2011 5:33 AM
To: Barber, J. Matt
Cc: Laurie Higgins; Peter LaB; Bryan Fischer; Cliff Kincaid; Allyson Smith; Gary Glenn; David Kupelian; Linda Harvey

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com> Wed, Feb 2, 2011 at 9:55 AM
To: lpharvey@columbus.rr.com
Cc: kincaid@comcast.net, "J. Matt Barber" <jmbarber@liberty.edu>, Laurie Higgins <laurieblackburn@yahoo.com>, Peter LaB <peterlabarbera@comcast.net>, Bryan Fischer <bfischer@afa.net>, Allyson Smith <allysons@cox.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>

I don't know for sure but it seems likely that the roommate of a homosexual activist leader would himself be "gay." The implication is certainly there in the piece and that's good enough for now.

[Quoted text hidden]

Allyson Smith <allysons@cox.net> Wed, Feb 2, 2011 at 10:11 AM
To: lpharvey@columbus.rr.com, Scott Lively <sdllaw@gmail.com>
Cc: kincaid@comcast.net, "J. Matt Barber" <jmbarber@liberty.edu>, Laurie Higgins <laurieblackburn@yahoo.com>, Peter LaB <peterlabarbera@comcast.net>, Bryan Fischer <bfischer@afa.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>

Yes, I concur with Linda! Excellent addition, Scott.

The only change I might suggest is: These very media have rushed eagerly to judge this a hate crime and to blame those, like me, who have spoken against homosexuality in Uganda.

This change makes the sentence flow a little more easily, but keep it as-is if you're more comfortable with the original.

Allyson

From: Linda Harvey [mailto:lpharvey@columbus.rr.com]
Sent: Wednesday, February 02, 2011 6:21 AM
To: Scott Lively
Cc: kincaid@comcast.net; J. Matt Barber; Laurie Higgins; Peter LaB; Bryan Fischer; Allyson Smith; Gary Glenn; David Kupelian
Subject: Re: Murdering Uganda

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com> Wed, Feb 2, 2011 at 10:41 AM
To: Allyson Smith <allysons@cox.net>
Cc: lpharvey@columbus.rr.com, kincaid@comcast.net, "J. Matt Barber" <jmbarber@liberty.edu>, Laurie Higgins <laurieblackburn@yahoo.com>, Peter LaB <peterlabarbera@comcast.net>, Bryan Fischer <bfischer@afa.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>

like me is better
[Quoted text hidden]

Bryan Fischer <bfischer@afa.net> Wed, Feb 2, 2011 at 11:28 AM
To: Scott Lively <sdllaw@gmail.com>, Allyson Smith <allysons@cox.net>
Cc: lpharvey@columbus.rr.com, kincaid@comcast.net, "J. Matt Barber" <jmbarber@liberty.edu>, Laurie Higgins <laurieblackburn@yahoo.com>, Peter LaB <peterlabarbera@comcast.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>

I agree – for us all to be more like Scott would be better!

From: Scott Lively [mailto:sdllaw@gmail.com]
Sent: Wednesday, February 02, 2011 9:42 AM
To: Allyson Smith
Cc: lpharvey@columbus.rr.com; kincaid@comcast.net; J. Matt Barber; Laurie Higgins; Peter LaB; Bryan Fischer; Gary Glenn; David Kupelian
Subject: Re: Murdering Uganda

[Quoted text hidden]

No virus found in this message.
Checked by AVG - www.avg.com
Version: 10.0.1204 / Virus Database: 1435/3418 - Release Date: 02/02/11

Scott Lively <sdllaw@gmail.com> Wed, Feb 2, 2011 at 11:30 AM
To: Bryan Fischer <bfischer@afa.net>
Cc: Allyson Smith <allysons@cox.net>, lpharvey@columbus.rr.com, kincaid@comcast.net, "J. Matt Barber" <jmbarber@liberty.edu>, Laurie Higgins <laurieblackburn@yahoo.com>, Peter LaB <peterlabarbera@comcast.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>

lol :)
[Quoted text hidden]

Scott Lively <sdllaw@gmail.com> Wed, Feb 2, 2011 at 1:59 PM
To: David Kupelian <dkupelian@wnd.com>, Bryan Fischer <bfischer@afa.net>, "Peter L." <PeterLaBarbera@comcast.net>, Bob Knight <R.Knight@crministries.org>, Gary Glenn <AFAM@chartermi.net>, Mike Brown-NC <drmlbrown@msn.com>,

Robert Gagnon <rgagnon@pts.edu>, Rena Lindevaldson <rena@lc.org>, David Pruden- NARTH <dpruden@earthlink.net>, Jan LaRue <jlarue@comcast.net>, "Laurie, Terry Higgins" <laurieblackburn@yahoo.com>, "Barb, George Anderson" <barb@mfc.org>, George Tryfiates <gtryfiates@cwfa.org>, Matt Barber <mattbarber@liberty.edu>, Michael Glatze <meglatze@gmail.com>, Donna AaaaMiller <wap_dm@hotmail.com>, Allyson AaaaSmith <allysons@cox.net>, Sandy Rios <sandyrios1@gmail.com>, Estella Salvatierra <pfox_exgays@earthlink.net>, Regina Griggs <reginagriggs@hotmail.com>, Peter Sprigg <pss@frc.org>, Mat Staver <mstaver@liberty.edu>, John Stemberger <stemberger@orlandolawyer.tv>, Brian Fitzpatrick <bfitzp703@aol.com>, Brian Camenker <brian@massresistance.org>, Joe Glover <joe@familypolicy.net>, Steve Baldwin <scbaldwin7@gmail.com>, "Steve, Irene Bennett" <private@sbministries.org>, Linda Wall <wall4america@netzero.com>, "Joe, Linda Nicolosi" <jntherapy@yahoo.com>, April Waugh <awaugh@traditionalvalues.org>, Wendy Wright <wwright@cwfa.org>, John Lofton <jlof@aol.com>, Phil Burress <philburress@ccv.org>, Randy Thomasson <ccf.email.5650@savecalifornia.com>, Linda Harvey <lpharvey@columbus.rr.com>, Dave Daubenmire <coach@ptsalt.com>, "Dave, Natalia Smith" <desmith@illinoisfamily.org>, Tom Pritchard <tom@mfc.org>, Dale O'Leary <dalemoleary@yahoo.com>, Rick Scarborough <rickscarborough@cs.com>, Dick Bott <Bottnet@aol.com>, Arthur Goldberg <Jonahhelp@aol.com>, Mike Heath <msh Heath04358@gmail.com>, Micah Clark <micah@afain.net>, Fritz Spencer <piersplowman20@gmail.com>, Bob Unruh <runruh@wnd.com>, Steve Crampton <scrampton@liberty.edu>, Steve Deace <stevendeace@aol.com>, Larry Stickney <stickneyfamily@comcast.net>, blahaye@cwfa.org, vickieburress@ccv.org, "Bishop Simon O. Mac Onyango" <kenyacenter4worldangelism@hotmail.com>, "C.C.E.R. Barder" <merkava@tcp.co.uk>, Amy Contrada <laurelamc@yahoo.com>, Amy Contrada <amy@massresistance.org>, Dana Cody <danacody@surewest.net>, Diane Gramley <diane@afaofpa.org>, Brenda Kent <duzrawcureall@sbcglobal.net>, Ed Hernandez <upward.n.onward@gmail.com>, Ed Vitagliano <italian@afa.net>, Elaine Donnelly <elaine@cmrlink.org>, Eli Serrano <eserrano@springfieldnhs.org>, Mike Franco <mikefranco@peoplepc.com>, Don Feder <dfeder@rcn.com>, Dugger Family <theduggers@comcast.net>, Gary <drgarycass@christianadc.org>, "Dr. Kenneth Hutcherson" <khutch59@theblackman.org>, Christian Voice <info@christianvoice.org.uk>, isaac kim <hdk121@gmail.com>, "info@stoptheaclu.org" <info@stoptheaclu.org>, European American Evangelistic Crusades <info@eaec.org>, George Neverov <just4precept@yahoo.com>, "Dr. John Diggs" <diggsthis@aol.com>, james hartline <saintjameshartline@yahoo.com>, Jan Folger <jfolger@f2a.org>, Cliff Kincaid <kincaid@comcast.net>, "Dr. Alan Keyes" <alan_keyes@msn.com>, Vlade Kusakin <vlade.kusakin@gmail.com>, "Atty. Gary Kreep" <gkreep@sbcglobal.net>, BOB KOWELL <bobkowell@aol.com>, Chase Lassiter <chase@mmcci.net>, Glenn OBanion <obaniog@yahoo.com>, jinfranco@telladf.org, Mark KIsler <pastormarkkiser@yahoo.com>, Vadim Privedenyuk <vadim7@gmail.com>, Bob Allen <rv4less@valinet.com>, Buddy Smith <buddy@afa.net>, Vasily Tokarev <sphmin@yahoo.com>, "<alafferty@traditionalvalues.org>" <alafferty@traditionalvalues.org>, emmfox@theroadtoemmaus.org, "Joseph M. Ullman" <dr-ullman@maine.rr.com>, "Jeffers, David E Mr CTR USAF ACC 505 CCW/ATECS" <David.Jeffers.ctr@hurlburt.af.mil>, Sergey Velbovets <sergeyvelbovets@gmail.com>, Don Wildmon <dwild@afa.net>, mike turner <wordandspirit@yahoo.com>, yvette schneider <yvetteschneider@hotmail.com>, Ryan Sorba <ryansorba@gmail.com>

Friends,

The Lord woke me this morning at 2:45 with the following essay half composed in my mind. I believe it puts the entire Uganda mess in perspective and will remind believers around the world that what is really happening in Uganda is spiritual warfare against an imperfect but genuinely Christian nation. Please publish this essay in any venue within your control or influence, and distribute it to your lists here in the US and abroad.

Yours in Christ,

Scott Lively

MURDERING UGANDA

By Pastor Scott Lively, J.D., Th.D.
President, Defend the Family International
www.defendthefamily.com
Sdllaw@gmail.com

Uganda is being murdered. The nation once called "The Pearl of Africa" by Winston Churchill, a lush and beautiful country as fertile as the Nile Delta. It is the nation that retained its self-rule

through centuries of African colonialism, the society that survived even the atrocities of the cannibal cultist Idi Amin, the culture that has been thriving in Christian revival for over a dozen years.

This great and honorable nation, alone in Africa to have all but conquered the scourge of AIDS through abstinence - and whose First Lady led a holy gathering of thousands of believers on the eve of the millennium, dedicating her homeland "to Jesus Christ for a thousand years" - this Uganda, a shining light in the Dark Continent, is being murdered.


The murderers are the lavender Marxists, the now-global network of sexual revolutionaries bent on remaking the entire world in their own perverted image, whose juggernaut has toppled even once mighty Britain, crushing under their lavender boots after eight centuries the symbol of its Christian power: the Magna Charta, whose first principle had proclaimed "The English church must be free!" These revolutionists of Sodom, who march triumphantly through all the major cities of the western world to flaunt their defeat of moral law, and who hold both Hollywood and the heart of America's president in their iron grip: These very same zealots have fixed their malevolent gaze on Christian Uganda.

Uganda is the only country in the world with a national holiday commemorating its rejection of sexual perversion. Every June 3 it honors the 22 young men and boys who were tortured and roasted alive in 1886 by homosexual King Mwanga, because they refused to submit to sodomy. Is it any wonder, then, that Uganda has reacted violently against the army of agitators, led by George Soros, who now seek to re-homosexualize Ugandan culture?

It is as if the militant ranks of "Code Pink" were transported back to 1890s America to agitate for "sexual freedom." Our great grandparents would not have countenanced this. There would have been violence, as there has now been in Uganda. And that is, of course, the strategy: the agents provocateur are goading unsophisticated natives into over-reacting, while the "gay" media lie in wait to catch the images and spin the propaganda that is even now poisoning the gullible against the Ugandans.

Ugandan homosexual activist David Kato was recently beaten to death with a hammer, a horrific crime. These very media have rushed eagerly to judge this a hate crime and to blame those, like me, who have spoken against homosexuality in Uganda. It is the central (but patently false) narrative of the left that all criticism of homosexuality leads inevitably to violence and murder. Yet the evidence points to aggravated robbery, say the police, and the suspect, Kato's ("gay?") housemate, remains at large.

There is indeed evil in Uganda today, but it is not the reaction of Christian and Moslem citizens to the rape of their culture. It is the pink-gloved hand of western powers that are cutting the throat of
[Quoted text hidden]

 **Murdering Uganda.rtf**
6K

Mail Delivery Subsystem <mailer-daemon@googlemail.com>
To: sdllaw@gmail.com

Wed, Feb 2, 2011 at 1:59 PM

Delivery to the following recipient failed permanently:

https://mail.google.com/mail/u/0/?ui=2&ik=a92cd818c2&view=pt&as_from=sdllaw%40gmail.com&as_... 5/2/2014

Technical details of permanent failure:

Google tried to deliver your message, but it was rejected by the recipient domain. We recommend contacting the other email provider for further information about the cause of this error. The error that the other server returned was: 550 550 #5.1.0 Address rejected Info@stoptheaclu.org (state 14).

----- Original message -----

MIME-Version: 1.0

Received: by 10.216.143.17 with SMTP id k17mr1242494wej.74.1296673163308; Wed, 02 Feb 2011 10:59:23 -0800 (PST)

Received: by 10.216.39.21 with HTTP; Wed, 2 Feb 2011 10:59:23 -0800 (PST)

Date: Wed, 2 Feb 2011 13:59:23 -0500

Message-ID: <AANLkTinqev--oirj0dbu9jMdu3Fm17Dk4FApL8sL35or@mail.gmail.com>

Subject: Murdering Uganda

From: Scott Lively <sdllaw@gmail.com>

To: David Kupelian <dkupelian@wnd.com>, Bryan Fischer <bfischer@afa.net>, "Peter L." <PeterLaBarbera@comcast.net>, Bob Knight <R.Knight@crministries.org>, Gary Glenn <AFAM@chartermi.net>, Mike Brown-NC <drmlbrown@msn.com>, Robert Gagnon <rgagnon@pts.edu>,

Rena Lindevaldson <rena@lc.org>, David Pruden- NARTH <dpruden@earthlink.net>, Jan LaRue <jlarue@comcast.net>,

"Laurie, Terry Higgins" <laurieblackburn@yahoo.com>, "Barb, George Anderson" <barb@mfc.org>,

George Tryfiates <gtryfiates@cwfa.org>, Matt Barber <matbarber@liberty.edu>,

Michael Glatze <meglatze@gmail.com>, Donna AaaaMiller <wap_dm@hotmail.com>,

Allyson AaaaSmith <allysons@cox.net>, Sandy Rios <sandyrios1@gmail.com>,

Estella Salvatierra <pfox_exgays@earthlink.net>, Regina Griggs <reginagriggs@hotmail.com>,

Peter Sprigg <pss@frc.org>, Mat Staver <mstaver@liberty.edu>,

John Stemberger <stemberger@orlandolawyer.tv>, Brian Fitzpatrick <bfitzp703@aol.com>,

Brian Camenker <brian@massresistance.org>, Joe Glover <joe@familypolicy.net>,

Steve Baldwin <scbaldwin7@gmail.com>, "Steve, Irene Bennett" <private@sbministries.org>,

Linda Wall <wall4america@netzero.com>, "Joe, Linda Nicolosi" <jntherapy@yahoo.com>,

April Waugh <awaugh@traditionalvalues.org>, Wendy Wright <wwright@cwfa.org>,

John Lofton <jlof@aol.com>, Phil Burress <philburress@ccv.org>,

Randy Thomasson <ccf.email.5650@savecalifornia.com>, Linda Harvey <lpharvey@columbus.rr.com>,

Dave Daubenmire <coach@ptsalt.com>, "Dave, Natalia Smith" <desmith@illinoisfamily.org>,

Tom Pritchard <tom@mfc.org>, "Dale O'Leary" <dalemoleary@yahoo.com>,

Rick Scarborough <rickscarborough@cs.com>, Dick Bott <Bottnet@aol.com>,

Arthur Goldberg <Jonahhelp@aol.com>, Mike Heath <msheath04358@gmail.com>,

Micah Clark <micah@afain.net>, Fritz Spencer <piersplover20@gmail.com>, Bob Unruh <runruh@wnd.com>,

Steve Crampton <scrampton@liberty.edu>, Steve Deace <stevendeace@aol.com>,

Larry Stickney <stickneyfamily@comcast.net>, blahaye@cwfa.org, vickieburress@ccv.org,

"Bishop Simon O. Mac Onyango" <kenyacenter4worldevangelism@hotmail.com>,

"C.C.E.R. Barder" <merkava@tcp.co.uk>, Amy Contrada <laurelamc@yahoo.com>,

Amy Contrada <amy@massresistance.org>, Dana Cody <danacody@surewest.net>,

Diane Gramley <diane@afaofpa.org>, Brenda Kent <duzrawcureall@sbcglobal.net>,

Ed Hernandez <upward.n.onward@gmail.com>, Ed Vitagliano <italian@afa.net>,

Elaine Donnelly <elaine@cmlink.org>, Eli Serrano <eserrano@springfieldnhs.org>,

Mike Franco <mikefranco@peoplepc.com>, Don Feder <dfeder@rcn.com>,

Dugger Family <theduggers@comcast.net>, Gary <drgarycass@christianadc.org>,

"Dr. Kenneth Hutcherson" <khutch59@theblackman.org>, Christian Voice <info@christianvoice.org.uk>,

isaac kim <hdk121@gmail.com>, "info@stoptheaclu.org" <Info@stoptheaclu.org>,

European American Evangelistic Crusades <info@eaec.org>, George Neverov <just4precept@yahoo.com>,

"Dr. John Diggs" <diggsthis@aol.com>, james hartline <saintjameshartline@yahoo.com>,

Jan Folger <jfolger@f2a.org>, Cliff Kincaid <kincaid@comcast.net>,

"Dr. Alan Keyes" <alan_keyes@msn.com>, Vlade Kusakin <vlade.kusakin@gmail.com>,

"Atty. Gary Kreep" <gkreepp@sbcglobal.net>, BOB KOWELL <bobkowell@aol.com>,

Chase Lassiter <chase@mmcci.net>, Glenn OBanion <obaniog@yahoo.com>, jinfranco@telladf.org,

Mark Klser <pastormarkkiser@yahoo.com>, Vadim Privedenyuk <vadim7@gmail.com>,

Bob Allen <rv4less@valinet.com>, Buddy Smith <buddy@afa.net>, Vasily Tokarev <sphmin@yahoo.com>,

"<alafferty@traditionalvalues.org>" <alafferty@traditionalvalues.org>, emmfox@theroadtoemmaus.org,

"Joseph M. Ullman" <dr-ullman@maine.rr.com>,

"Jeffers, David E Mr CTR USAF ACC 505 CCW/ATECS" <David.Jeffers.ctr@hurlburt.af.mil>, Sergey Velbovets <sergeyvelbovets@gmail.com>, Don Wildmon <dwild@afa.net>, mike turner <wordandspirit@yahoo.com>, yvette schneider <yvetteschneider@hotmail.com>, Ryan Sorba <ryansorba@gmail.com>

Content-Type: multipart/mixed; boundary=0016e6de00ee4a024a049b513f4c

[Quoted text hidden]

Michael Heath <msheath04358@gmail.com>

Wed, Feb 2, 2011 at 2:42 PM

To: Scott Lively <sdllaw@gmail.com>, Robert Knight <robertknight4@gmail.com>, "Peter L." <peterlabarbera@comcast.net>, Brad Wallace <connops@yahoo.com>

<http://www.mikeheath.net/thoughts/ugandaisbeingmurdered>

Thanks for your ministry, Scott. You are in my thoughts and prayers often.

Michael S. Heath
Consultant

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>

Wed, Feb 2, 2011 at 2:48 PM

To: Michael Heath <msheath04358@gmail.com>

Excellent. Thanks.

[Quoted text hidden]

Barber, J. Matt <jmbarber@liberty.edu>

Wed, Feb 2, 2011 at 3:53 PM

To: Scott Lively <sdllaw@gmail.com>, Bryan Fischer <bfischer@afa.net>

Cc: Allyson Smith <allysons@cox.net>, "lpharvey@columbus.rr.com" <lpharvey@columbus.rr.com>, "kincaid@comcast.net" <kincaid@comcast.net>, Laurie Higgins <laurieblackburn@yahoo.com>, Peter LaB <peterlabarbera@comcast.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>, Ryan Sorba <ryansorba@gmail.com>

Scott - apparently police said today that the murder was not "robbery related" but was over a "personal disagreement." You may want to update your piece to reflect this.

"He has confessed to the murder. It wasn't a robbery and it wasn't because Kato was an activist. It was a personal disagreement but I can't say more than that."

<http://www.reuters.com/article/2011/02/02/uk-uganda-murder-idUKTRE7116MT20110202>

-----Original Message-----

From: Scott Lively [mailto:sdllaw@gmail.com]

Sent: Wednesday, February 02, 2011 11:30 AM

To: Bryan Fischer

Cc: Allyson Smith; lpharvey@columbus.rr.com; kincaid@comcast.net; Barber, J. Matt; Laurie Higgins; Peter LaB; Gary Glenn; David Kupelian

Subject: Re: Murdering Uganda

[Quoted text hidden]

allysons@cox.net <allysons@cox.net>

Wed, Feb 2, 2011 at 4:12 PM

Reply-To: allysons@cox.net

To: Matt Barber <jmbarber@liberty.edu>, Scott Lively <sdllaw@gmail.com>, Bryan Fischer <bfischer@afa.net>

Cc: "lpharvey@columbus.rr.com" <lpharvey@columbus.rr.com>, "kincaid@comcast.net" <kincaid@comcast.net>, Laurie Higgins <laurieblackburn@yahoo.com>, Pete LaBarbera <peterlabarbera@comcast.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>, Ryan Sorba <ryansorba@gmail.com>

It wasn't related to the fact that Kato was an activist? We need to amplify that.

Sent via BlackBerry from T-Mobile

[Quoted text hidden]

Ryan Sorba <ryansorba@gmail.com> Wed, Feb 2, 2011 at 4:25 PM
To: "Barber, J. Matt" <jmbarber@liberty.edu>
Cc: Scott Lively <sdllaw@gmail.com>, Bryan Fischer <bfischer@afa.net>, Allyson Smith <allysons@cox.net>, "lpharvey@columbus.rr.com" <lpharvey@columbus.rr.com>, "kincaid@comcast.net" <kincaid@comcast.net>, Laurie Higgins <laurieblackburn@yahoo.com>, Peter LaB <peterlabarbera@comcast.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>

I will update on my blog now to "a personal matter"
[Quoted text hidden]

Scott <sdllaw@gmail.com> Wed, Feb 2, 2011 at 4:34 PM
To: "Barber, J. Matt" <jmbarber@liberty.edu>

I will thanks

Sent from my Samsung Captivate(tm) on AT&T
[Quoted text hidden]

Scott <sdllaw@gmail.com> Wed, Feb 2, 2011 at 4:34 PM
Reply-To: Scott <sdllaw@gmail.com>, Scott <sdllaw@gmail.com>, Scott <sdllaw@gmail.com>, Scott <sdllaw@gmail.com>, Scott <sdllaw@gmail.com>, Scott <sdllaw@gmail.com>
To: "Barber, J. Matt" <jmbarber@liberty.edu>, "Barber, J. Matt" <jmbarber@liberty.edu>, "Barber, J. Matt" <jmbarber@liberty.edu>, "Barber, J. Matt" <jmbarber@liberty.edu>

[Quoted text hidden]

"Barber, J. Matt" <jmbarber@liberty.edu> wrote:

Scott - apparently police said today that the murder was not "robbery related" but was over a "personal disagreement." You may want to update your piece to reflect this.

"He has confessed to the murder. It wasn't a robbery and it wasn't because Kato was an activist. It was a personal disagreement but I can't say more than that."

<http://www.reuters.com/article/2011/02/02/uk-uganda-murder-idUKTRE7116MT20110202>

-----Original Message-----

From: Scott Lively [mailto:sdllaw@gmail.com]
Sent: Wednesday, February 02, 2011 11:30 AM
To: Bryan Fischer
Cc: Allyson Smith; lpharvey@columbus.rr.com; kincaid@comcast.net; Barber, J. Matt; Laurie Higgins; Peter LaB; Gary Glenn; David Kupelian
Subject: Re: Murdering Uganda

lol :)

On Wed, Feb 2, 2011 at 11:28 AM, Bryan Fischer <bfischer@afa.net> wrote:
> I agree - for us all to be more like Scott would be better!

>
>
>

> From: Scott Lively [mailto:sdllaw@gmail.com]
> Sent: Wednesday, February 02, 2011 9:42 AM
> To: Allyson Smith
> Cc: lpharvey@columbus.rr.com; kincaid@comcast.net; J. Matt Barber; Laurie Higgins; Peter LaB; Bryan Fischer; Gary Glenn; David Kupelian
> Subject: Re: Murdering Uganda

>
>

>
> like me is better
>
> On Wed, Feb 2, 2011 at 10:11 AM, Allyson Smith <allysons@cox.net> wrote:
>> Yes, I concur with Linda! Excellent addition, Scott.
>>
>> The only change I might suggest is: These very media have rushed eagerly
>> to
>> judge this a hate crime and to blame those, like me, who have spoken
>> against
>> homosexuality in Uganda.
>>
>> This change makes the sentence flow a little more easily, but keep it
>> as-is
>> if you're more comfortable with the original.
>>
>> Allyson
>>
>> From: Linda Harvey [mailto:lpharvey@columbus.rr.com]
>> Sent: Wednesday, February 02, 2011 6:21 AM
>> To: Scott Lively
>> Cc: kincaid@comcast.net; J. Matt Barber; Laurie Higgins; Peter LaB; Bryan
>> Fischer; Allyson Smith; Gary Glenn; David Kupelian
>> Subject: Re: Murdering Uganda
>>
>> Yes, this really completes your piece. Terrific.
>> I didn't see any punctuation issues.
>>
>> On 2/2/2011 9:17 AM, Scott Lively wrote:
>>
>> How's this? I added a new 2nd to last paragraph
>> Murdering Uganda
>> Uganda is being murdered. The nation once called The Pearl of Africa
>> by Winston Churchill. The lush and beautiful country as fertile as the
>> Nile Delta. The culture which retained its self-rule through
>> centuries of African colonialism. The society which survived even the
>> atrocities of the cannibal cultist Idi Amin. The land which has been
>> thriving in Christian revival for over a dozen years. This great and
>> honorable nation, alone in Africa to have all-but conquered the
>> scourge of AIDS -- through abstinence -- and whose First Lady led a
>> holy gathering of thousands of believers on the eve of the millennium,
>> dedicating her homeland "to Jesus Christ for a thousand years;" this
>> Uganda, a shining light in the dark continent, is being murdered.
>> The murderers are the lavender Marxists, the now global network of
>> sexual revolutionaries bent on remaking the entire world in their own
>> perverted image, whose juggernaut has toppled even once mighty
>> Britain, crushing under their lavender boots after eight centuries the
>> symbol of its Christian power: the Magna Charta whose first principle
>> had proclaimed "The English church must be free!" These
>> revolutionists of Sodom, who march triumphantly through all the major
>> cities of the western world to flaunt their defeat of moral law, and
>> who hold both Hollywood and the heart of America's president in their
>> iron grip; these very same zealots have fixed their malevolent gaze on
>> Christian Uganda.
>> Uganda is the only country in the world with a national holiday
>> commemorating its rejection of sexual perversion. Every June 3rd it
>> honors the 22 young men and boys who were tortured and roasted alive
>> in 1886 by homosexual King Mwanga, because they refused to submit to
>> sodomy. Is it any wonder then, that Uganda has reacted violently
>> against the army of agitators, led of course by George Soros, who now
>> seek to re-homosexualize Ugandan culture. It is as if the militant
>> ranks of "Code Pink" were transported back to 1890s America to agitate
>> for "sexual freedom." Our great grandparents would not have suffered

EXHIBIT 137

Part 2 of 4

>> this. There would be violence, as there has now been in Uganda. And
>> that is of course the strategy: the agents provocateur are goading
>> unsophisticated natives into over-reacting while the "gay" media lie
>> in wait to catch the images and spin the propaganda that is even now
>> poisoning the gullible against the Ugandans.
>> Ugandan homosexual activist David Kato was recently beaten to death
>> with a hammer, a horrific crime. These very media have rushed eagerly
>> to judge this a hate crime and to blame those, such as the author, who
>> have spoken against homosexuality in Uganda. It is the central (but
>> patently false) narrative of the left that all criticism of
>> homosexuality leads inevitably to violence and murder. Yet the
>> evidence points to aggravated robbery, say the police, and the
>> suspect, Kato's "roommate," remains at large.
>> There is indeed evil in Uganda today, but it is not the reaction of
>> Christian and Moslem citizens to the rape of their culture, it is the
>> pink-gloved hand of western powers that is cutting the throat of
>> Africa's most God-fearing country, and one of the world's most
>> promising Christian democracies.
>> On Wed, Feb 2, 2011 at 8:52 AM, <kincaid@comcast.net> wrote:
>>
>> Is it possible to include the facts about the murder and what is being
>> done
>> to prosecute the alleged killer?
>> ----- Original Message -----
>> From: "J. Matt Barber" <jmbarber@liberty.edu>
>> To: "Scott Lively" <sdllaw@gmail.com>, "Laurie Higgins"
>> <laurieblackburn@yahoo.com>, "Peter LaB" <peterlabarbera@comcast.net>,
>> "Bryan Fischer" <bfischer@afa.net>, "Cliff Kincaid" <kincaid@comcast.net>,
>> "Allyson Smith" <allysons@cox.net>, "Gary Glenn" <AFAM@chartermi.net>,
>> "David Kupelian" <dkupelian@wnd.com>, "Linda Harvey"
>> <lpharvey@columbus.rr.com>
>> Sent: Wednesday, February 2, 2011 8:26:44 AM
>> Subject: RE: Murdering Uganda
>> Outstanding, Scott. I suggest you send it over to WND rstrom@wnd.com &
>> OneNewsNow jody.brown@onenewsnow.com. This is the way to fight these sick
>> monster's accusations that Christians (you & others) are to blame for the
>> murder that homosexual activist.
>> Do you have it posted anywhere so I can disseminate at hyperlink?
>> God bless,
>> Matt
>> -----Original Message-----
>> From: Scott Lively [mailto:sdllaw@gmail.com]
>> Sent: Wednesday, February 02, 2011 7:03 AM
>> To: Laurie Higgins; Peter LaB; Bryan Fischer; Barber, J. Matt; Cliff
>> Kincaid; Allyson Smith; Gary Glenn; David Kupelian; Linda Harvey
>> Subject: Murdering Uganda
>> Hi All,
>> The Lord woke me this morning at 2:45 with this short essay in my
>> mind. I've been composing and refining it until now and am very happy
>> with it. I normally would have my wife edit my work because I'm lousy
>> on punctuation and capitalization, but I've decided not to involve her
>> in this issue any more since it has really taken a toll on her since
>> the Uganda attacks began.
>> I would appreciate any suggestions on edits that will not disturb the
>> cadence of the piece, which, especially in the first two paragraphs is
>> intended have a more poetic feel.
>> I would also appreciate any tips on getting this the widest possible
>> audience without having to spend money. I no longer have a media list
>> and my own e-mail list for ATM is only about 600 people.
>> Blessings,
>> Scott
>> Murdering Uganda
>> Uganda is being murdered. The nation once called The Pearl of Africa

>> by Winston Churchill. The lush and beautiful country as fertile as the
 >> Nile Delta. The culture which retained its self-rule through
 >> centuries of African colonialism. The society which survived even the
 >> atrocities of the cannibal cultist Idi Amin. The land which has been
 >> thriving in Christian revival for over a dozen years. This great and
 >> honorable nation, alone in Africa to have all-but conquered the
 >> scourge of AIDS -- through abstinence -- and whose First Lady led a
 >> holy gathering of thousands of believers on the eve of the millennium,
 >> dedicating her homeland "to Jesus Christ for a thousand years;" this
 >> Uganda, a shining light in the dark continent, is being murdered.
 >> The murderers are the lavender Marxists, the now global network of
 >> sexual revolutionaries bent on remaking the entire world in their own
 >> perverted image, whose juggernaut has toppled even once mighty
 >> Britain, crushing under their lavender boots after eight centuries the
 >> symbol of its Christian power: the Magna Charta whose first principle
 >> had proclaimed "The English church must be free!" These
 >> revolutionists of Sodom, who march triumphantly through all the major
 >> cities of the western world to flaunt their defeat of moral law, and
 >> who hold both Hollywood and the heart of America's president in their
 >> iron grip; these very same zealots have fixed their malevolent gaze on
 >> Christian Uganda.
 >> Uganda is the only country in the world with a national holiday
 >> commemorating its rejection of sexual perversion. Every June 3rd it
 >> honors the 22 young men and boys who were tortured and roasted alive
 >> in 1886 by homosexual King Mwanga, because they refused to submit to
 >> sodomy. Is it any wonder then, that Uganda has reacted violently
 >> against the army of agitators, led of course by George Soros, who now
 >> seek to re-homosexualize Ugandan culture. It is as if the militant
 >> ranks of "Code Pink" were transported back to 1890s America to agitate
 >> for "sexual freedom." Our great grandparents would not have suffered
 >> this. There would be violence, as there has now been in Uganda. And
 >> that is of course the strategy: the agents provocateur are goading
 >> unsophisticated natives into over-reacting while the "gay" media lie
 >> in wait to catch the images and spin the propaganda that is even now
 >> poisoning the gullible against the Ugandans.
 >> There is indeed evil in Uganda today, but it is not the reaction of
 >> Christian and Moslem citizens to the rape of their culture, it is the
 >> pink-gloved hand of western powers that is cutting the throat of
 >> Africa's most God-fearing country, and one of the world's most
 >> promising Christian democracies.

>>

>> --

>>

>

>

>

> No virus found in this message.

> Checked by AVG - www.avg.com

> Version: 10.0.1204 / Virus Database: 1435/3418 - Release Date: 02/02/11

Laurie Higgins <laurieblackburn@yahoo.com>

Wed, Feb 2, 2011 at 4:38 PM

To: "J. MattBarber" <jmbarber@liberty.edu>, Ryan Sorba <ryansorba@gmail.com>

Cc: Scott Lively <sdllaw@gmail.com>, Bryan Fischer <bfischer@afa.net>, Allyson Smith <allysons@cox.net>,
 "lpharvey@columbus.rr.com" <lpharvey@columbus.rr.com>, "kincaid@comcast.net" <kincaid@comcast.net>, Peter LaB

<peterlabarbera@comcast.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>

Someone should ask homosexuality-affirming activists if they think it's possible for a homosexual to be murdered for any reason *other* than "homophobia."

--- On Wed, 2/2/11, Ryan Sorba <ryansorba@gmail.com> wrote:

|

https://mail.google.com/mail/u/0/?ui=2&ik=a92cd818c2&view=pt&as_from=sdllaw%40gmail.com&as_... 5/2/2014

From: Ryan Sorba <ryansorba@gmail.com>
Subject: Re: Murdering Uganda
To: "Barber, J. Matt" <jmbarber@liberty.edu>
Cc: "Scott Lively" <sdllaw@gmail.com>, "Bryan Fischer" <bfischer@afa.net>, "Allyson Smith" <allysons@cox.net>, "lpharvey@columbus.rr.com" <lpharvey@columbus.rr.com>, "kincaid@comcast.net" <kincaid@comcast.net>, "Laurie Higgins" <laurieblackburn@yahoo.com>, "Peter LaB" <peterlabarbera@comcast.net>, "Gary Glenn" <AFAM@chartermi.net>, "David Kupelian" <dkupelian@wnd.com>
Date: Wednesday, February 2, 2011, 3:25 PM
[Quoted text hidden]

Scott Lively <sdllaw@gmail.com> Wed, Feb 2, 2011 at 5:13 PM
To: Laurie Higgins <laurieblackburn@yahoo.com>
Cc: "J. MattBarber" <jmbarber@liberty.edu>, Ryan Sorba <ryansorba@gmail.com>, Bryan Fischer <bfischer@afa.net>, Allyson Smith <allysons@cox.net>, "lpharvey@columbus.rr.com" <lpharvey@columbus.rr.com>, "kincaid@comcast.net" <kincaid@comcast.net>, Peter LaB <peterlabarbera@comcast.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>

I think I might wait a couple of days to see if there is more to come out. I suspect the "personal matter" was a "lovers quarrel" and this will be revealed soon.
[Quoted text hidden]

allysons@cox.net <allysons@cox.net> Wed, Feb 2, 2011 at 5:31 PM
Reply-To: allysons@cox.net
To: Ryan Sorba <ryansorba@gmail.com>, Matt Barber <jmbarber@liberty.edu>
Cc: Scott Lively <sdllaw@gmail.com>, Bryan Fischer <bfischer@afa.net>, "lpharvey@columbus.rr.com" <lpharvey@columbus.rr.com>, "kincaid@comcast.net" <kincaid@comcast.net>, Laurie Higgins <laurieblackburn@yahoo.com>, Pete LaBarbera <peterlabarbera@comcast.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>

Ryan thanks for posting Scott's essay. The homo-twitterverse is going ballistic.

Sent via BlackBerry from T-Mobile

From: Ryan Sorba <ryansorba@gmail.com>
Date: Wed, 2 Feb 2011 13:25:56 -0800
To: Barber, J. Matt<jmbarber@liberty.edu>
Cc: Scott Lively<sdllaw@gmail.com>; Bryan Fischer<bfischer@afa.net>; Allyson Smith<allysons@cox.net>; lpharvey@columbus.rr.com<lpharvey@columbus.rr.com>; kincaid@comcast.net<kincaid@comcast.net>; Laurie Higgins<laurieblackburn@yahoo.com>; Peter LaB<peterlabarbera@comcast.net>; Gary Glenn<AFAM@chartermi.net>; David Kupelian<dkupelian@wnd.com>
Subject: Re: Murdering Uganda
[Quoted text hidden]

Scott Lively <sdllaw@gmail.com> Wed, Feb 2, 2011 at 5:40 PM
To: Laurie Higgins <laurieblackburn@yahoo.com>
Cc: "J. MattBarber" <jmbarber@liberty.edu>, Ryan Sorba <ryansorba@gmail.com>, Bryan Fischer <bfischer@afa.net>, Allyson Smith <allysons@cox.net>, "lpharvey@columbus.rr.com" <lpharvey@columbus.rr.com>, "kincaid@comcast.net" <kincaid@comcast.net>, Peter LaB <peterlabarbera@comcast.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>

Someone should put out a press release suggesting that the media owes me an apology. I would do it myself but it would be more powerful coming from somebody else. This is actually two for two in this campaign to pin a murder on me. The first one was late June 2010 but didn't get as much play because they caught the murderers quicker and the victim turned out not to be a homosexual after all.

Here are the links related to that:
<http://blog.jaluo.com/?p=6851>

<http://www.ugpulse.com/articles/daily/news.asp?about=Police+suspends+activities+of+witchdoctors+&ID=14954>

http://www.religiondispatches.org/dispatches/candacechellew-hodge/2930/hoax_underscores_urgency_for_lgbt_people_in_uganda/

This time around there was global press coverage and I was called by the BBC, NPR and local media, with print stories appearing in the NYT and many other media. They really need their noses rubbed in this

Scott

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>

Wed, Feb 2, 2011 at 6:03 PM

To: allysons@cox.net

Cc: Ryan Sorba <ryansorba@gmail.com>, Matt Barber <jmbarber@liberty.edu>, Bryan Fischer <bfischer@afa.net>, "lpharvey@columbus.rr.com" <lpharvey@columbus.rr.com>, "kincaid@comcast.net" <kincaid@comcast.net>, Laurie Higgins <laurieblackburn@yahoo.com>, Pete LaBarbera <peterlabarbera@comcast.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>

There's actually an earlier version of this used against me but not related to Uganda. The main SPLC hit on me from 2006 or 2007 includes the accusation that I defended the "murder" of a homosexual by a Russian man in Sacramento. Then there's the Azalea Cooley story -- 21 cross burnings in the yard of a wheelchair-bound lesbian that turned out to be faked hate crimes to influence a ballot measure campaign in which I was spokesman.

Maybe the PR should be just about this latest one and I should follow up with a longer article hitting all the rest.

Thoughts anyone?

[Quoted text hidden]

Fritz Spencer <piersplowman20@gmail.com>

Wed, Feb 2, 2011 at 6:03 PM

To: Scott Lively <sdllaw@gmail.com>

Dr. Lively,

Last night, sometime between three and four-thirty, I had the strangest dream. I dreamt I was led down a street in Uganda to a hut where a blacksmith was shaping a large iron sword with a mallet.

I also dreamed of the beautiful landscape. I never dreamed of Africa before, or have had the least connection with it.

I also dreamed of two young boys who were brothers, who were escaping down an almost dried-up river bed, except for enough water to float their raft.

Perhaps the example of Uganda is the sword to slay their movement.

Fritz Spencer

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>

Wed, Feb 2, 2011 at 6:19 PM

To: allysons@cox.net

Cc: Ryan Sorba <ryansorba@gmail.com>, Matt Barber <jmbarber@liberty.edu>, Bryan Fischer <bfischer@afa.net>, "lpharvey@columbus.rr.com" <lpharvey@columbus.rr.com>, "kincaid@comcast.net" <kincaid@comcast.net>, Laurie Higgins <laurieblackburn@yahoo.com>, Pete LaBarbera <peterlabarbera@comcast.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>

Here's the final vindication:

<http://www.monitor.co.ug/News/National/-/688334/1100686/-/c5a2fcz/-/>

"We have taken him to Mukono Magistrate's Court to record an extrajudicial statement," the source said. "He told us that he killed Kato after he failed to give him a car, a house and money he promised as rewards for having sex with him," the source said.

Kato is alleged to have bailed the suspect out of Kawuga Prison on January 24, where he been remanded on charges of theft of a mobile phone. The suspect told police that he stayed with Kato for two days. He accused the deceased of having sex with him and promising to pay him during the period.

[Quoted text hidden]

Mail Delivery Subsystem <mailer-daemon@googlemail.com>
To: sdllaw@gmail.com

Wed, Feb 2, 2011 at 6:22 PM

Delivery to the following recipient failed permanently:

bfischer@afa.net

Technical details of permanent failure:

Google tried to deliver your message, but it was rejected by the recipient domain. We recommend contacting the other email provider for further information about the cause of this error. The error that the other server returned was: 511 511 Host Not Authorized to Relay (state 14).

----- Original message -----

MIME-Version: 1.0

Received: by 10.216.163.203 with SMTP id a53mr8662789wel.104.1296688785988;

Wed, 02 Feb 2011 15:19:45 -0800 (PST)

Received: by 10.216.39.21 with HTTP; Wed, 2 Feb 2011 15:19:45 -0800 (PST)

In-Reply-To: <AANLkTinG+fQyVRmja8BkVjJbS=z--ZdWUCpNpExJnHJm@mail.gmail.com>

References: <4D49683C.9000401@columbus.rr.com>

<20110202151615.XITF21362.fed1rmfepo202.cox.net@fed1rmimpo03.cox.net>

<AANLkTimRCfV9KEJf0u3_+4f4vfcGGbx-MY5onnHJLP6@mail.gmail.com>

<21A32507EB1AA6408FDA5867EE4E8E5B08E7A6F3@filestorage.afa.net>

<AANLkTimJiq++Rv+mzqR0jJ4QJqgbwEmEk4n=rKkLFaAh@mail.gmail.com>

<38EF4CD24BBD274F95CC60659C8351903B32B424FC@LUEMS04VS.University.liberty.edu>

<AANLkTimTyrojNxd16WTwsy3NcsR5V9KqA5+F-Wkup7@mail.gmail.com>

<1462956692-1296686253-cardhu_decombobulator_blackberry.rim.net-

1079093314-@bda431.bisx.prod.on.blackberry>

<AANLkTinG+fQyVRmja8BkVjJbS=z--ZdWUCpNpExJnHJm@mail.gmail.com>

Date: Wed, 2 Feb 2011 18:19:45 -0500

Message-ID: <AANLkTi=Vg2iz=Uq0cQrRefRdxTjq9puu-pXP=NUvdbck@mail.gmail.com>

Subject: Re: Murdering Uganda

From: Scott Lively <sdllaw@gmail.com>

To: allysons@cox.net

Cc: Ryan Sorba <ryansorba@gmail.com>, Matt Barber <jmbarber@liberty.edu>,

Bryan Fischer <bfischer@afa.net>, "lpharvey@columbus.rr.com" <lpharvey@columbus.rr.com>,

"kincaid@comcast.net" <kincaid@comcast.net>, Laurie Higgins <laurieblackburn@yahoo.com>,

Pete LaBarbera <peterlabarbera@comcast.net>, Gary Glenn <AFAM@chartermi.net>,

David Kupelian <dkupelian@wnd.com>

Content-Type: text/plain; charset=windows-1252

Content-Transfer-Encoding: quoted-printable

[Quoted text hidden]

allysons@cox.net <allysons@cox.net>

Wed, Feb 2, 2011 at 6:20 PM

Reply-To: allysons@cox.net

To: Scott Lively <sdllaw@gmail.com>

WOW

Sent via BlackBerry from T-Mobile

-----Original Message-----

From: Scott Lively <sdllaw@gmail.com>
Date: Wed, 2 Feb 2011 18:19:45
To: <allysons@cox.net>

[Quoted text hidden]

David Kupelian <dkupelian@wnd.com>
To: Scott Lively <sdllaw@gmail.com>

Wed, Feb 2, 2011 at 6:27 PM

OK, so how exactly do you want to update the column?

Best,

David

-----Original Message-----

From: Scott Lively [mailto:sdllaw@gmail.com]
Sent: Wednesday, February 02, 2011 3:20 PM
To: allysons@cox.net

[Quoted text hidden]

Peter LaBarbera <peterlabarbera@comcast.net>

Wed, Feb 2, 2011 at 6:32 PM

Reply-To: peterlabarbera@comcast.net

To: Scott Lively <sdllaw@gmail.com>

Cc: Allyson AaaaSmith <allysons@cox.net>, Matt Barber <mattbarber@liberty.edu>, Ryan Sorba <ryansorba@gmail.com>, Gmail-AFTAH <americansfortruth@gmail.com>

Scott if u give me the related bullet pts (tied to media stories), I'll put out a release. I also need to put to put that statement you wrote on the guy w/ a sex crime past. Did u publish that?

Sent via BlackBerry from T-Mobile

-----Original Message-----

From: Scott Lively <sdllaw@gmail.com>
Date: Wed, 2 Feb 2011 18:03:00
To: <allysons@cox.net>

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>

Wed, Feb 2, 2011 at 6:42 PM

To: peterlabarbera@comcast.net

Cc: Allyson AaaaSmith <allysons@cox.net>, Matt Barber <mattbarber@liberty.edu>, Ryan Sorba <ryansorba@gmail.com>, Gmail-AFTAH <americansfortruth@gmail.com>

OK. I'll do that but first I'll update the article and resend it. Stay tuned.

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>

Wed, Feb 2, 2011 at 7:14 PM

To: peterlabarbera@comcast.net

Cc: Allyson AaaaSmith <allysons@cox.net>, Matt Barber <mattbarber@liberty.edu>, Ryan Sorba <ryansorba@gmail.com>, Gmail-AFTAH <americansfortruth@gmail.com>

The updated version is attached, and copied below

MURDERING UGANDA

By Pastor Scott Lively, J.D., Th.D.
President, Defend the Family International
www.defendthefamily.com
Sdllaw@gmail.com

Uganda is being murdered. The nation once called "The Pearl of

Africa" by Winston Churchill, a lush and beautiful country as fertile as the Nile Delta. It is the nation that retained its self-rule through centuries of African colonialism, the society that survived even the atrocities of the cannibal cultist Idi Amin, the culture that has been thriving in Christian revival for over a dozen years.

This great and honorable nation, alone in Africa to have all but conquered the scourge of AIDS through abstinence - and whose First Lady led a holy gathering of thousands of believers on the eve of the millennium, dedicating her homeland "to Jesus Christ for a thousand years" - this Uganda, a shining light in the Dark Continent, is being murdered.

The murderers are the lavender Marxists, the now-global network of sexual revolutionaries bent on remaking the entire world in their own perverted image, whose juggernaut has toppled even once mighty Britain, crushing under their lavender boots after eight centuries the symbol of its Christian power: the Magna Charta, whose first principle had proclaimed "The English church must be free!" These revolutionists of Sodom, who march triumphantly through all the major cities of the western world to flaunt their defeat of moral law, and who hold both Hollywood and the heart of America's president in their iron grip: These very same zealots have fixed their malevolent gaze on Christian Uganda.

Uganda is the only country in the world with a national holiday commemorating its rejection of sexual perversion. Every June 3 it honors the 22 young men and boys who were tortured and roasted alive in 1886 by homosexual King Mwangi, because they refused to submit to sodomy. Is it any wonder, then, that Uganda has reacted violently against the army of agitators, led by George Soros, who now seek to re-homosexualize Ugandan culture?

It is as if the militant ranks of "Code Pink" were transported back to 1890s America to agitate for "sexual freedom." Our great grandparents would not have countenanced this. There would have been violence, as there has now been in Uganda. And that is, of course, the strategy: the agents provocateur are goading unsophisticated natives into over-reacting, while the "gay" media lie in wait to catch the images and spin the propaganda that is even now poisoning the gullible against the Ugandans.

Ugandan homosexual activist David Kato was recently beaten to death with a hammer, a horrific crime. These very media have rushed eagerly to judge this a hate crime and to blame those, like me, who have spoken against homosexuality in Uganda. It is the central (but patently false) narrative of the left that all criticism of homosexuality leads inevitably to violence and murder. Yet the killer has now been caught and confessed that he was a live-in male prostitute who murdered Kato for failing to pay him as promised. The "gay" hate-narrative has failed, the Ugandan rejection of "gay" culture has been vindicated, and the finger-pointing media have pulled quietly back into the shadows - for now.

There is indeed evil in Uganda today, but it is not the reaction of Christian and Moslem citizens to the rape of their culture. It is the pink-gloved hand of western powers that are cutting the throat of Africa's most God-fearing country, and one of the world's most promising Christian democracies.


[Quoted text hidden]

 **Murdering Uganda Updated.rtf**
6K

Scott Lively <sdllaw@gmail.com>
To: David Kupelian <dkupelian@wnd.com>

Wed, Feb 2, 2011 at 7:15 PM

Here is the updated version attached. Thanks!
[Quoted text hidden]


 **Murdering Uganda.rtf**
6K

Scott Lively <sdllaw@gmail.com>
To: David Kupelian <dkupelian@wnd.com>

Wed, Feb 2, 2011 at 7:20 PM

OOPS Sorry, here's the updated one.

On Wed, Feb 2, 2011 at 6:27 PM, David Kupelian <dkupelian@wnd.com> wrote:
[Quoted text hidden]

 **Murdering Uganda Updated.rtf**
6K

David Kupelian <dkupelian@wnd.com>
To: Scott Lively <sdllaw@gmail.com>

Wed, Feb 2, 2011 at 7:39 PM

Thanks Scott

-----Original Message-----
From: Scott Lively [mailto:sdllaw@gmail.com]
[Quoted text hidden]

Ryan Sorba <ryansorba@gmail.com>
To: allysons@cox.net

Wed, Feb 2, 2011 at 7:45 PM

Cc: Matt Barber <jmbarber@liberty.edu>, Scott Lively <sdllaw@gmail.com>, Bryan Fischer <bfischer@afa.net>, "lpharvey@columbus.rr.com" <lpharvey@columbus.rr.com>, "kincaid@comcast.net" <kincaid@comcast.net>, Laurie Higgins <laurieblackburn@yahoo.com>, Pete LaBarbera <peterlabarbera@comcast.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>

I was wondering why I was getting so many page views on my stat counter! I am going to get rich off of google ads!!!

All thanks to the homofascists lying to use a murder for their sick and perverted political cause.

Pure. Dephlegmated. Evil.

Ryan

[Quoted text hidden]

Jeffers, David E CTR USAF ACC 505 TRS/DOPA <David.Jeffers.ctr@hurlburt.af.mil>

Thu, Feb 3, 2011 at 9:17 AM

To: Scott Lively <sdllaw@gmail.com>, David Kupelian <dkupelian@wnd.com>, Bryan Fischer <bfischer@afa.net>, "Peter L." <PeterLaBarbera@comcast.net>, Bob Knight <R.Knight@crministries.org>, Gary Glenn <AFAM@chartermi.net>, Mike Brown-NC <drmlbrown@msn.com>, Robert Gagnon <rgagnon@pts.edu>, Rena Lindevaldson <rena@lc.org>, David Pruden-NARTH <dpruden@earthlink.net>, Jan LaRue <jlarue@comcast.net>, "Laurie, Terry Higgins" <laurieblackburn@yahoo.com>,

"Barb, George Anderson" <barb@mfc.org>, George Tryfiates <gtryfiates@cwfa.org>, Matt Barber <mattbarber@liberty.edu>, Michael Glatze <meglatze@gmail.com>, Donna AaaaMiller <wap_dm@hotmail.com>, Allyson AaaaSmith <allysons@cox.net>, Sandy Rios <sandyrios1@gmail.com>, Estella Salvatierra <pfox_exgays@earthlink.net>, Regina Griggs <reginagriggs@hotmail.com>, Peter Sprigg <pss@frc.org>, Mat Staver <mstaver@liberty.edu>, John Stemberger <stemberger@orlandolawyer.tv>, Brian Fitzpatrick <bfitzp703@aol.com>, Brian Camenker <brian@massresistance.org>, Joe Glover <joe@familypolicy.net>, Steve Baldwin <scbaldwin7@gmail.com>, "Steve, Irene Bennett" <private@sbministries.org>, Linda Wall <wall4america@netzero.com>, "Joe, Linda Nicolosi" <jntherapy@yahoo.com>, April Waugh <awaugh@traditionalvalues.org>, Wendy Wright <wwright@cwfa.org>, John Lofton <jlof@aol.com>, Phil Burress <philburress@ccv.org>, Randy Thomasson <ccf.email.5650@savecalifornia.com>, Linda Harvey <lpharvey@columbus.rr.com>, Dave Daubenmire <coach@ptsalt.com>, "Dave, Natalia Smith" <desmith@illinoisfamily.org>, Tom Pritchard <tom@mfc.org>, Dale O'Leary <dalemoleary@yahoo.com>, Rick Scarborough <rickscarborough@cs.com>, Dick Bott <Bottnet@aol.com>, Arthur Goldberg <Jonahhelp@aol.com>, Mike Heath <msh Heath04358@gmail.com>, Micah Clark <micah@afain.net>, Fritz Spencer <piersplowman20@gmail.com>, Bob Unruh <runruh@wnd.com>, Steve Crampton <scrampton@liberty.edu>, Steve Deace <stevendeace@aol.com>, Larry Stickney <stickneyfamily@comcast.net>, blahaye@cwfa.org, vickieburress@ccv.org, "Bishop Simon O. Mac Onyango" <kenyacenter4worldangelism@hotmail.com>, "C.C.E.R. Barder" <merkava@tcp.co.uk>, Amy Contrada <laurelamc@yahoo.com>, Amy Contrada <amy@massresistance.org>, Dana Cody <danacody@surewest.net>, Diane Gramley <diane@afaofpa.org>, Brenda Kent <duzrawcureall@sbcglobal.net>, Ed Hernandez <upward.n.onward@gmail.com>, Ed Vitagliano <italian@afa.net>, Elaine Donnelly <elaine@cmrlink.org>, Eli Serrano <eserrano@springfieldnhs.org>, Mike Franco <mikefranco@peoplepc.com>, Don Feder <dfeder@rcn.com>, Dugger Family <theduggers@comcast.net>, Gary <drgarycass@christianadc.org>, "Dr. Kenneth Hutcherson" <khutch59@theblackman.org>, Christian Voice <info@christianvoice.org.uk>, isaac kim <hdk121@gmail.com>, "info@stoptheaclu.org" <Info@stoptheaclu.org>, European American Evangelistic Crusades <info@eaec.org>, George Neverov <just4precept@yahoo.com>, "Dr. John Diggs" <diggsthis@aol.com>, james hartline <saintjameshartline@yahoo.com>, Jan Folger <jfolger@f2a.org>, Cliff Kincaid <kincaid@comcast.net>, "Dr. Alan Keyes" <alan_keyes@msn.com>, Vlade Kusakina <vlade.kusakina@gmail.com>, "Atty. Gary Kreep" <gkreep@sbcglobal.net>, BOB KOWELL <bobkowell@aol.com>, Chase Lassiter <chase@mmcci.net>, Glenn OBanion <obaniog@yahoo.com>, jinfranco@telladf.org, Mark Kiser <pastormarkkiser@yahoo.com>, Vadim Privedenyuk <vadim7@gmail.com>, Bob Allen <rv4less@valinet.com>, Buddy Smith <buddy@afa.net>, Vasily Tokarev <sphmin@yahoo.com>, alafferty@traditionalvalues.org, emmfox@theroadtoemmaus.org, "Joseph M. Ullman" <dr-ullman@maine.rr.com>, Sergey Velbovets <sergeyvelbovets@gmail.com>, Don Wildmon <dwild@afa.net>, mike turner <wordandspirit@yahoo.com>, yvette schneider <yvetteschneider@hotmail.com>, Ryan Sorba <ryansorba@gmail.com>

I have asked on numerous occasions to have this email address removed from these conversations as this is a military email account. I am a defense contractor and my emails are supposedly monitored. So if in fact I am being monitored I can at least say I am trying.

Additionally, I am putting all of these email addresses in my junk mail so I do not receive these any more.

I greatly admire the work being done in this group; that is why I have also asked on numerous occasions that my home email be used: jeffers221@bellsouth.net

Other than what I've done I'm clueless as how to get this issue resolved.

In Christ
Dave
Ps. 37:4
www.saltandlightblog.com

-----Original Message-----

From: Scott Lively [mailto:sdllaw@gmail.com]
Sent: Wednesday, February 02, 2011 12:59 PM
To: David Kupelian; Bryan Fischer; Peter L.; Bob Knight; Gary Glenn; Mike Brown-NC; Robert Gagnon; Rena Lindevaldson; David Pruden- NARTH; Jan LaRue; Laurie, Terry Higgins; Barb, George Anderson; George Tryfiates; Matt Barber; Michael Glatze; Donna AaaaMiller; Allyson AaaaSmith; Sandy Rios; Estella Salvatierra; Regina Griggs; Peter Sprigg; Mat Staver; John Stemberger; Brian Fitzpatrick; Brian Camenker; Joe Glover; Steve Baldwin; Steve, Irene Bennett; Linda Wall; Joe, Linda

EXHIBIT 137

Part 3 of 4

Nicolosi; April Vaughn; Wendy Wright; John Lofton; Phil Burrell; Randy Thomasson; Linda Harvey; Dave Daubenmire; Dave, Natalia Smith; Tom Pritchard; Dale O'Leary; Rick Scarborough; Dick Bott; Arthur Goldberg; Mike Heath; Micah Clark; Fritz Spencer; Bob Unruh; Steve Crampton; Steve Deace; Larry Stickney; blahaye@cwfa.org; vickieburrell@ccv.org; Bishop Simon O. Mac Onyango; C.C.E.R. Barder; Amy Contrada; Amy Contrada; Dana Cody; Diane Gramley; Brenda Kent; Ed Hernandez; Ed Vitagliano; Elaine Donnelly; Eli Serrano; Mike Franco; Don Feder; Dugger Family; Gary; Dr. Kenneth Hutcherson; Christian Voice; isaac kim; info@stoptheaclu.org; European American Evangelistic Crusades; George Neverov; Dr. John Diggs; james hartline; Jan Folger; Cliff Kincaid; Dr. Alan Keyes; Vlade Kusakin; Atty. Gary Kreep; BOB KOWELL; Chase Lassiter; Glenn OBanion; jinfranco@telladf.org; Mark Klser; Vadim Privedenyuk; Bob Allen; Buddy Smith; Vasily Tokarev; <alafferty@traditionalvalues.org>; emmfox@theroadtoemmaus.org; Joseph M. Ullman; Jeffers; David E CTR USAF ACC 505 TRS/DOPA; Sergey Velbovets; Don Wildmon; mike turner; yvette schneider; Ryan Sorba
Subject: Murdering Uganda

[Quoted text hidden]

Bryan Fischer <bfischer@afa.net>

Thu, Feb 3, 2011 at 9:42 AM

To: Laurie Higgins <laurieblackburn@yahoo.com>, "J. MattBarber" <jmbarber@liberty.edu>, Ryan Sorba <ryansorba@gmail.com>

Cc: Scott Lively <sdllaw@gmail.com>, Allyson Smith <allysons@cox.net>, lpharvey@columbus.rr.com, kincaid@comcast.net, Peter LaB <peterlabarbera@comcast.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>

Hi all – here's the piece I'm posting on rightlyconcerned.com and RenewAmerica.com this a.m. on Scott's behalf - Bryan

Boston Globe, New York Times, BBC, NPR owe Scott Lively an apology

By Bryan Fischer

In Uganda, a leading homosexual activist, David Kato, was murdered last Wednesday, beaten with a hammer in his home and dying on his way to the hospital. Scott Lively, author of a well-researched and heavily documented book, *The Pink Swastika*, has been blamed for his death.

Even while admitting that the murder was "still being investigated," the Boston Globe was quick to lay the blame at Lively's doorstep, who, along with other pro-family experts, visited Uganda in the spring of 2009 to raise awareness of the many social and health pathologies associated with homosexual behavior.

The New York Times, the BBC and NPR all interviewed Lively in recent weeks, trying to blame him for what they believe is a rising tide of homicidal anti-gay fervor in Uganda.

Last Friday, the Globe quoted the leader of one of Uganda's leading homosexual activist groups: "David's death is a result of the hatred planted in Uganda by U.S. evangelicals in 2009. The Ugandan government and the so-called U.S. evangelicals must take responsibility for David's blood."

And it turns out that the Globe, the New York Times, the BBC and NPR are not alone in fingering Lively as an accomplice. Google "David Kato murder, Scott Lively" this morning, and you will get 17,200 hits. Almost all of this scapegoating was done, mind you, before police had any idea who had swung the hammer.

Well, it turns out that Lively had absolutely nothing, nada, zip, zilch to do with any part of this gruesome killing.

According to Reuters, a man has now confessed to the killing, and police are saying a "personal disagreement" led to Kato's untimely death. Meaning, of course, the whole thing had nothing to do with Lively or any other pro-family leader in America.

In fact, the police spokesman said quite pointedly that the murder "wasn't a robbery and it wasn't because Kato was an activist." So the whole hate crime meme is out the window, gone, history, in the archives.

The confessed murderer, one Nsubuga Enoch, is a "well-known thief," according to police, and had been in prison until January 24. He had been staying with Kato since getting out.

Kato was arrested at his girlfriend's house, so perhaps this wasn't a gay lover's quarrel, unless Enoch swings both ways. Kato's driver has also been arrested in connection with the murder, and early reports indicated that both money and clothing were missing. And since Enoch was in prison for theft, the dots aren't too hard to connect here.

Bottom line: the major media outlets owe Scott Lively an apology of gigantic proportions. This is blood libel, and they ought to be ashamed of themselves. Their accusations are irresponsible, baseless and tawdry, and show nothing but contempt for honesty and the truth.

Will Lively get the apology he deserves? You could die holding your breath waiting for that day to come.

(Unless otherwise noted, the opinions expressed are the author's and do not necessarily reflect the views of the American Family Association or American Family Radio.)

From: Laurie Higgins [mailto:laurieblackburn@yahoo.com]
Sent: Wednesday, February 02, 2011 3:38 PM
To: J. MattBarber; Ryan Sorba
Cc: Scott Lively; Bryan Fischer; Allyson Smith; lpharvey@columbus.rr.com; kincaid@comcast.net; Peter LaB; Gary Glenn; David Kupelian
Subject: Re: Murdering Uganda

[Quoted text hidden]

Bryan Fischer <bfischer@afa.net> Thu, Feb 3, 2011 at 9:47 AM
To: Scott Lively <sdllaw@gmail.com>, allysons@cox.net
Cc: Ryan Sorba <ryansorba@gmail.com>, Matt Barber <jmbarber@liberty.edu>, lpharvey@columbus.rr.com, kincaid@comcast.net, Laurie Higgins <laurieblackburn@yahoo.com>, Pete LaBarbera <peterlabarbera@comcast.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>

Hi all – here's the piece I'm posting on rightlyconcerned.com and RenewAmerica.com this a.m. on Scott's behalf. Apologies if you have already received this – had some squirrely stuff going on with email this morning, not sure what's been sent and what hasn't.

Boston Globe, New York Times, BBC, NPR owe Scott Lively an apology

By Bryan Fischer

In Uganda, a leading homosexual activist, David Kato, was murdered last Wednesday, beaten with a hammer in his home and dying on his way to the hospital. Scott Lively, author of a well-researched and heavily documented book, *The Pink Swastika*, has been blamed for his death.

Even while admitting that the murder was "still being investigated," the Boston Globe was quick to lay the blame at Lively's doorstep, who, along with other pro-family experts, visited Uganda in the spring of 2009 to raise awareness of the many social and health pathologies associated with homosexual behavior.

The New York Times, the BBC and NPR all interviewed Lively in recent weeks, trying to blame him for what

https://mail.google.com/mail/u/0/?ui=2&ik=a92cd818c2&view=pt&as_from=sdllaw%40gmail.com&as_... 5/2/2014

they believe is a rising tide of homicidal anti-gay fervor in Uganda.

Last Friday, the Globe quoted the leader of one of Uganda's leading homosexual activist groups: "David's death is a result of the hatred planted in Uganda by U.S. evangelicals in 2009. The Ugandan government and the so-called U.S. evangelicals must take responsibility for David's blood."

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Kato was arrested at his girlfriend's house, so perhaps this wasn't a gay lover's quarrel, unless Enoch swings both ways. Kato's driver has also been arrested in connection with the murder, and early reports indicated that both money and clothing were missing. And since Enoch was in prison for theft, the dots aren't too hard to connect here.

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Will Lively get the apology he deserves? You could die holding your breath waiting for that day to come.

(Unless otherwise noted, the opinions expressed are the author's and do not necessarily reflect the views of the American Family Association or American Family Radio.)

From: Scott Lively [mailto:sdllaw@gmail.com]
Sent: Wednesday, February 02, 2011 5:03 PM
To: allysons@cox.net
Cc: Ryan Sorba; Matt Barber; Bryan Fischer; lpharvey@columbus.rr.com; kincaid@comcast.net; Laurie Higgins; Pete LaBarbera; Gary Glenn; David Kupelian
Subject: Re: Murdering Uganda

[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: "Jeffers, David E CTR USAF ACC 505 TRS/DOPA" <David.Jeffers.ctr@hurlburt.af.mil>

Thu, Feb 3, 2011 at 9:57 AM

So sorry. For my part I'll try to be more diligent in future. As you know, however, once a group conversation starts the same list gets rehit with each reply.

Scott Lively
[Quoted text hidden]

Scott Lively <sdllaw@gmail.com>
To: Bryan Fischer <bfischer@afa.net>

Thu, Feb 3, 2011 at 10:01 AM

This is my first view. You're a knight in shining armor!! (if such a metaphor may be used by a normal man)

[Quoted text hidden]

Jeffers, David E CTR USAF ACC 505 TRS/DOPA <David.Jeffers.ctr@hurlburt.af.mil>
To: Scott Lively <sdllaw@gmail.com>

Thu, Feb 3, 2011 at 10:03 AM

Yes, I know and thank you.

-----Original Message-----

From: Scott Lively [mailto:sdllaw@gmail.com]

[Quoted text hidden]

Bryan Fischer <bfischer@afa.net>
To: Scott Lively <sdllaw@gmail.com>

Thu, Feb 3, 2011 at 10:06 AM

Never been a knight before – happy to be one!

BTW, found a typo – mistakenly said “Kato” was arrested instead of Enock. I’ve corrected it, and sent the corrected versions to the editors.

From: Scott Lively [mailto:sdllaw@gmail.com]
Sent: Thursday, February 03, 2011 9:01 AM
To: Bryan Fischer
Subject: Re: Murdering Uganda

[Quoted text hidden]

Ryan Sorba <ryansorba@gmail.com>
To: Bryan Fischer <bfischer@afa.net>, Scott Lively <sdllaw@gmail.com>

Thu, Feb 3, 2011 at 1:58 PM

Great work Bryan! I will post the first few lines on my blog and then link to RenewAmerica!

Ryan

[Quoted text hidden]

Brenda Kent <duzrawcureall@sbcglobal.net>
To: Scott Lively <sdllaw@gmail.com>

Sun, Feb 6, 2011 at 12:18 AM

Scott, Have you taken care of this yet? It's a repeated request. Brenda

--- On Thu, 2/3/11, Jeffers, David E CTR USAF ACC 505 TRS/DOPA <David.Jeffers.ctr@hurlburt.af.mil> wrote:

From: Jeffers, David E CTR USAF ACC 505 TRS/DOPA <David.Jeffers.ctr@hurlburt.af.mil>
Subject: RE: Murdering Uganda
To: "Scott Lively" <sdllaw@gmail.com>, "David Kupelian" <dkupelian@wnd.com>, "Bryan Fischer" <bfischer@afa.net>, "Peter L." <PeterLaBarbera@comcast.net>, "Bob Knight" <R.Knight@crministries.org>, "Gary Glenn" <AFAM@chartermi.net>, "Mike Brown-NC" <drmlbrown@msn.com>, "Robert Gagnon" <rgagnon@pts.edu>, "Rena Lindevaldson" <rena@lc.org>, "David Pruden- NARTH" <dpruden@earthlink.net>

"Jan LaRue" <jlarue@comcast.net>, "Laurie, Terry Higgins" <laurieblackburn@yahoo.com>, "Barb, George Anderson" <barb@mfc.org>, "George Tryfiates" <gtryfiates@cwfa.org>, "Matt Barber" <mattbarber@liberty.edu>, "Michael Glatze" <meglatze@gmail.com>, "Donna AaaaMiller" <wap_dm@hotmail.com>, "Allyson AaaaSmith" <allysons@cox.net>, "Sandy Rios" <sandyrios1@gmail.com>, "Estella Salvatierra" <pfox_exgays@earthlink.net>, "Regina Griggs" <reginagriggs@hotmail.com>, "Peter Sprigg" <pss@frc.org>, "Mat Staver" <mstaver@liberty.edu>, "John Stemberger" <stemberger@orlandolawyer.tv>, "Brian Fitzpatrick" <bfitzp703@aol.com>, "Brian Camenker" <brian@massresistance.org>, "Joe Glover" <joe@familypolicy.net>, "Steve Baldwin" <scbaldwin7@gmail.com>, "Steve, Irene Bennett" <private@sbministries.org>, "Linda Wall" <wall4america@netzero.com>, "Joe, Linda Nicolosi" <jntherapy@yahoo.com>, "April Waugh" <awaugh@traditionalvalues.org>, "Wendy Wright" <wwright@cwfa.org>, "John Lofton" <jlof@aol.com>, "Phil Burress" <philburress@ccv.org>, "Randy Thomasson" <ccf.email.5650@savecalifornia.com>, "Linda Harvey" <lpharvey@columbus.rr.com>, "Dave Daubenmire" <coach@ptsalt.com>, "Dave, Natalia Smith" <desmith@illinoisfamily.org>, "Tom Pritchard" <tom@mfc.org>, "Dale O'Leary" <dalemoleary@yahoo.com>, "Rick Scarborough" <rickscarborough@cs.com>, "Dick Bott" <Bottnet@aol.com>, "Arthur Goldberg" <Jonahhelp@aol.com>, "Mike Heath" <msheath04358@gmail.com>, "Micah Clark" <micah@afain.net>, "Fritz Spencer" <piersploverman20@gmail.com>, "Bob Unruh" <runruh@wnd.com>, "Steve Crampton" <scrampton@liberty.edu>, "Steve Deace" <stevendeace@aol.com>, "Larry Stickney" <stickneyfamily@comcast.net>, blahaye@cwfa.org, vickieburress@ccv.org, "Bishop Simon O. Mac Onyango" <kenycenter4worlddevangelism@hotmail.com>, "C.C.E.R. Barder" <merkava@tcp.co.uk>, "Amy Contrada" <laurelamc@yahoo.com>, "Amy Contrada" <amy@massresistance.org>, "Dana Cody" <danacody@surewest.net>, "Diane Gramley" <diane@afaofpa.org>, "Brenda Kent" <duzrawcureall@sbcglobal.net>, "Ed Hernandez" <upward.n.onward@gmail.com>, "Ed Vitagliano" <italian@afa.net>, "Elaine Donnelly" <elaine@cmrlink.org>, "Eli Serrano" <eserrano@springfieldnhs.org>, "Mike Franco" <mikefranco@peoplepc.com>, "Don Feder" <dfeder@rcn.com>, "Dugger Family" <theduggers@comcast.net>, "Gary" <drgarycass@christianadc.org>, "Dr. Kenneth Hutcherson" <khutch59@theblackman.org>, "Christian Voice" <info@christianvoice.org.uk>, "isaac kim" <hdk121@gmail.com>, "info@stoptheaclu.org" <Info@stoptheaclu.org>, "European American Evangelistic Crusades" <info@eaec.org>, "George Neverov" <just4precept@yahoo.com>, "Dr. John Diggs" <diggsthis@aol.com>, "james hartline" <saintjameshartline@yahoo.com>, "Jan Folger" <jfolger@f2a.org>, "Cliff Kincaid" <kincaid@comcast.net>, "Dr. Alan Keyes" <alan_keyes@msn.com>, "Vlade Kusakin" <vlade.kusakin@gmail.com>, "Atty. Gary Kreep" <gkreep@sbcglobal.net>, "BOB KOWELL" <bobkowell@aol.com>, "Chase Lassiter" <chase@mmcci.net>, "Glenn OBanion" <obaniog@yahoo.com>, jinfranco@telladf.org, "Mark Kliser" <pastormarkkliser@yahoo.com>, "Vadim Privedenyuk" <vadim7@gmail.com>, "Bob Allen" <rv4less@valinet.com>, "Buddy Smith" <buddy@afa.net>, "Vasily Tokarev" <sphmin@yahoo.com>, alafferty@traditionalvalues.org, emmfox@theroadtoemmaus.org, "Joseph M. Ullman" <dr-ullman@maine.rr.com>, "Sergey Velbovets" <sergeyvelbovets@gmail.com>, "Don Wildmon" <dwild@afa.net>, "mike turner" <wordandspirit@yahoo.com>, "yvette schneider" <yvetteschneider@hotmail.com>, "Ryan Sorba" <ryansorba@gmail.com>

Date: Thursday, February 3, 2011, 6:17 AM

I have asked on numerous occasions to have this email address removed from these conversations as this is a military email account. I am a defense contractor and my emails are supposedly monitored. So if in fact I am being monitored I can at least say I am trying.

Additionally, I am putting all of these email addresses in my junk mail so I do not receive these any more.

I greatly admire the work being done in this group; that is why I have also asked on numerous occasions that my home email be used:
jeffers221@bellsouth.net

Other than what I've done I'm clueless as how to get this issue resolved.

In Christ
Dave
Ps. 37:4
www.saltandlightblog.com

-----Original Message-----

From: Scott Lively [mailto:sdllaw@gmail.com]

[Quoted text hidden]

Uganda is being murdered. The nation once called "The Pearl of Africa" by Winston Churchill, a lush and beautiful country as fertile as the Nile Delta. It is the nation that retained its self-rule through centuries of African colonialism, the society that survived even the atrocities of the cannibal cultist Idi Amin, the culture that has been thriving in Christian revival for over a dozen years.

This great and honorable nation, alone in Africa to have all but conquered the scourge of AIDS through abstinence - and whose First Lady led a holy gathering of thousands of believers on the eve of the millennium, dedicating her homeland "to Jesus Christ for a thousand years" - this Uganda, a shining light in the Dark Continent, is being murdered.

The murderers are the lavender Marxists, the now-global network of sexual revolutionaries bent on remaking the entire world in their own perverted image, whose juggernaut has toppled even once mighty Britain, crushing under their lavender boots after eight centuries the symbol of its Christian power: the Magna Charta, whose first principle had proclaimed "The English church must be free!" These revolutionists of Sodom, who march triumphantly through all the major cities of the western world to flaunt their defeat of moral law, and who hold both Hollywood and the heart of America's president in their iron grip: These very same zealots have fixed their malevolent gaze on Christian Uganda.

Uganda is the only country in the world with a national holiday commemorating its rejection of sexual perversion. Every June 3 it honors the 22 young men and boys who were tortured and roasted alive in 1886 by homosexual King Mwanga, because they refused to submit to sodomy. Is it any wonder, then, that Uganda has reacted violently against the army of agitators, led by George Soros, who now seek to re-homosexualize Ugandan culture?

It is as if the militant ranks of "Code Pink" were transported back to 1890s America to agitate for "sexual freedom." Our great grandparents would not have countenanced this. There would have been violence, as there has now been in Uganda. And that is, of course, the strategy: the agents provocateur are goading unsophisticated natives into over-reacting, while the "gay" media lie in wait to catch the images and spin the propaganda that is even now poisoning the gullible against the Ugandans.

Ugandan homosexual activist David Kato was recently beaten to death with a hammer, a horrific crime. These very media have rushed eagerly to judge this a hate crime and to blame those, like me, who have spoken against homosexuality in Uganda. It is the central (but patently false) narrative of the left that all criticism of homosexuality leads inevitably to violence and murder. Yet the evidence points to aggravated robbery, say the police, and the suspect, Kato's ("gay?") housemate, remains at large.

There is indeed evil in Uganda today, but it is not the reaction of Christian and Moslem citizens to the rape of their culture. It is the pink-gloved hand of western powers that are cutting the throat of Africa's most God-fearing country, and one of the world's most promising Christian democracies.

Scott Lively <sdllaw@gmail.com>
To: Brenda Kent <duzrawcureall@sbcglobal.net>

Sun, Feb 6, 2011 at 7:39 AM

Hi Brenda,

Thanks for your concern for David. Yes, I have addressed this, but as you may know (and David understands), once a group conversation starts the same list gets rehit with each reply, so only my further postings are within my control. This string should be about dead now, in any case.

Blessings,

Scott

----- Forwarded message -----

From: Scott Lively <sdllaw@gmail.com>

Date: Thu, Feb 3, 2011 at 9:57 AM

Subject: Re: Murdering Uganda

[Quoted text hidden]

[Quoted text hidden]

Mail Delivery Subsystem <MAILER-DAEMON@lums01.liberty.edu>
To: sdllaw@gmail.com

Wed, Feb 2, 2011 at 1:40 PM

** THIS IS A WARNING MESSAGE ONLY **
** YOU DO NOT NEED TO RESEND YOUR MESSAGE **

The original message was received at Wed, 2 Feb 2011 09:17:02 -0500
from localhost.localdomain [127.0.0.1]

----- Transcript of session follows -----

451 gmail.com: Name server timeout
451 gmail.com: Name server timeout
451 liberty.edu: Name server timeout
Warning: message still undelivered after 4 hours
Will keep trying until message is 5 days old
451 gmail.com: Name server timeout

Final-Recipient: RFC822; jmbarber@liberty.edu
Action: delayed
Status: 4.4.3
Last-Attempt-Date: Wed, 2 Feb 2011 13:40:05 -0500
Will-Retry-Until: Mon, 7 Feb 2011 09:17:02 -0500

----- Forwarded message -----

From: Scott Lively <sdllaw@gmail.com>

To: kincaid@comcast.net

Cc: "J. Matt Barber" <jmbarber@liberty.edu>, Laurie Higgins <laurieblackburn@yahoo.com>, Peter LaB <peterlabarbera@comcast.net>, Bryan Fischer <bfischer@afa.net>, Allyson Smith <allysons@cox.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>, Linda Harvey <lpharvey@columbus.rr.com>

Date: Wed, 2 Feb 2011 09:17:01 -0500

Subject: Re: Murdering Uganda

How's this? I added a new 2nd to last paragraph

Murdering Uganda

Uganda is being murdered. The nation once called The Pearl of Africa by Winston Churchill. The lush and beautiful country as fertile as the Nile Delta. The culture which retained its self-rule through centuries of African colonialism. The society which survived even the atrocities of the cannibal cultist Idi Amin. The land which has been thriving in Christian revival for over a dozen years. This great and honorable nation, alone in Africa to have all-but conquered the scourge of AIDS -- through abstinence -- and whose First Lady led a

holy gathering of thousands of believers on the eve of the millennium, dedicating her homeland "to Jesus Christ for a thousand years," this Uganda, a shining light in the dark continent, is being murdered.

The murderers are the lavender Marxists, the now global network of sexual revolutionaries bent on remaking the entire world in their own perverted image, whose juggernaut has toppled even once mighty Britain, crushing under their lavender boots after eight centuries the symbol of its Christian power: the Magna Charta whose first principle had proclaimed "The English church must be free!" These revolutionists of Sodom, who march triumphantly through all the major cities of the western world to flaunt their defeat of moral law, and who hold both Hollywood and the heart of America's president in their iron grip; these very same zealots have fixed their malevolent gaze on Christian Uganda.

Uganda is the only country in the world with a national holiday commemorating its rejection of sexual perversion. Every June 3rd it honors the 22 young men and boys who were tortured and roasted alive in 1886 by homosexual King Mwanga, because they refused to submit to sodomy. Is it any wonder then, that Uganda has reacted violently against the army of agitators, led of course by George Soros, who now seek to re-homosexualize Ugandan culture. It is as if the militant ranks of "Code Pink" were transported back to 1890s America to agitate for "sexual freedom." Our great grandparents would not have suffered this. There would be violence, as there has now been in Uganda. And that is of course the strategy: the agents provocateur are goading unsophisticated natives into over-reacting while the "gay" media lie in wait to catch the images and spin the propaganda that is even now poisoning the gullible against the Ugandans.

Ugandan homosexual activist David Kato was recently beaten to death with a hammer, a horrific crime. These very media have rushed eagerly to judge this a hate crime and to blame those, such as the author, who have spoken against homosexuality in Uganda. It is the central (but patently false) narrative of the left that all criticism of homosexuality leads inevitably to violence and murder. Yet the evidence points to aggravated robbery, say the police, and the suspect, Kato's "roommate," remains at large.

There is indeed evil in Uganda today, but it is not the reaction of Christian and Moslem citizens to the rape of their culture, it is the pink-gloved hand of western powers that is cutting the throat of Africa's most God-fearing country, and one of the world's most promising Christian democracies.

On Wed, Feb 2, 2011 at 8:52 AM, <kincaid@comcast.net> wrote:

> Is it possible to include the facts about the murder and what is being done
> to prosecute the alleged killer?
>
> ----- Original Message -----
> From: "J. Matt Barber" <jmbarber@liberty.edu>
> To: "Scott Lively" <sdllaw@gmail.com>, "Laurie Higgins"
> <laurieblackburn@yahoo.com>, "Peter LaB" <peterlabarbera@comcast.net>,
> "Bryan Fischer" <bfischer@afa.net>, "Cliff Kincaid" <kincaid@comcast.net>,
> "Allyson Smith" <allysons@cox.net>, "Gary Glenn" <AFAM@chartermi.net>,
> "David Kupelian" <dkupelian@wnd.com>, "Linda Harvey"
> <lpharvey@columbus.rr.com>
> Sent: Wednesday, February 2, 2011 8:26:44 AM
> Subject: RE: Murdering Uganda
>
> Outstanding, Scott. I suggest you send it over to WND rstrom@wnd.com &
> OneNewsNow jody.brown@onenewsnow.com. This is the way to fight these sick

> monster's accusations that Christians (you & others) are to blame for the
> murder that homosexual activist.

>
> Do you have it posted anywhere so I can disseminate at hyperlink?

>
> God bless,

>
> Matt

>
> -----Original Message-----

> From: Scott Lively [mailto:sdllaw@gmail.com]

> Sent: Wednesday, February 02, 2011 7:03 AM

> To: Laurie Higgins; Peter LaB; Bryan Fischer; Barber, J. Matt; Cliff

> Kincaid; Allyson Smith; Gary Glenn; David Kupelian; Linda Harvey

> Subject: Murdering Uganda

>
> Hi All,

>
> The Lord woke me this morning at 2:45 with this short essay in my
> mind. I've been composing and refining it until now and am very happy
> with it. I normally would have my wife edit my work because I'm lousy
> on punctuation and capitalization, but I've decided not to involve her
> in this issue any more since it has really taken a toll on her since
> the Uganda attacks began.

>
> I would appreciate any suggestions on edits that will not disturb the
> cadence of the piece, which, especially in the first two paragraphs is
> intended have a more poetic feel.

>
> I would also appreciate any tips on getting this the widest possible
> audience without having to spend money. I no longer have a media list
> and my own e-mail list for ATM is only about 600 people.

>
> Blessings,

>
> Scott

>
> Murdering Uganda

>
> Uganda is being murdered. The nation once called The Pearl of Africa
> by Winston Churchill. The lush and beautiful country as fertile as the
> Nile Delta. The culture which retained its self-rule through
> centuries of African colonialism. The society which survived even the
> atrocities of the cannibal cultist Idi Amin. The land which has been
> thriving in Christian revival for over a dozen years. This great and
> honorable nation, alone in Africa to have all-but conquered the
> scourge of AIDS -- through abstinence -- and whose First Lady led a
> holy gathering of thousands of believers on the eve of the millennium,
> dedicating her homeland "to Jesus Christ for a thousand years;" this
> Uganda, a shining light in the dark continent, is being murdered.

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> The murderers are the lavender Marxists, the now global network of
> sexual revolutionaries bent on remaking the entire world in their own
> perverted image, whose juggernaut has toppled even once mighty
> Britain, crushing under their lavender boots after eight centuries the
> symbol of its Christian power: the Magna Charta whose first principle
> had proclaimed "The English church must be free!" These
> revolutionists of Sodom, who march triumphantly through all the major
> cities of the western world to flaunt their defeat of moral law, and
> who hold both Hollywood and the heart of America's president in their
> iron grip; these very same zealots have fixed their malevolent gaze on
> Christian Uganda.

- > Uganda is the only country in the world with a national holiday
- > commemorating its rejection of sexual perversion. Every June 3rd it
- > honors the 22 young men and boys who were tortured and roasted alive
- > in 1886 by homosexual King Mwanga, because they refused to submit to
- > sodomy. Is it any wonder then, that Uganda has reacted violently
- > against the army of agitators, led of course by George Soros, who now
- > seek to re-homosexualize Ugandan culture. It is as if the militant
- > ranks of "Code Pink" were transported back to 1890s America to agitate
- > for "sexual freedom." Our great grandparents would not have suffered
- > this. There would be violence, as there has now been in Uganda. And
- > that is of course the strategy: the agents provocateur are goading
- > unsophisticated natives into over-reacting while the "gay" media lie
- > in wait to catch the images and spin the propaganda that is even now
- > poisoning the gullible against the Ugandans.
- >
- > There is indeed evil in Uganda today, but it is not the reaction of
- > Christian and Moslem citizens to the rape of their culture, it is the
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- > promising Christian democracies.
- >

Mail Delivery Subsystem <MAILER-DAEMON@lums01.liberty.edu>
 To: sdllaw@gmail.com

Wed, Feb 2, 2011 at 2:40 PM

 ** THIS IS A WARNING MESSAGE ONLY **
 ** YOU DO NOT NEED TO RESEND YOUR MESSAGE **

The original message was received at Wed, 2 Feb 2011 09:55:18 -0500
 [Quoted text hidden]

Final-Recipient: RFC822; jmbarber@liberty.edu
 Action: delayed
 Status: 4.4.3
 Last-Attempt-Date: Wed, 2 Feb 2011 14:40:34 -0500
 Will-Retry-Until: Mon, 7 Feb 2011 09:55:18 -0500

----- Forwarded message -----

From: Scott Lively <sdllaw@gmail.com>
 To: lpharvey@columbus.rr.com
 Cc: kincaid@comcast.net, "J. Matt Barber" <jmbarber@liberty.edu>, Laurie Higgins <laurieblackburn@yahoo.com>, Peter LaB <peterlabarbera@comcast.net>, Bryan Fischer <bfischer@afa.net>, Allyson Smith <allysons@cox.net>, Gary Glenn <AFAM@chartermi.net>, David Kupelian <dkupelian@wnd.com>
 Date: Wed, 2 Feb 2011 09:55:16 -0500
 Subject: Re: Murdering Uganda

I don't know for sure but it seems likely that the roommate of a homosexual activist leader would himself be "gay." The implication is certainly there in the piece and that's good enough for now.

On Wed, Feb 2, 2011 at 9:20 AM, Linda Harvey <lpharvey@columbus.rr.com> wrote:

- > Yes, this really completes your piece. Terrific.
- > I didn't see any punctuation issues.
- >
- > On 2/2/2011 9:17 AM, Scott Lively wrote:
- >
- > How's this? I added a new 2nd to last paragraph
- > Murdering Uganda
- > Uganda is being murdered. The nation once called The Pearl of Africa

EXHIBIT 137

Part 4 of 4

> by Winston Churchill. The lush and beautiful country as fertile as the
> Nile Delta. The culture which retained its self-rule through
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> Blessings,

> Scott

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- >
- > --
- >

Mail Delivery Subsystem <MAILER-DAEMON@lums01.liberty.edu>
To: sdllaw@gmail.com

Wed, Feb 2, 2011 at 6:41 PM

 ** THIS IS A WARNING MESSAGE ONLY **
 ** YOU DO NOT NEED TO RESEND YOUR MESSAGE **

The original message was received at Wed, 2 Feb 2011 13:59:31 -0500
from localhost.localdomain [127.0.0.1]

----- Transcript of session follows -----

- 451 gmail.com: Name server timeout
- 451 gmail.com: Name server timeout
- 451 lc.org: Name server timeout

[Quoted text hidden]

Final-Recipient: RFC822; rena@lc.org
 Action: delayed
 Status: 4.4.3
 Last-Attempt-Date: Wed, 2 Feb 2011 18:41:45 -0500
 Will-Retry-Until: Mon, 7 Feb 2011 13:59:31 -0500

----- Forwarded message -----

From: Scott Lively <sdllaw@gmail.com>
 To: David Kupelian <dkupelian@wnd.com>, Bryan Fischer <bfischer@afa.net>, "Peter L." <PeterLaBarbera@comcast.net>, Bob Knight <R.Knight@crministries.org>, Gary Glenn <AFAM@chartermi.net>, Mike Brown-NC <drmlbrown@msn.com>, Robert Gagnon <rgagnon@pts.edu>, Rena Lindevaldson <rena@lc.org>, David Pruden- NARTH <dpruden@earthlink.net>, Jan LaRue <jlarue@comcast.net>, "Laurie, Terry Higgins" <laurieblackburn@yahoo.com>, "Barb, George Anderson" <barb@mfc.org>, George Tryfiates <gtryfiates@cwfa.org>, Matt Barber <mattbarber@liberty.edu>, Michael Glatze <meglatze@gmail.com>, Donna AaaaMiller <wap_dm@hotmail.com>, Allyson AaaaSmith <allysons@cox.net>, Sandy Rios <sandyrios1@gmail.com>, Estella Salvatierra <pfox_exgays@earthlink.net>, Regina Griggs <reginagriggs@hotmail.com>, Peter Sprigg <pss@frc.org>, Mat Staver <mstaver@liberty.edu>, John Stemberger <stemberger@orlandolawyer.tv>, Brian Fitzpatrick <bfitzp703@aol.com>, Brian Camenker <brian@massresistance.org>, Joe Glover <joe@familypolicy.net>, Steve Baldwin <scbaldwin7@gmail.com>, "Steve, Irene Bennett" <private@sbministries.org>, Linda Wall <wall4america@netzero.com>, "Joe, Linda Nicolosi" <jntherapy@yahoo.com>, April Waugh <awaugh@traditionalvalues.org>, Wendy Wright <wwright@cwfa.org>, John Lofton <jlof@aol.com>, Phil Burress <philburress@ccv.org>, Randy Thomasson <ccf.email.5650@savecalifornia.com>, Linda Harvey <lpharvey@columbus.rr.com>, Dave Daubenmire <coach@ptsalt.com>, "Dave, Natalia Smith" <desmith@illinoisfamily.org>, Tom Pritchard <tom@mfc.org>, "Dale O'Leary" <dalemoleary@yahoo.com>, Rick Scarborough <rickscarborough@cs.com>, Dick Bott <Bottnet@aol.com>, Arthur Goldberg <Jonahhelp@aol.com>, Mike Heath <msheath04358@gmail.com>, Micah Clark <micah@afain.net>, Fritz Spencer <piersplowman20@gmail.com>, Bob Unruh <runruh@wnd.com>, Steve Crampton <scrampton@liberty.edu>, Steve Deace <stevendeace@aol.com>, Larry Stickney <stickneyfamily@comcast.net>, blahaye@cwfa.org, vickieburress@ccv.org, "Bishop Simon O. Mac Onyango" <kenyacenter4worldevangelism@hotmail.com>, "C.C.E.R. Barder" <merkava@tcp.co.uk>, Amy Contrada <laurelamc@yahoo.com>, Amy Contrada <amy@massresistance.org>, Dana Cody <danacody@surewest.net>, Diane Gramley <diane@afaofpa.org>, Brenda Kent <duzrawcureall@sbcglobal.net>, Ed Hernandez <upward.n.onward@gmail.com>, Ed Vitagliano <italian@afa.net>, Elaine Donnelly <elaine@cmrlink.org>, Eli Serrano <eserrano@springfieldnhs.org>, Mike Franco <mikefranco@peoplepc.com>, Don Feder <dfeder@rcn.com>, Dugger

Family <theduggers@comcast.net>, Gary <drgarycass@christianadc.org>, "Dr. Kenneth Hutcherson" <khutch59@theblackman.org>, Christian Voice <info@christianvoice.org.uk>, isaac kim <hdk121@gmail.com>, "info@stoptheaclu.org" <Info@stoptheaclu.org>, European American Evangelistic Crusades <info@eaec.org>, George Neverov <just4precept@yahoo.com>, "Dr. John Diggs" <diggsthis@aol.com>, james hartline <saintjameshartline@yahoo.com>, Jan Folger <jfolger@f2a.org>, Cliff Kincaid <kincaid@comcast.net>, "Dr. Alan Keyes" <alan_keyes@msn.com>, Vlade Kusakin <vlade.kusakin@gmail.com>, "Atty. Gary Kreep" <gkreep@sbcglobal.net>, BOB KOWELL <bobkowell@aol.com>, Chase Lassiter <chase@mmcci.net>, Glenn OBanion <obaniog@yahoo.com>, jinfranco@telladf.org, Mark Klser <pastormarkkiser@yahoo.com>, Vadim Privedenyuk <vadim7@gmail.com>, Bob Allen <rv4less@valinet.com>, Buddy Smith <buddy@afa.net>, Vasily Tokarev <sphmin@yahoo.com>, "<alafferty@traditionalvalues.org>" <alafferty@traditionalvalues.org>, emmfox@theroadtoemmaus.org, "Joseph M. Ullman" <dr-ullman@maine.rr.com>, "Jeffers, David E Mr CTR USAF ACC 505 CCW/ATECS" <David.Jeffers.ctr@hurlburt.af.mil>, Sergey Velbovets <sergeyvelbovets@gmail.com>, Don Wildmon <dwild@afa.net>, mike turner <wordandspirit@yahoo.com>, yvette schneider <yvetteschneider@hotmail.com>, Ryan Sorba <ryansorba@gmail.com>

Cc:

Date: Wed, 2 Feb 2011 13:59:23 -0500

Subject: Murdering Uganda

Friends,

The Lord woke me this morning at 2:45 with the following essay half composed in my mind. I believe it puts the entire Uganda mess in perspective and will remind believers around the world that what is really happening in Uganda is spiritual warfare against an imperfect but genuinely Christian nation. Please publish this essay in any venue within your control or influence, and distribute it to your lists here in the US and abroad.

Yours in Christ,

Scott Lively

MURDERING UGANDA

By Pastor Scott Lively, J.D., Th.D.
President, Defend the Family International
www.defendthefamily.com
Sdllaw@gmail.com

Uganda is being murdered. The nation once called "The Pearl of Africa" by Winston Churchill, a lush and beautiful country as fertile as the Nile Delta. It is the nation that retained its self-rule through centuries of African colonialism, the society that survived even the atrocities of the cannibal cultist Idi Amin, the culture that has been thriving in Christian revival for over a dozen years.

This great and honorable nation, alone in Africa to have all but conquered the scourge of AIDS through abstinence - and whose First Lady led a holy gathering of thousands of believers on the eve of the millennium, dedicating her homeland "to Jesus Christ for a thousand years" - this Uganda, a shining light in the Dark Continent, is being murdered.

The murderers are the lavender Marxists, the now-global network of sexual revolutionaries bent on remaking the entire world in their own perverted image, whose juggernaut has toppled even once mighty Britain, crushing under their lavender boots after eight centuries the symbol of its Christian power: the Magna Charta, whose first principle had proclaimed "The English church must be free!" These revolutionists of Sodom, who march triumphantly through all the major cities of the western world to flaunt their defeat of moral law, and

who hold both Hollywood and the heart of America's president in their iron grip: These very same zealots have fixed their malevolent gaze on Christian Uganda.

Uganda is the only country in the world with a national holiday commemorating its rejection of sexual perversion. Every June 3 it honors the 22 young men and boys who were tortured and roasted alive in 1886 by homosexual King Mwanga, because they refused to submit to sodomy. Is it any wonder, then, that Uganda has reacted violently against the army of agitators, led by George Soros, who now seek to re-homosexualize Ugandan culture?

It is as if the militant ranks of "Code Pink" were transported back to 1890s America to agitate for "sexual freedom." Our great grandparents would not have countenanced this. There would have been violence, as there has now been in Uganda. And that is, of course, the strategy: the agents provocateur are goading unsophisticated natives into over-reacting, while the "gay" media lie in wait to catch the images and spin the propaganda that is even now poisoning the gullible against the Ugandans.

Ugandan homosexual activist David Kato was recently beaten to death with a hammer, a horrific crime. These very media have rushed eagerly to judge this a hate crime and to blame those, like me, who have spoken against homosexuality in Uganda. It is the central (but patently false) narrative of the left that all criticism of homosexuality leads inevitably to violence and murder. Yet the evidence points to aggravated robbery, say the police, and the suspect, Kato's ("gay?") housemate, remains at large.

There is indeed evil in Uganda today, but it is not the reaction of Christian and Moslem citizens to the rape of their culture. It is the pink-gloved hand of western powers that are cutting the throat of Africa's most God-fearing country, and one of the world's most promising Christian democracies.


 **Murdering Uganda.rtf**
6K

EXHIBIT 138



Scott Lively <sdllaw@gmail.com>

Greetings-Happy New Year, Update and article

2 messages

Martin Ssempe <ssempam@gmail.com>
To: Scott Lively <sdllaw@gmail.com>
Cc: Stephen Langa <stephenlanga@gmail.com>

Wed, Feb 22, 2012 at 8:30 PM

Dear Scott,

Greetings. Been a long time but I would love to catch up. Find my recent NL a photo and a link to an article running today in the Monitor newspaper in Uganda. I am the US for a brief visit and would love to talk with you. Thank you for standing strong.

Pr. Ssempe

<http://www.monitor.co.ug/OpEd/Commentary/-/689364/1332880/-/128f2niz/-/>

Sodomites, Prostitutes should not be equated to teachers and doctors.

2 attachments



ssempe HNY 2012.jpg
3478K



Ssempe Newsletter 2012 Jan.pdf
814K

Stephen Langa <stephenlanga@gmail.com>
To: Martin Ssempe <ssempam@gmail.com>
Cc: Scott Lively <sdllaw@gmail.com>

Wed, Feb 22, 2012 at 11:38 PM

Dear Martin,

Thank you for the impressive newsletter and for the great work you are doing. I am holding a parents press conference in two hours time to condemn the statement by Hon. Otafiire last week that the "government should have no interest in what two consenting adult do in private"

Have a restful stay in the US and God bless,

Stephen Langa

[Quoted text hidden]

[Quoted text hidden]

<http://www.monitor.co.ug/OpEd/Commentary/-/689364/1332880/-/128f2niz/-/>

Sodomites, Prostitutes should not be equated to teachers and doctors.

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Send By Martin Sempa

Posted Thursday, February 23 2012 at 00:00

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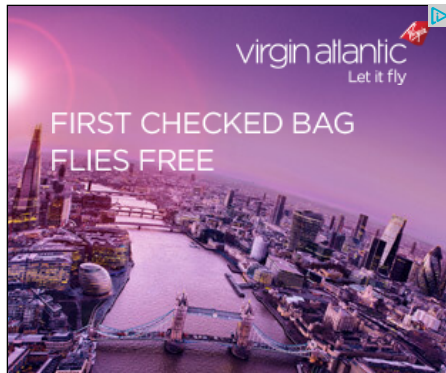
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I was deeply disturbed by Mr Daniel Kalinaki's article titled, "Those who go after gays and sex workers will one day go after teachers and doctors" (Daily Monitor, February 16), in which he defended the rights of prostitutes and sodomites to freely assemble. He says, "We should not let our moral convictions interfere with our legal obligation to respect the rights of all." He ends by calling us to suspend our moral integrity so that we can allow the "legal rights" of these two groups!

Equating the meeting of doctors and teachers to a meeting of sodomites and prostitutes is an offence to our moral integrity. Not only are both acts of prostitution and homosexuality criminal but they are also categorised as offences against morality in the Penal Code. You cannot suspend the moral and the legal on this issue, especially when a myriad of laws


were being broken by the prostitutes and the sodomites.

Any organisation which is dedicated to the promotion of criminal activities (sodomy and prostitution) is an unlawful organisation and their assemblies are called "unlawful assemblies". These cannot appeal to the protection of the constitutional law on of the right to free assembly! The law enforcement has a right to break them up and charge them with crimes of an unlawful meeting.

Claiming that homosexuality and prostitution is a crime whereas their meetings are legal disregards the law of "conspiracy to commit a crime whether a felony or misdemeanor". You don't have to commit the crime, but the State has a role in preventing the crime. The State Minister for Ethics and Integrity, Fr Simon Lokodo, was entirely justified in breaking up this meeting and he should be commended. He

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should not be mocked and condemned for his bold and gallant efforts.

Misleading the public that prostitutes and sodomites meetings have the same legal protection is equating the moral with immoral, evil with good. It is wrong to equate evil actions with good actions. In fact, there were probably some homosexuals who teach and or work in the medical industry in the same meetings in Entebbe. They too were scattered not because of their medical and educational work, but rather the conspiracies of infecting our society with the cancer of these immoral activities.

Uganda's elites who are often educated abroad are more likely to posture as the promoters of these "rights" of minorities. They are told the battle of sodomites is like the battle against slavery and apartheid. This could not be further from the truth because discrimination on the basis of the colour of my skin, which I cannot change, is not equal to my sexual preferences, which can change.

Lastly, Kalinaki should wake up to the great clash of civilisations of Europe and those of Africa. The issue is "who" defines the "human rights" and in what context. The current crop of human rights theories are written and taught by western Eurocentric thinkers who are vastly different from the Afrocentric leaning cultural leaders.

The Eurocentric is largely a post-Christian pagan nation who have abandoned the God of their fathers and they pride themselves as humanists whose greatest value is the choices and rights of individuals. They say, "I am because I am. I can do whatever makes me happy regardless of what society or God says. The Afrocentric African says, "I am because we are". Community survival and continuity is greater than my individual choices.

I advise all those who find themselves as social misfits not to seek to change us, rather to seek help of the cultural and religious leaders. This is why Fr Lokodo should be applauded not condemned. He is defending a tradition and culture of life, which goes back more than five thousand years of black history.

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