



# UNWANTED WITNESS

"Amplifying Voices, Changing lives"



PARLIAMENT ENDORSES UNREGULATED  
SURVEILLANCE AMIDST RISKS TO  
HUMAN RIGHTS.



# UNWANTED WITNESS

"Amplifying Voices, Changing lives"

January 2022

A report for  
Unwanted witness

# Acknowledgement

UNWANTED WITNESS acknowledges the individuals and organizations in Uganda, who cannot be named.

A handful of these took significant risk to share information with us, for which we are grateful.

This report is primarily based on original documentation and responses provided in confidence to Unwanted witness.

# Table of Contents

List of Acronyms	4
1. Report Highlights	5
2. Background and Executive summary :	6
3. Scope and study objectives	9
4. Methodology	10
CCTV Surveillance: Parliament and its oversight powers	10
Obscure public-private surveillance partnership	10
5. Surveillance and Fundamental Human Rights	11
6. Conclusion	20
7. Recommendation	21

# List of Acronyms

AIGP	Assistant Inspector General of Police
CCTV	Closed-Circuit Television
NGO	Non-Government Organisation
MP	Member of Parliament
PRO	Public Relations Officer
PPDA	Public Procurement and Disposal of Assets
DSA	Data Sharing Agreements
DPA	Data Processing Agreements
HRIA	Human Rights Impact Assessments.
DPIA	Data Protection Impact Assessments
MOU	Memorandum of Understanding
UPF	Uganda Police Force
IGP	Inspector General of Police
UW	Unwanted witness
PPP	Private Public partnership
MoFPED	Minister of Finance, Planning and Economic Development

# 1 | Report Highlights

Parliament of Uganda exercised its function of appropriation in the procurement of CCTV cameras but failed on the oversight role, sanctioning surveillance in a legally void environment.

The sheer lack of privacy impact assessment to ensure transparency of the CCTV project underpins failure by parliament to comply with its own human rights compliance checklist as well as international human rights principles.

Parliament as an oversight arm of government is neither aware of the contractual details between government of Uganda and Huawei nor the procurement procedures employed. Adequate procurement is essential for preserving the integrity of public spending and delivery of public functions.

The absence of redress mechanisms for Ugandans who may be aggrieved or violated by the system, continues to breed human rights abuse.

Police has also not fully demonstrated leadership of robust policies, strong management policies and effective oversight. Their role in managing the project is undermined by a lack of openness and perceived bribery.

## 2 | Background and Executive Summary

### **About Unwanted witness**

The Unwanted Witness is a civil society organization (CSO) that was established to respond to the gap in effective communication using various online expression platforms.

Unwanted Witness was established in 2012 by a group of netizens, bloggers, activists, writers and human rights defenders as an independent, non-partisan and not-for-profit civil society organization.

It seeks to create secure uncensored online platforms for activists, netizens, bloggers, freelance journalists, and writers to promote human rights through writing and informing, educating the citizenry who also utilize the platform for strengthening free expression and demand for accountability.

**Vision:** creating platforms that guarantee internet/ online freedom.

**Mission:** to contribute to good governance through effective and efficient internet/ online activism through networking and strengthening capacities of netizen for collective advocacy and synergy.

### **Project preamble**

Uganda<sup>1</sup>, like many countries in the world is seeking to expand its surveillance capabilities<sup>2</sup> and harness the power of data to deliver public services. These countries are often tempted to use the services of private technology companies through public-private partnerships.<sup>3</sup>

The fight against terrorism<sup>4</sup>, COVID-19, and associated urgency to find answers and solutions has only increased the perceived need for Uganda to use innovative technologies and big data analytics systems developed by private companies.<sup>5</sup> But these public-private partnerships are taking on a new form, diverting from

1 <https://en.wikipedia.org/wiki/Uganda>

2 <https://www.unwantedwitness.org/ugandas-cctv-surveillance-system-is-it-about-stemming-crime-or-violating-rights/>

3 <https://privacyinternational.org/long-read/4692/huawei-and-surveillance-zimbabwe>

4 <https://www.worlddata.info/africa/uganda/terrorism.php>

5 <https://www.watchdoguganda.com/news/20180620/41991/museveni-announces-plans-to-use-technology-to-curb-rising-insecurity-in-uganda.html>

traditional public-private procurement relationships (PPP). Governments are secretly collaborating with private actors to exploit us while giving companies more opportunities to monetize our data.<sup>6</sup>

These structures raise fundamental concerns about people's freedoms and autonomy, and challenges for existing systems of commercial regulation. Late 2018, parliament of Uganda approved to borrow US\$ 104 million from Standard Chartered Bank to finance the National CCTV network project<sup>7</sup>.

However, according to parliamentary records, concerns around transparency in procurement formed Centre stage for parliamentary plenary. Besides appropriating funds, parliament is legally mandated to monitor government's misuse of funds, violations of the rule of law and unlawful activities because of the appropriated funds. Article 164 (3) of the Uganda constitution<sup>8</sup> gives Parliament the mandate to oversee/monitor expenditure of all public funds.

#### Status of Installation of Closed-Circuit Television (CCTV) Cameras in Uganda

The Closed-Circuit Television (CCTV) surveillance system was established in 2007, in preparation for Commonwealth Heads of Government Meeting (CHOGM), and the system was installed on the streets of Kampala and Entebbe targeting the main intersection and junctions to the routes which the delegates used, however their functioning had been questioned<sup>9</sup>.

Following the number of brutal murders in and around Kampala metropolitan areas, and other parts of the country in 2017, the President ordered for installation of Closed-Circuit Television (CCTV) cameras along major highways, towns, and cities all over the country to help curb crime.

The installation of CCTV cameras in Kampala started in July 2018.<sup>10</sup> The installation of CCTV surveillance security cameras was premised on helping the Uganda Police and other security agencies curb the growing crime in the country.<sup>11</sup> The CCTV surveillance systems are police-monitored.

The need for the installation of CCTV Cameras was accelerated by the deaths of two prominent Ugandans i.e., Arua Municipality MP - Ibrahim Abiriga and AIGP Felix

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6 <https://privacyinternational.org/learn/public-private-surveillance-partnerships>

7 <https://allafrica.com/stories/201809120314.html>

8 [https://statehouse.go.ug/sites/default/files/attachments/Constitution\\_1995.pdf](https://statehouse.go.ug/sites/default/files/attachments/Constitution_1995.pdf)

9 <https://www.independent.co.ug/chogm-spy-cameras-now-mere-scarecrow/>

10 <https://twitter.com/ntvuganda/status/1036696599504801792>

11 *ibid*



Kaweesa<sup>12</sup>. The President of Uganda thus gave a directive for the implementation of the project.<sup>13</sup>

The installation was phased across the country with Metropolitan Kampala forming the first phase and subsequently the CCTV network expansion across the country to other municipalities as phase 2 and 3 of the implementation.<sup>14</sup>

- a. Phase 1 which covered Kampala Metropolitan Policing Area catered for 18 divisions and all are fully operational with 3,233 cameras installed<sup>15</sup>.
- b. Phase II, to cover all Municipalities, Highways, major towns, and all border points is at 83% coverage.<sup>16</sup> 2,319 cameras have so far been installed of which,
  - i. 740 are viewed at the National Command and control Centre,
  - ii. 76 cameras in Municipalities are not connected to the national backbone infrastructure, and
  - iii. 500 cameras have been installed but are pending connection to the national backbone.
- c. Phase III was due to commence in May 2021, aimed at rolling out the CCTV System to all other parts of the country, however it is not clear whether works on 3rd phase commenced.

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12 <https://newslexpoint.com/government-starts-cctv-camera/>

13 <https://ugandaradionetwork.net/story/president-museveni-directs-installation-of-security-cameras>

14 <https://www.upf.go.ug/progress-on-the-phase-1-cctv-installation-within-kmp/>

15 <https://www.upf.go.ug/progress-on-the-phase-1-cctv-installation-within-kmp/>

16 <https://capitalradio.co.ug/news/2020-01-13-another-phase-of-security-camera-installation-is-underway--police/>

# 3 | Scope and study objectives

The study was conducted to establish how CCTV surveillance systems were procured, specifically.

- a. looking at whether the existing legislative powers and framework of oversight/scrutiny were used appropriately,
- b. whether existing safeguards were adequate.
- c. Have an understanding about data privacy, management, and transmission for CCTV
- d. Assessment of any violation to rights of individuals.

## 4.1 Approaches used:

The study was qualitative in nature, and we used in-depth interviews. It included

- a. a review of publicly existing institutional documents
- b. conducting primary interviews to corroborate the data. This involved directly speaking to the different stakeholders using questionnaires

## 4.2 Who we targeted

Sponsored by Unwanted Witness, this is a consolidated report based on a review of different secondary documents such as media and parliament report, Bills, Human rights reports etc as well as based on a survey of selected professionals in the media, Members of Parliament, Human rights organisations, opinion leaders on the sector and Uganda Police. These professionals shared their opinions, perceptions, and experiences of public video surveillance in Uganda through interviews. Through an approach of Stakeholder mapping, we identified and specifically targeted respective opinion leaders on the subject matter above. The purpose of collecting information from the different stakeholders through interviews was to test the oversight hypotheses with experts active in several key areas including:

- General public
- Opinion leaders,
- Accountability NGOs
- The media,
- Members of parliament on specific committees,
- The police

In this section, we looked specifically at the role of Parliament in the procurement of CCTV Cameras, and whether Parliament exercised its legislative powers and oversight role.

Article 79 of the 1995 Uganda Constitution establishes the parliament of Uganda with powers to protect the constitution and promote the democratic governance of Uganda.<sup>1</sup> Besides making laws, parliament is mandated to appropriate funds and oversee the implementation of government projects.

The parliamentary oversight function is one of the cornerstones of democracy. Oversight is a means for holding the executive accountable for its actions and for ensuring that it implements policies in accordance with the laws and budget passed by the parliament.<sup>2</sup>

In 2017 while delivering his state of the Nation address to Parliament, president Yoweri Museveni said government was to adopt smart policing and directed for the installation of CCTV cameras in major towns and highways countrywide to fight criminality.<sup>3</sup> To this end, Parliament responded by passing a supplementary budget worth UGX60billion (over \$200million) - towards the end of 2017/2018 Financial year, to kick-start the first phase of surveillance CCTV cameras procurement.<sup>4</sup> The minister of state for Finance David Bahati emphasized the importance of the project from a national security perspective, saying, "The decision was taken by government in the wake of increased crime rate."<sup>5</sup>

Parliament has since appropriated funding for two phases of CCTV surveillance. However, the legislative body endorsed the deployment of the technology without a corresponding legal framework. This raises serious human rights concerns.

The use of technology to deliver public functions – here – policing – can only ever be legitimate if its is legal, and prescribed under an appropriate legal framework that explicitly authorizes the use of such technology.

1 <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/44038/90491/F206329993/UGA44038.pdf>

2 [https://statehouse.go.ug/sites/default/files/attachments/Constitution\\_1995.pdf](https://statehouse.go.ug/sites/default/files/attachments/Constitution_1995.pdf)

3 <https://www.independent.co.ug/live-museveni-delivers-state-nation-address-2017/>

4 <https://allafrica.com/stories/201805050106.html>

5 <https://www.parliament.go.ug/news/3292/parliament-passes-loan-cctv-network-expansion>

Legality is a fundamental principle under International human rights law requiring any interference with human rights to be prescribed by law.<sup>6</sup>

Further concerns are raised by the fact that the system is operated on a centralized database.<sup>7</sup> This may exacerbate the potential implications for the rights to privacy, as well as freedom of peaceful assembly, when the law enforcement deploys biometrics to target legitimate protests.

In his latest analytical briefing on biometrics and counter-terrorism, the United Nations Counter-terrorism Committee Executive Directorate noted that states must develop legal and regulatory frameworks prior to the implementation of biometric systems, as a critical pre-requisite for the effective and responsible use of biometrics at the national level.<sup>8</sup>

Indeed, the absence of domestic law can pose threats to privacy and personal security including, mass surveillance.

Although President Museveni has applauded CCTV surveillance system for aiding law enforcement,<sup>9</sup> technological shortfalls and power imbalances can still negatively impact fundamental rights.

Several emerging international and national media reports flag human rights related abuses, ranging from how company technicians from Huawei secretly helped security personnel to spy on political opponents,<sup>10</sup> police trading in personal data<sup>11</sup> to cracking down on dissent after anti-government protests.<sup>12</sup>

With such unabated abuses, the parliamentary surveillance approval falls short of international human rights law in terms of safeguards, oversight and remedies to effectively protect the right to privacy. An appropriate legal framework would have defined exactly when it is legal to conduct narrowly targeted surveillance of the most serious criminals while protecting the privacy rights of the wider population.

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6 [https://www.echr.coe.int/documents/convention\\_eng.pdf](https://www.echr.coe.int/documents/convention_eng.pdf)

7 <https://chimpreports.com/museveni-to-launch-multi-billion-national-cctv-command-center/>

8 [https://www.un.org/securitycouncil/ctc/sites/www.un.org.securitycouncil.ctc/files/files/documents/2021/Dec/cted\\_analytical\\_brief\\_biometrics\\_0.pdf](https://www.un.org/securitycouncil/ctc/sites/www.un.org.securitycouncil.ctc/files/files/documents/2021/Dec/cted_analytical_brief_biometrics_0.pdf)

9 <https://kampalapost.com/content/museveni-hails-cctv-cameras-fight-against-crime>

10 <https://www.wsj.com/articles/huawei-technicians-helped-african-governments-spy-on-political-opponents-11565793017>

11 <https://www.newvision.co.ug/news/1516163/police-sell-cctv-footages-criminals-report>

12 <https://outline.com/r6HRGU>

## 5.1 Obscured Public-Private Surveillance Partnership

Just like many other states globally, Uganda's CCTV surveillance technology is supplied by a private technology company. A Chinese firm, Huawei delivered the first consignment of 900 surveillance cameras in August, 2018.<sup>13</sup>

As observed by Privacy International's guide on Safeguards for Public-Private Surveillance Partnerships,<sup>14</sup> these commercial relationships often circumvent public procurement rules thus impeding on fundamental rights in the process.<sup>15</sup>

The Huawei – Government of Uganda surveillance contracting process and use of the system is highly shielded from public scrutiny under the guise of "National Security."<sup>16</sup>

Members of Parliament whom we interviewed confirmed that parliament has never had access to the surveillance partnership agreement, even though they are legally mandated to oversee the implementation of government projects.

Whereas the President enjoys executive authority under the constitution (which he applies to make directives that flout procurement rules), the same ought to be exercised judiciously and within confines of the law as provided under Article 9 (1) of Uganda's constitution.

The processes, cycle and activities of procurement and disposal of public assets in Uganda are governed by the Public Procurement and Disposal of Assets (PPDA) Act.<sup>17</sup> Non-compliance of the PPDA Act and regulations made thereunder by any person whether public servant or not attracts criminal action or sanctions and in some cases civil liability. However undermining the law has continued unabated.<sup>18</sup>

In 2019 following a series of international media reports of human rights abuse by the system,<sup>19</sup> Uganda Police Force issued a statement confirming the existence of a contract between government of Uganda and Huawei.<sup>20</sup>

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13 <https://www.unwantedwitness.org/chinese-firm-supplies-900-surveillance-cameras-to-uganda/>

14 <https://privacyinternational.org/learn/public-private-surveillance-partnerships>

15 <https://privacyinternational.org/sites/default/files/2021-12/PI%20PPP%20Safeguards%20%5BFINAL%20DRAFT%2007.12.21%5D.pdf>

16 <https://theinformerug.com/2021/11/21/uganda-to-install-security-cctv-cameras-with-bomb-detectors-says-museveni/>

17 [https://www.ppda.go.ug/download/ppda\\_act/ppda\\_act/PPDA\\_ACT-2003.pdf](https://www.ppda.go.ug/download/ppda_act/ppda_act/PPDA_ACT-2003.pdf)

18 <https://www.parliament.go.ug/news/5347/attorney-general-tasked-explain-presidential-directives-contracts>

19 <https://www.reuters.com/article/us-uganda-crime-idUSKCN1V50RF>

20 <https://twitter.com/PoliceUg/status/1163800900160372736>

“We would like the public to know that the (Ugandan police Force) has an existing contract with Huawei to install CCTV cameras countrywide as a measure to strengthen law and orders,” reads part of the statement. However, details of the contract remain concealed.

Transparency is central for the exercise and protection of human rights. As emphasized by the UN Special Rapporteur on the promotion and protection of human rights and fundamental freedoms while countering terrorism, open debate and scrutiny is essential to understanding the advantages and limitations of surveillance techniques, so that the public may develop an understanding of the necessity and lawfulness of surveillance.<sup>21</sup>

The secretive surveillance systems operations between government of Uganda and Huawei has made it impossible to subject the system to public scrutiny and control state powers.

Likewise, adherence to formal procurement processes is essential for preserving the integrity of public spending and delivery of public functions.

Since formal procurement processes were flouted, the parliamentary committee on National economy raised concerns around the loan insurance cost. Ministerial documents indicated that a Chinese insurance company known as China Export and Credit Insurance Corporation was chosen by Huawei to provide the project’s insurance policy cover, which further sub-contracted Sinosure insurance at a cost of \$9.2 million.

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21 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G09/178/04/PDF/G0917804.pdf?OpenElement>;

13.3. The Committee further observed that 8.83% of the project cost amounting to USD 9,193,561.65 to the China Export & Credit Insurance Corporation for the SINOSURE Insurance Policy is not mindful of the local insurance companies that have capacity to provide this policy. Moreover this policy requires that the aggregate goods and services provided by the contactor include not less than 60% percent Chinese content. This hampers the spirit of local content in government projects.

The Committee was not convinced that rate of 8.8% of the project cost for the SINOSURE Insurance Policy is commensurate with the risks that the Bank will be exposed to.

- (i) **The Committee recommends that the insurance be procured locally as a means of promoting local content in government projects, since some of the local insurance companies have the capacity to get reinsurance from external sources.**

*Extract from report of the committee on national economy (accessible in parliament of Uganda) on the proposal by government to borrow up to USD 104.0 MILLION from standard chartered bank to finance the national CCTV network expansion project*

Likewise, the functions of the Public Procurement and Disposal of Public Assets (PPDA) on the contract remained silent to date and Parliament assumes that the PPDA role was fully undermined.

- o that there was no adherence to formal public procurement processes, and,
- o that access to formal documentation governing the partnership was hard.

### **5.3 Surveillance and fundamental Human Rights.**

Parliament like any other government body has a duty to respect and promote human rights. Unanimously endorsed by the UN General Assembly, the United Nations Guiding principles on Business and Human Rights mandates states and companies to step up measures to respect, protect and fulfil human rights and fundamental freedoms.<sup>22</sup>

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22 [https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr\\_en.pdf](https://www.ohchr.org/documents/publications/guidingprinciplesbusinesshr_en.pdf)



In a bid to promote democracy, Parliament of Uganda through its standing committee on human rights published a human rights compliance checklist.<sup>23</sup> The publication which was praised by then speaker of Parliament Rebecca Kadaga, as the first ever innovative publication in the history of Uganda's parliament,<sup>24</sup> provides a mechanism to quickly alert legislators on the human rights implications of the provisions of a proposed Bill, strategy, policy or any government programme handled in parliament. The checklist takes into account specific rights contained in Chapter Four of the 1995 Uganda constitution and the Universal Declaration of Human Rights.<sup>25</sup>

Unfortunately, often times the legislators neither apply human rights principles nor their own human rights compliance checklist while conducting parliamentary business. Similarly, none of the above human rights safety nets was considered when parliament was appropriating resources for the procurement of CCTV surveillance systems, threatening fundamental rights especially right to privacy and freedom of peaceful assembly.<sup>26</sup>

Article 27, clause 2 of Uganda's constitution<sup>27</sup> guarantees the right to privacy, "No person shall be subjected to interference with the privacy of that person's home, correspondence, communication or other property. Uganda is also signatory to international human rights instruments which guarantee the right to privacy, including article 12 of the Universal declaration of human rights<sup>28</sup> which affirms: No one shall be subjected to arbitrary interference with anyone's privacy, family, home, or correspondence, nor to attacks upon his honour and reputation.

In 2019, Uganda adopted the Data Protection and Privacy Act, to operationalize Article 27 of the constitution.<sup>29</sup> Unfortunately, the law contains an exceptional clause for any data collected for "national security," and yet there is no surveillance legislation.

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23 <https://chapterfouruganda.org/sites/default/files/downloads/Human%20Rights%20Compliance%20Checklist.pdf>

24 [ibid](#)

25 <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

26 <https://undocs.org/A/HRC/44/24>

27 <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/44038/90491/F206329993/UGA44038.pdf>

28 <https://www.un.org/en/about-us/universal-declaration-of-human-rights>

29 <https://www.unwantedwitness.org/download/uploads/THE-DATA-PROTECTION-AND-PRIVACY-ACT-2019-min.pdf>

“

*Some people have decided to install these cameras to infringe on our privacy. With the invasion of cameras everywhere, how shall we protect individual privacy? ”*

*asks Hon. Dennis Lee Oguzu (MP Maracha)*

Additionally, conducting a Privacy impact assessment prior to parliamentary project approval would have helped policy makers to assess the human rights risks to inform the appropriate law.

Civil Society actors we interviewed also expressed discontent over the secrecy surrounding surveillance in Uganda. They believe that government and Huawei as a contracting company, did not fully ensure that effective human rights due diligence is performed before deploying the technology. During one of the interviews, and on condition of anonymity, one activist said that.

“

*At the point when these contracts were being made, we doubt the human rights elements were fully discussed. We find ourselves having to come in later to push something that was already discussed. So, the fact there was no involvement of the human rights defenders in the drafting of the policies, leaves us in no doubt that there could have been loopholes overlooked. ”*

*Human rights advocate.*

**Background.** Government created the Youth Livelihood Fund in the 2013/2014 Financial Year in response to existing challenges of unemployment among the youths.

BY MURIEL KYEYUNE  
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**KAMPALA.** The Minister of Gender, Labour and Social Development (MGLSD), Ms Janet Mukwaya, has asked lawmakers on the parliamentary Gender Committee to summon her counterpart Mr Maria Kazisa, the minister of Finance, to explain the transfer of the Youth Livelihood Fund (YLF) programme to State House.

YLF was designed by government and implemented by the MGLSD in the 2013/2014 Financial Year to respond to existing challenges of unemployment among the youth but it has not been allocated in the budget since its inception, close to a decade ago.

The Shs130b total budget allocation to finance YLF activities has been shifted to State House following a presidential directive.

While appearing before the committee on Wednesday, Ms Mukwaya asked the committee to probe the minister over failure to provide funds to roll out the Social Action Grant for Empowerment (SAGE) country-wide.

"The minister of Finance should be called. When we established the OTT (social media tax), Parliament took a decision that the first call on that money should be on the roll out of SAGE," Ms Mukwaya recalled.

"Now the minister has moved this money and used it differently."

"I have done my part but I am also aware that it is Parliament that appropriates. You can see that mistakes to top up for SAGE and also ensure that the budget for YLF is returned to the minister for Finance," she added.

# Youth Livelihood Fund now transferred to State House



In charge: State House controller Loyi Nakwendo with the youth in Kampala early this year. (Source: MGLSD)

Shs134.7 billion.

Mr Mwalimu, during the discussions said he was disturbed by the transfer of the funds from the Gender ministry to State House.

"We need to have clarification and confirm whether this is true and the reasons..." Mr Mwalimu said.

"Secondly, Finance says it has allocated Shs1.3b for the programme but there is no vote. I asked the clerk to write to Finance last week, asking about the vote but to-date, there is no reply. I don't know how they expect us to allocate money without a vote," the

Development, Mr Pius Nigirizima accused Ministry of Finance officials of attempting to sabotage Youth Livelihood Programme.

Mr Nigirizima told the committee that Cabinet on March 21 approved the new guidelines proposed by the ministry and since Cabinet is for-parallel, Finance has no business interfering with YLF programme.

"Finance should not defy Cabinet instructions and this is a very sensitive matter: the youth of this country should not be taken for a ride," he said.

## EMPOWERING YOUTH

**Programme.** The Government earmarked Shs265b to empower poor and unemployed youth countrywide in the new Programme dubbed Livelihood Programme. The programme targets unemployed youth, mainly school dropouts of between 18 and 30 years.

The youth venture capital programme is administered

# MPs endorse shs389b loan for more spy cameras

BY MURIEL KYEYUNE  
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**KAMPALA.** Members of the parliamentary Committee on National Economy have unanimously supported the government request to borrow up to \$104m (about Shs389b) from Standard Chartered Bank to fund the expansion of national Closed-circuit television (CCTV) installation.

The request, which was presented in September 2018, is aimed at financing the second phase of installing spy cameras in urban centres and highways to prevent crime.

The CCTV cameras and related security equipment for installation will be supplied by a Chinese company Huawei and Pw Technologies.

While appearing before the parliamentary committee yesterday, Mr Mario Obiga Kazisa, the minister of State for Internal Affairs, defended the need to have the loan cleared in order to expand the CCTV coverage.

Mr Obiga said the key priorities include highways and municipalities. He said crime has declined following installation of CCTVs in the first phase.

In the first phase CCTVs were installed in the metropolitan area which covers Kampala city, Wakiso, Mukono and the outlying areas. However, some MPs including

Daily monitor: April 18, 2019(National news)

Parliamentarians interviewed noted that politicization of the project might have blinded law makers from addressing critical concerns including, procurement, data management protection, privacy, and other human rights issues. Opposition MPs believe parliament missed out on objectivity of the project as their views were not fully heard and issues arising on the project were misinterpreted otherwise. The Presidential push for fast tracking the project might have undermined certain aspects of procurement.<sup>30</sup>

- o The approval of the loan was done amidst a warning by National Economy Committee that the loan was too expensive, costing the taxpayers a lot of money. In this way, Parliament's oversight role was compromised because they were not able to question the allocation of the loan.

30 <https://www.monitor.co.ug/uganda/news/national/museveni-orders-installation-of-cctv-cameras-1553814?view=htmlamp>

**MOTION FOR A RESOLUTION OF PARLIAMENT URGING GOVERNMENT TO REVIEW THE TAX REGIME ON CCTV CAMERAS AND AUTOMOTIVE TRACKING DEVICES**

(Moved Under Rule 55 of the Rules of Procedure)

**WHEREAS** the Constitution establishes different security organs of the state such as the Police, the Army and the National Security Council that are mandated to ensure security of Uganda as a nation;

**AND WHEREAS** the security situation in the country over the last few years has been characterized by murders such as the killing of the then police spokesman Andrew Felix Kaweesi, the killings of Muslim clerics and murders of girls;

**AWARE THAT** on 20<sup>th</sup> June 2018, the President of Uganda addressed the nation about the security situation and explained twelve action points that government would take to address the security situation including the installation of CCTV cameras and encouraging the installation of private CCTV cameras;

**FURTHER AWARE THAT** the President commissioned CCTV cameras on 5<sup>th</sup> October 2018 at the National Command and Control Centre at Nateete Police Station and thereafter 122 live CCTV cameras were installed to monitor Lunguja, Old Kampala, Rubaga, Kawwala, Kabawa, Nateete and Mutundwe;

**COGNIZANT OF THE FACT THAT** in April 2019, Parliament authorised Government to borrow up to US\$ 104 million from Standard Chartered Bank to finance the National CCTV Network Expansion Project and the debate in Parliament indicated the tremendous importance of CCTV cameras;

**FURTHER COGNIZANT OF THE FACT THAT** the Democratic Party (DP) on July 2<sup>nd</sup> 2019, asked the government to remove taxes on CCTV cameras to enable many Ugandans to install them in their homes and business and on 5<sup>th</sup>

September 2019, while reporting to Parliament, the Minister of Internal Affairs in a statement to Parliament on the security situation noted that acquiring CCTV cameras for private individuals is still expensive and the Ministry of Finance, Planning and Economic Development was being engaged to review the tax regime on this so as to make CCTV cameras for private individuals more affordable;

**NOTING THAT** the advantages of CCTV cameras are numerous, the police can identify criminals recorded with cameras; the police can prevent crimes from happening and can quickly solve criminal cases with material evidence from CCTV cameras, cameras protect against property theft, and vandalism, if there are no witnesses to a crime, the surveillance footage will aid police investigation;

**NOW THEREFORE** be it resolved that:-

1. Parliament urges Government to revoke taxes on CCTV cameras and automotive tracking devices so as to make them more affordable.

MOVED BY: HON. MBWATEKAMWA GARWA

KASAMBYA COUNTY

SECONDED BY:

MULINDWA SSOZI ISAAC

LUGAZI MUNICIPALITY

KAMUSIME PENTAGON INNOCENT

BUTEMBA COUNTY

# 6 | Conclusion

Public-private surveillance partnerships can be deeply problematic if deployed without safeguards required to ensure human rights are not secretly abused. In Uganda, lines between private and public spaces continue to blur as government scales out its surveillance project likely to generate into normalised surveillance. The increasing use of surveillance technologies points to an urgent need for a law with the application of human rights principles.

Well defined transparency and independent oversight mechanisms is key to facilitating meaningful monitoring of surveillance practices against privacy rights protections by different stakeholders including, civil society, policy makers and the general public.

Transparency ought to be exercised at every stage of surveillance deployment, including, public tender processes to policies around deployment of technologies, to the impact or results of deployment.



# 7 | Key recommendations

From the findings, Unwanted Witness recommends

- Parliament should call for a moratorium to the deployment of surveillance technologies until vital human rights safeguards are in place.
- Parliament should expeditiously enact a surveillance legislation taking into consideration the principles of legality, necessity and proportionality, including by requiring independent judicial authorization of surveillance measures, before further acceleration of surveillance technologies.
- Parliament should investigate procurement flaws and related human rights implications resulting from CCTV Surveillance and make the findings public.
- An independent oversight body should be established to ensure that current and future public-private surveillance partnerships respect fundamental human rights.
- Civil society should raise public awareness about surveillance and privacy rights, as critical tool for holding government accountable and upholding the privacy rights of citizens.



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