

Leveraging Digital Technologies to Strengthen Compliance with International Human Rights Standards in Uganda

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Abstract

This study draws on a legal perspective, exploring the role of technology in ensuring the observance of international human rights law. Technology is employed to enhance human efficiency in crime detection and prevention in most societies. The primary objective of this article is to highlight the nature of human rights violations in Uganda and recommend ways in which technology can be employed to stem the tide of human rights violations. In giving substance to this article, primary sources of law such as legislation, international instruments, law reports, and case laws were consulted. Similarly, secondary sources of law, such as books, journals, and online sources, were used. Summarily doctrinal research design was used in this work, culminating in some findings. The findings are that there has been poor or weak use of technology in human rights detection and prevention in Uganda. Artificial intelligence (AI) appears unknown to the security forces and human organizations in monitoring human rights abuses in Uganda. The study recommends that the government and the human rights monitoring organization should acquire modern electronic gadgets and also adopt AI devices to bring human rights violations under control. Human capital is needed, and people must be trained on the use of technology, to ensure compliance with international best practices in human rights protection and enforcement in Uganda.

Keywords: Digital Technologies, Compliance, Human Rights, Uganda

1. Introduction

The international Human Rights Law has been the pivot of all human rights instruments upon which all members of the United Nations (UN) draw inspiration in modelling their domestic laws as it pertains to human rights protection and enforcement¹. In observing and enforcing international human rights, states make efforts to domesticate international instruments and also establish enforcement mechanisms within their domestic jurisdiction. Human rights laws are not new in Africa, Uganda inclusive. The Universal Declaration of Human Rights 1948, remains an umbrella body of all human rights matters globally². Several treaties have been held to emphasise the importance of human rights to states and citizens of member states of the UN. Human rights violations are also not new in Uganda and other parts of Africa. Despite several instruments in which Uganda is a member, despite the existence of human rights provisions in the constitution of Uganda 1995, the enforcement and respect for these human rights laws in Uganda have been a major challenge. Legal experts, political analysts, and social commentators have spoken against, and even judicial officers have ruled against violators, severely condemning violations of human rights when matters involving human rights are brought before them in the court of law³. The Universal Declaration of Human Rights promotes the universal recognition of basic rights which are inherent to all human beings, inalienable and equal, applicable to everyone⁴ in Uganda, inclusive.

With a bold judiciary, which Uganda's Supreme Court has positioned itself to be in recent times through its pronouncements, a new dawn of human rights enjoyment in Uganda has started, and all hands must be on deck to checkmate any signs and occurrences of human rights abuse in Uganda, extending to Africa at large⁵. With the advent of technological applications and good surveillance mechanisms, human rights violations will be detected easily and addressed. Among these technologies that would enhance human rights detection are Artificial Intelligence, otherwise popularly known as AI, surveillance cameras, and so on. We contend that a fearless judiciary, a free press atmosphere, and the application of technology will position Uganda as a cynosure of a human rights-friendly country among the comity of nations⁶. There is a global rise of United Nations member states adopting technological advancements, which presents an opportunity to address inefficiencies for the observance of the International Human Rights Laws. Uganda has yet to come to terms with the technology transformation to foster compliance with the observance of International Human Rights Law.

However, it is apt to state that Uganda is up against several legal, institutional, and technological barriers to the use of digital systems to help ensure compliance with

¹ Arthur Holland Michel, *Eyes in the Sky: The Secret Rise of Gorgon Stare and How It Will Watch Us All* (Houghton Mifflin Harcourt 2019).

² Balázs Horváthy, 'International Trade Law and Emerging Technologies: A Conceptual Framework' (2020) 4(2) *Bratislava Law Review*

³ J Srivastava, A Dixit and J Narayan, 'Artificial Intelligence and the Legal Profession', paper presented at the International Conference on Green Energy (2023).

⁴ Michelle Bachet, *Spanish Art.7 Chile Foundation of International Human Rights Law*, UN Economic and Social Affairs, <un.org/ed/about.us> accessed 10 August 2025.

⁵ *Ibid*

⁶ *Ibid*

international human rights norms. A significant obstacle to equitable evaluation of technology-based human rights initiatives by individuals is the persistent digital divide, especially in non-urban areas, and issues related to access to reliable internet and cybersecurity threats. Additionally, there are barriers related to the effective use of technology in facilitating and monitoring rights, which stem from Uganda's institutional framework. Accordingly, the purpose of the study is to critically assess ways of harnessing digital developments in order to improve Uganda's implementation and compliance with international human rights standards through a review of existing legal and institutional frameworks and an assessment of technological actions that have contributed or will contribute to this compliance.

2. Method

A doctrinal research methodology will be used to investigate the use of digital technologies to enhance Uganda's adherence to international human rights standards. This approach, which is based on doctrinal research, will entail a thorough examination of primary legal materials such as the Constitution of the Republic of Uganda, applicable statutory provisions, subsidiary legislation, case law, and international treaties and conventions which Uganda has ratified, in particular, the ICCPR and the African Charter on Human and Peoples' Rights. The existing domestic legal framework will be scrutinised in terms of its congruence with Uganda's obligations under international law in the context of digital platforms designed to enhance human rights enforcement and governance, including applications for e-governance systems, automated case-management systems and monitoring mechanisms using artificial intelligence. Secondary legal resources would encompass academic articles, policy documents and positional papers, government resources, and reports from eminent international bodies such as the United Nations' Human Rights Council and the African Commission on Human and Peoples' Rights to more adequately contextualise legal texts and present current thinking about whether or not technology can afford better governance and enforcement of curtailed rights. Ultimately, a systematic legal analysis, interpretation and synthesis of doctrinal resources would be adopted in order to identify any gaps in the law, institutional shortcomings and doctrinal gaps.

3. Analysis or Discussion

3.1. Conceptual discussion of technology towards attaining human rights standards in Uganda

Technology is a branch of science aiming at creating machines that mimic human intelligence and typically perform tasks that require human intelligence.⁷ Technology denotes tools, systems, and processes that extend human abilities to collect, process, store, communicate, and act on information. In the contemporary policy context, technology includes digital infrastructure (networks, data centres), software platforms, sensors and devices, and emergent systems such as machine learning and automated decision-making. Technology shapes access to services,

⁷ Yusuf et al, 'The Development and Growth of AI in Uganda: How Is Uganda Faring from a Legal Perspective' (2024) *KIU Law Journal* 25.

participation in governance, economic opportunity, and the informational environment in which rights are claimed and protected. In Uganda, the state-led Digital Uganda Vision and expanding digital initiatives illustrate how technological deployments can enable public service delivery while also deepening gaps in access and inclusion; for example, low internet penetration and rural–urban and gender divides that constrain equal benefit from digitalisation. Adopting technology for public administration or service delivery should start by mapping intended human-rights outcomes (access to healthcare, education, non-discrimination, privacy) and then selecting technical architectures and governance arrangements that advance those ends. International human-rights norms supply the evaluative criteria for design choices, procurement conditions, and performance metrics.⁸ Human rights defenders have opined that human rights are struggles gained through successful regulations, articulated by religion or customary norms, which have transformed from national to international human rights laws, making them justifiable and guaranteed against future abuses.⁹

International human rights comprise the set of universal entitlements and protections developed through treaties, customary international law, and global institutions that safeguard human dignity across civil, political, economic, social, and cultural dimensions. These rights create obligations for states to respect, protect, and fulfil basic standards such as freedom of expression, equality before the law, privacy, and non-discrimination, regardless of domestic policy choices. Digital rights (privacy, access to information, expression online) are widely recognized as extensions of these universal guarantees; groups working on Uganda’s digital governance argue that online privacy and expression are intrinsic to human rights in the internet era¹⁰. International human rights frameworks, therefore, set baseline standards that must inform how technologies are designed, procured, deployed, and governed to avoid exacerbating harms.

Treaties and customary law are relevant to technological development. Freedom of speech and expression are emerging issues in technology, particularly with the digitalisation of devices and the use of artificial intelligence.¹¹ Public international law is the body of legal rules governing relations among states and between states and international organisations, encompassing treaties, customary law, and principles enforced through international bodies and domestic courts. It operationalizes human rights commitments by creating binding obligations through instruments such as the International Covenant on Civil and Political Rights and regional human rights treaties. And by shaping state responsibilities for conduct by

⁸Nkumba University News, <<https://news.nkumbauniversity.ac.ug>> accessed 28 October 2025.

⁹ *Oxford English Dictionary*, <<https://www.google.com/search>> accessed 20 August 2025.

¹⁰ Unwanted Witness, <<https://unwantedwitness.org>> accessed 28 October 2025

¹¹ Jialing Liu, ‘Artificial Intelligence and International Law: The Impact of Emerging Technologies on the Global Legal System’ (2024) 7(2) *Economics, Law and Policy* 73.

public authorities and for harms by private actors where the state fails to regulate or prevent abuses. In Uganda, courts and legal scholarship show that domestic adjudication increasingly draws on international law to interpret constitutional rights and to hold state actors to global human rights norms, making public international law a critical reference when assessing whether technological programs meet human-rights obligations.

Human rights, in terms, refer to the protections, privileges, and entitlements that, in line with contemporary global standards, every individual is entitled to assert within their community as a matter of inherent right.¹² It is provided and protected under Chapter Four in the Ugandan Constitution of 1995. It is covered in twelve articles in the Constitution. Human rights as a concept emphasise inherent dignity, universality, indivisibility, and non-discrimination. Operationally, they require progressive realization of socio-economic rights, protection of civil and political rights, and accountability mechanisms for violations. When technology is introduced into public administration, policing, healthcare, or social protection, it can both enable rights (improving service delivery, transparency, and participation) and create risks (surveillance, biased decision-making, exclusion). Human-rights-centred technology governance, therefore, demands impact assessment, transparency, remedies, data protection, and inclusive design so that systems advance rather than undermine established entitlements. In Uganda, documented concerns about arbitrary arrests, restrictions on civil society, and limits on freedoms underline the importance of embedding rights safeguards into any technological adoption to prevent amplification of existing abuses.¹³

Artificial intelligence originated in computer science and was designed using algorithms to perform tasks with a skill set akin to human intelligence. It can learn, reason, design, speak, solve problems, perceive, discuss, and converse like a human when prompted. AI is a machine that can perceive the environment, learn from data, and provide solutions almost at the speed of light. AI can interpret sensory images, sound, and text. It can interpret even a human dream when prompted. It can generate human language and produce most human languages independently, without requiring human assistance.¹⁴ Artificial intelligence (AI) refers to systems that perform tasks requiring human-like problem solving, pattern recognition, prediction, or decision-making, most commonly realised today through machine learning models trained on large datasets. AI's strengths are automation, scale, and pattern detection; it also produces risks: opaque decision logic, replication of historical biases, disproportionate impacts on marginalised groups, and novel

¹² *Black's Law Dictionary* (Bryan A Garner ed, 9th edn, Thomson Reuters 2009) 802.

¹³ Amnesty International, 'Uganda' (region page) <<http://www.amnesty.org/en/location/africa/east-africa-the-horn-and-the-great-lakes/uganda>> accessed 28 October 2025.

¹⁴ Stanford Graduate School of Education, 'What is Artificial Intelligence?', *EdTechDev*, <<https://edtechdev.stanford.edu/what-is-artificial-intelligence-definition>> accessed 20 August 2025.

privacy intrusions. Policy responses emphasise algorithmic transparency, explainability, human oversight, fairness testing, and data governance to align AI with human-rights standards. In Uganda, the policy and legal landscape for AI is still nascent; recent analyses note both the developmental promise of AI for inclusive growth and the legal and ethical gaps that risk rights infringements without robust regulation and safeguards.

An analysis of Uganda's adoption of technology in compliance with International Human Rights Law and domestic policies will contribute to the understanding of how Uganda has operationalised the Universal Declaration of Human Rights charter.¹⁵ Several scholars have written on the important topic of human rights protection, and it will be relevant to examine some of these studies as follows. Mukiibi states that Uganda's justice system is burdened with inefficiencies, including a case backlog, a delayed Court hearing process, and subjective decision-making, all of which undermine timely access to justice, a fundamental human Right to a fair trial. He suggests that adopting digital transformation, which involves migrating from manual case registration to the Electronic Court Case Management Information System (ECCMIS), will strengthen efficiency in case registration and accountability.¹⁶ However, Mukiibi did not explain how other digital devices can check and expose human rights violations outside the judicial process, and this is one of the gaps this present research is out to fill.

Also, Yahli Shereshkovsky¹⁷ opined that the rapid development of technology in recent years, also developed cumulous challenges alongside the development of technology regarding the existing international norms on human Rights. Technology produces countless debates about the application of international humanitarian Law in areas of armed conflict concerning military operations, artificial military intelligence, autonomous use of drones, and military human advancement. Uganda is yet to enact a legal framework that regulates technological development, aligning with international humanitarian laws. The author failed to identify the relevant law that should be enacted from the domestic perspective, aligning with the international humanitarian laws. This gap is what this present work is meant to fill. Rain Liivoja articulates that technological development is a subject to debate over its regulative mechanism today. We are facing a new era of technological development that poses more significant challenges to legal regulation at an unprecedented pace.¹⁸ Uganda's adoption of technological development shall

¹⁵ *Universal Declaration of Human Rights* (adopted 10 December 1948) UNGA Res 217 A (III).

¹⁶ Mukiibi Paul and Isaack Semakadde, 'Global judicial: AI innovations can transform Uganda's judicial system', *The Observer* <https://observer.ug> (5 February 2025) accessed 5 February 2025.

¹⁷ Rain Liivoja, 'Technological Change and Evolution' in *A Critical History of the Laws of War*, *Harvard International Law Journal* vol 35 (1994).

¹⁸ *Ibid*

require a more critical survey of the mode or type of technology to adopt, provided such digital consumption does not in any way abuse people's rights. In case of abuse, there must be a defined legal framework for redress. The author did not state how the adoption of technology human right violation; this gap this work will fill by making relevant suggestions.

Steven Ratner, in his article¹⁹ 'The rise and decline of formal international humanitarian law and the emergence of informal international humanitarian law, analysed the extent to which international treaties of the General Convention for the amelioration of the condition of the wounded armies in the battlefield'²⁰ have been effective in regulating warfare. Therefore, it's important to consider possible explanations for the ability to create new treaties, distinguishing between regulation-tolerant and regulation-resistant, with the factors including effectiveness, novelty, and compatibility with perfect coherence and consistency in various aspects of life. This book, though, dwelt on international humanitarian law in warfare, but did not explain how digital devices and technology can check violations of international humanitarian law during warfare, and this is where the present work will step in to make relevant suggestions towards digital devices and technological applications to reveal violations.

Arthur Holland Michel²¹ states that there is significant uncertainty and compromise concerning the current technological development, as well as potential future developments that are not yet fully understood. In the case of laws regulating technology, there is much uncertainty requiring the ability to redesign such systems with sufficient practicability, and the ability of States and other actors to create a strong legal position where the interest is not very clear. This reawakens Uganda's effort in adopting technological development. Such useful insight needs to be taken into consideration if it is committed to realigning with international humanitarian law observance. The author did not go further to explain the prospects and challenges of Uganda in its efforts to digitalise human rights violations in Uganda. This article fills this gap by pointing out how Uganda will benefit from the adoption of technology to check human rights violations. Margarita H. Petrova²² states that the main features of emerging technology and international law must consider the unique features of the technology adopted, evolution, or revolution, focusing on the extent to which existing law can adequately address the challenge, form, and substance of the informal technologies. International actors can use their legal

¹⁹ Steven Ratner, *The Thin Justice of International Law: A Moral Reckoning of the Law of Nations* (OUP 2015); Steven Ratner, 'The Thin Justice of International Law: A Moral Reckoning of the Law of Nations' (2015) 8(1) *Ethics and Global Politics* 1.

²⁰ Geneva Conventions (Additional Protocols) (adopted 1949) Additional Protocol IV, p 2133.

²¹ Arthur Holland Michel, *Eyes in the Sky: The Secret Rise of Gorgon Stare and How It Will Watch Us All* (Houghton Mifflin Harcourt 2019).

²² Margarita H Petrova, *Technology and Global Norms: Legal Challenges in the Digital Age* (Cambridge University Press 2023) 88

position and nuanced relationship between states and non-state actors in the informal development, requiring new technology, including the role and impact in different processes.²³ This literature did not state why it is very pertinent for a Country to give parameters for adopting a particular technology, which must be aligned with the international law framework. Failure to state why it is pertinent is a gap in the literature that this present study will extend its research to enrich the body of knowledge.

Furthermore, Olegs I. Latvia stresses that Technology alone cannot improve compliance to access justice, legal education, and literacy among the population; technology must be all-inclusive for the marginalised groups, regarding the United Nations General Assembly resolution. And therefore, the rule of law is not merely a concept but a bedrock upon which the United Nations was founded, which serves as a safeguard against arbitrary rule, ensuring that those in power are held accountable for their actions.²⁴ Technological development may enhance international monitoring mechanisms through the creation of improved and advanced transparent mechanisms which human rights benefit where health care, education, and patent rights are safeguarded. There is a need to state how the application of technology has improved access to human rights remedies. This present work will fill this gap by extending the frontier of knowledge and explaining how technology has improved access to remedies.

3.2. Benefits of the application of technology in Uganda in human rights protection

Online Books, legal authorities in the Digital age, provide cost-effective solutions for reducing abuses and infringements on the need for physical infrastructure²⁵. By embedding technology capabilities within the Judiciary, like the Electronic Court Case Management site (ECCMIS), this has enhanced the justice system, aligned with international human rights law, which has significantly improved efficiency, transparency, and accountability in the judicial dispensation process, tremendously reduced case backlog and unnecessary delays.²⁶ A delayed justice is akin to a right violation; application of technology to justice dispensation aligns with international human rights standards-thanks to technology. Uganda should therefore wake up to a robust legal regime in technology application and protection towards human rights. The installation of Artificial Intelligence (AI) devices in various locations in the city of Kampala, for instance, will aid in monitoring and surveillance and detection of human rights abuses. The same technology could be replication all over

23 Margarita H Petrova, 'Naming and Praising in Human Rights Norms Development', *World Politics* (2019) vol 71, no 3.

24 Sixth Committee, 78th session, 15th and 16th meetings, GA/L/3694 (17 October 2023).

25 *National Information Technology Authority, Uganda (NITA-U) Act 2009* (duplicate entry)

26 Presentation by the Uganda Law Society, 'Findings on Transition from Manual to Digitalized Court Process: The Migration to ECCMIS' (1 February 2003).

Uganda, but this would require a robust technology-driven legal framework; Uganda must act fast in this regard.

Automated reporting technology structure will increase the digital platform for reporting abuses and facilitate timely intervention online with available legal resources in place. Technology expands access to legal information and enables individuals to understand their rights and seek redress timeously. This solution for adopting a technological approach reduces abuses and infringements, hence the need for physical infrastructure to boost technological monitoring of human rights violations in Uganda²⁷. By embedding technology capabilities, the Electronic Court Case Management System (ECCMIS) has enhanced justice in alignment with international human rights law by improving efficiency, transparency, and accountability in the financial process by reducing case backlog and unnecessary delays²⁸. Online legal services technology expands access to legal information, enabling stakeholders in the judicial sector to understand their rights, which invigorates increased participation and human rights discussions, fostering dialogue and collaborations.

3.3. Legal Framework Concerning Technology towards compliance with human rights standards in Uganda

These sections examine and discuss some international and Uganda instruments and their provisions regarding the technological impact on Human Rights

3.3.1. International Legal Framework

This is a fundamental treaty that provides regulations on the technological impact on Human Rights, more especially in situations of armed conflicts, using self-automated weapons, proportionality, and, as such, distinction principles must be considered. The United Declaration of Human Rights was adopted after the experience of World War two, where a couple of million people were brutally murdered, coupled with blatant abuse of human Rights, and thus on the 10th December 1948, at Palais de Chaillot, Paris, France adopted a resolution to promote Human Rights globally and prevent future atrocities.²⁹ hence considered as a milestone document in human rights history ever which influenced over seventy conventions, constitutional enactments and internal Laws. Eleanor Roosevelt played a key role in advocating for the adoption and implementation of the United Nations Declaration of Human Rights as chairperson of the United Nations committee of the 3rd session, where over 58 Nations had attended. Actually, 48

²⁷ *National Information Technology Authority, Uganda (NITA-U) Act 2009* (duplicate entry).

²⁸ Presentation by the Uganda Law Society, 'Findings on Transition from Manual to Digitalized Court Process: The Migration to ECCMIS' (1 February 2003).

²⁹ General Assembly Resolution 217 A (111) of 10th December, 1948

Nations voted in favour of adoption, and eight obtained an impact continue to have an impact felt globally.³⁰ The author, Jeffrey Jane, claims that national development attempts which do not improve technological capabilities, mainly in telecom and computer systems, might slowly lead to the adoption of technologies that could, through their unintentionally illegal operation, violate international human rights standards. He states that technology breakthroughs should always consider these rights and that no doubt neglecting them could lead to very serious human rights infringements for some population groups. Besides, equal access to technology³¹ is a part of the overall picture of human rights nowadays. Digital tools prove to be one of the most important factors of modern development, and they are also acknowledged as foundational to the realisation of core international human rights. The Universal Declaration of Human Rights, therefore, grants these rights a central position since their protection and/or violation can determine the extent of human rights abuses in a society.

International treaties influences and facilitates access to remedies in the trade of technological products and services, on the cross-border flow of goods and services, significantly complying with international human rights law. By increasing transparency, traceability potentially exposing international human violations, increased transparency facilitates monitoring, accountability, and hence aids observance of international human rights law. The global trade agreements and influence of powerful corporations can sometimes undermine local decisions, potentially leading to policies that undermine international human rights law.³² The interplay of international trade law and technological advancement was detected at a time even before the digital industrial revolution, which eventually made great lengths and the change of the character and dynamics of technological development. Therefore, the legal regulation was more likely to shape the space to respond to the emerging challenges concerning the international human rights law. The international trade law is relevant in this setting by establishing a legal framework for the regulation and influence of its application, thus imposing mandatory requirements in relation to the domestic technical regulations, standards, and technical norms³³.

Also, the Berne Convention for the Protection of Literary and Artistic Works (1886) and the TRIPS Agreement (1994) are treaties on digital technology. This instrument came in response to the need for online information, digital distribution, and the

³⁰ A/RES/217(III) refers to the *Universal Declaration of Human Rights*, adopted on 10 December 1948.

³¹ Jeffrey Myers, 'Human Rights and Development: Using Advanced Technology to Promote Human Rights in Sub-Saharan Africa' (1998) 30(2) *Western Reserve Journal of International Law* 346.

³² Balázs Horváthy, 'International Trade Law and Emerging Technologies: A Conceptual Framework' (2020) 4(2) *Bratislava Law Review* 85, DOI: 10.46282/blr.2020.4.2.201/

³³ F M Abbott, 'Public Policy and Global Technological Integration' in *Public Policy and Global Technological Integration* (Kluwer Law International, FSU College of Law Public Law Research Paper, 1997).

unavoidable need for sharing information or content across the globe digitally. The World Intellectual Property (WIPO) Copyright Treaty (1996) came in handy to protect digital technology measures and management rights. No doubt the internet gives quick access to information, interpretation, and data analysis. The platforms like YouTube, Instagram, generative AI, and the rest call for regulation under the copyright law. It is contended that since national law varies from jurisdiction to jurisdiction, the need for an international framework to check abuses in the interest of creators and users becomes paramount in this dispensation.

World Intellectual Property (WIPO) Copyright Treaty (WCT) is a specific legal framework imposing an obligation, as the concerns of the technological measures to the contracting parties shall prove to grant adequate legal protection and provide effective legal remedies against circumventing the technological measures by authors³⁴. The Convention covers the adaptation of its domain to all rights in the Berne Convention, as compliance with the Digital Economy is a requirement. The Contracting States need to create new exceptions and limitations that will be suitable for the current situation of the period of 50 years, for any kind of work to be counted from the creation.³⁵ Therefore, Uganda, being a state member, is bound to comply with the Legal framework provided under the treaty intended to enhance efficiency, transparency, and quality of the patent right concerning the protection of the users under international Human rights Law.

It is an intellectual property right which endorses the protection of materials in digital form, distinction, and electronic works as it stipulates that the Treaty provides adequate and effective technological measures “*knowing or having reasonable grounds to know circumvent without authority any effective technological measures that access protected work, performance, traffic in the device shall be subjected to the criminal procedures and penalty*”.³⁶

3.3.2. Legal and Regulatory Framework in Uganda

There is no robust legal framework regulating technology. Adopting technological transformation will strengthen the Digital Infrastructure and connect to support digital services and foster compliance³⁷. There are the Data and Digital Act has been active since 2019, which we examined below.

The Data Protection and Privacy Act, 2019, is a key milestone in Uganda's legal framework to secure and protect personal data in a digital age and strengthen the

³⁴ *World Intellectual Property Organization Copyright Treaty (WCT)* (adopted 20 December 1996, Geneva)

³⁵ *Berne Convention for the Protection of Literary and Artistic Works* art 9(2) (1886).

³⁶ *Australia–United States Free Trade Agreement (AUSFTA)* art 17.4 para 7.

³⁷ Ncuba C, Oriakhogba D, Rulemberg and Schön Welter, ‘Artificial Intelligence Uganda: The Law in Africa Nexus’ (February 2024).

country's capacity to fulfil international human rights obligations, including the right to privacy. The Act provides clarity to Ugandans on the harvesting and use of personal data, through outlining rules on collecting, processing, storing, and sharing data. Section 3 sets out key principles of data protection, which are that data must be processed lawfully and fairly, and Section 7 instructs that data have informed and free consent from data subjects before personal data is processed. The Act, in parts, aligns with broader normative data governance regimes across the globe, particularly the right of data subjects to access, to rectification and the right to the deletion of their personal data in sections 24 and 25. These provisions create the necessary safeguards to ensure individual rights for data subjects, while enhancing transparency and accountability on personal data use and handling in both the public and private sectors. These together support Uganda's obligations under international human rights instruments, including Article 17 of the ICCPR to protect individuals.

In addition, the Act incorporates contemporary data protection standards aimed at fortifying trust in the governance of the digital landscape and reducing the likelihood of human rights risks from technology systems. Section 15 applies the principle of data minimisation, which requires organisations to obtain only the data that is necessary for that specific lawful purpose. Section 18 holds entities accountable to take timely technical and organisational measures to prevent the unauthorised access, alteration, loss, or misuse of data. If consent is not obtained, any processing of data thereafter should be considered unlawful; this implies a vested interest in individual autonomy and informed participation in a digital system. As Uganda increasingly adopts more advanced technologies, including artificial intelligence tools to govern and monitor human rights, the Act creates a legal framework to help ensure that any technological systems used are aligned with ethical practices. Moreover, proper public training and building institutional capacity in AI use can augment detection and preventive measures of human rights violations and thus develop a technology-enabled environment in Uganda that increases the likelihood that Uganda complies with international human rights norms and at the same time protects its citizens' dignity and privacy.

The Uganda Communications Act of 2013 provides a foundational legal framework in line with the regulation of communications and the digital space in Uganda, in a manner respectful of the use of technology in the international human rights framework. Section 5 of the Act empowers the Uganda Communications Commission (UCC) to regulate the supply of communications services in the public interest; specifically, to contribute to the development of "an efficient communications infrastructure that enhances access to information and protection of basic human rights." In Section 6, the Act also imposes an obligation on the UCC to ensure the provision of communications services fairly and equitably, and

encourage competition and innovation while fostering republican values and accountability. The Act further empowers the UCC, in Section 45, to specifically regulate standards of service compliance by communications providers, and also protect the public interest and consumer rights in the digital space.

In addition to the regulations on data protection established in the Data Protection and Privacy Act of 2019, the Uganda Communications Act also established the regulatory framework of telecommunications law, the regulation of cybersecurity oversight and lawful use of communication technologies. In this respect, it does also reflect global normational trends that endeavor to ensure that technological advancement may be used to promote accountability, democratic governance and the right to respect for privacy - it promotes the regulated digital space internationally across international organizations such as the International Telecommunication Union and increased movement at the global level and human rights frameworks that promote precise legislative frameworks that enable technological advancement to promote more accountability, more democratic governance and rights to respect for privacy that is often at the centre of global cosmopolitanism.

While Uganda does not have an all-inclusive legal framework regulating technology as affecting human rights, it should be noted that laws and regulations on data and privacy protection and cybercrime security exist. But some international treaties influence human right protection in Uganda, among which are: convention on protection and prevention of crime of genocide of 1948 (1CPPCG), International Convention on elimination of all forms of discrimination against Women (CEDAW), International Convention on all forms of Discrimination (CERD), all these are rich body of legal binding International Human Rights Laws to address injustices in times of conflicts and social suffering. The adoption of a legal framework regulating technology will help in the quick detection of violations, calling for prompt action and redress.

3.4. Challenges to the adoption of technology for human rights protection in Uganda

Uganda's society is predominantly a peasant population, which cannot support lawyers to perform efficiently in defending human rights. It's troubling that the illiterate and elderly groups may not benefit from technological development, as they are not informed as to how technology could be employed for human rights monitoring. For instance, the Directorate of Citizen and Immigration, Ministry of Internal Affairs, could provide an e-immigration system for passport registration and digital border management services to monitor border crossings. This predominantly illiterate population cannot understand the effective adoption of technology in most spheres of national life, including human Rights. Where there is technological advancement, there should be a change in notable aspects of social

aspects, social benefits, significant efficiencies in the conduct of law. However, there is an array of potential challenges and threats in the area of cyber security, and access to law for compliance³⁸, bearing in mind that access to internet services to access technological digital systems is limited mostly to metropolitan cities. Rural areas are limited in effectively accessing adequate internet services to access technological digital services. This in itself is a violation of the international human rights Law due to imbalances in national service delivery.³⁹ However, adoption of Technology can be a valuable tool in achieving compliance with International Human Rights law and can increase access to justice in remote areas of Karamoja district.

The technology evolution is still at a neophyte stage in Uganda. A case in point is the digitalization of national identity cards exercise undertaken by the National Identification and Registration Authority, and several identity cards had deformed photos, improper spelling of names. The respective National Identification holders were required to swear statutory Declarations for the errors committed by the National Identification and Registration Authority to access bank services, loan facilities, and job access, without which, such services are inaccessible to affected citizens. This weak application of a technological device is attributable to professional incompetence. This precarity could rightly be regarded as an infringement of Human Rights, a situation in which errors committed by a government agency are visited on the citizens⁴⁰. The court had also frowned at the gross negligence in handling technology to the detriment of the citizens, thus, in the landmark case, *Ug V Kamoga Siraje & 13 others* (2015)⁴¹ Justice Muhammed Matovu calls for strong Human Rights safeguards in Uganda while adopting digital transformation. He advocated that Human Rights be centred and accessible to persons with disabilities, older persons, and the resource-poor citizens.⁴²

4. Conclusion

By adopting technological services, it will play a key role in promoting compliance with international human rights law, standards, and improving access to justice, information, reporting, and monitoring and surveillance. This will address challenges impeding compliance with international law as enshrined in Article 28 of the Universal Declaration of Human Rights, adopted on the 10th December 1948. By adopting technology as a strategy, Uganda can balance systems, Human Rights Compliance, and obligations in the context of technology, promoting a safer and

³⁸J Srivastava, A Dixit and J Narayan, 'Artificial Intelligence and the Legal Profession', paper presented at the *International Conference on Green Energy* (2023).

³⁹ *Universal Declaration of Human Rights* (adopted 10 December 1948) art 28.

⁴⁰ National Identification and Registration Authority (NIRA), Press Release, 'Identification Issues Raised in the Story: Panic — National ID Data Is Stolen' (26 June 2017) <<https://www.nira.go.ug>> accessed 26 June 2017.

⁴¹ HCT-00-ICD-CR-SC-004/2015

⁴² Muhammed Matovu, call for strong human Rights safeguards .Milepost.co.ug. 6th March, 2025

more just society. We recommend that technology be employed in promoting human rights; thus, Uganda can do the following:

To use technology effectively for developing and protecting human rights, Uganda has to develop digital infrastructure in new areas and digital competency for more equitable access and use. Uganda will also need to enhance its legal and regulatory framework to support the use of technology to achieve transparency, accountability and compliance with international standards of human rights, while creating automated systems to improve efficiency and accuracy regarding data capture and administrative processes. Likewise, creating access to online mechanisms for reporting rights violations and legal access and support services of guidance to rights enforcement through responsibly designed artificial intelligence technology will assist in increasing efficiencies and lowering bureaucratic non-compliance to support timely responses to human rights needs.