

**African Human Rights and Access to Justice Programme****Legal Opinion No. 122**

Legal Expert: Mr. Tor Nitzelius

National Lawyer: Mr. Stephen Mugole

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Legal opinion developed on the question on *whether the right of workers to form and join trade unions in Uganda is a fundamental right protected by the Constitution of Uganda and International law treaties.*

FACTUAL DESCRIPTION

The applicant is a registered trade union whose objectives include seeking the membership of all workers employed in Hotels, Bakeries, Food Processing Industries, meat processing and packing and any related industries. In pursuance of this objective, the applicant recruited over 51% membership from each of the following companies; Hotel Equatoria, Fang Fang Hotel and restaurant and Britania Allied Products (U) Ltd. However, in spite of the workers having signed up for membership with the applicant, the management of all the companies mentioned above have either prevented the workers from joining the applicants or prevented them from doing so by refusing to sign a recognition agreement with the applicant.

The applicant has filed an application in the High Court of Uganda on behalf of the employees of the above companies and in the public interest seeking the following orders and declarations from the court:

- a) That the employees of the above-mentioned hotels and industries have a right to form or to join an independent trade union.
- b) That the decision of the management of the above-mentioned hotels and industries preventing their employees from freely joining the applicant trade union is a violation of the employees' constitutional right as enshrined in Article 29 (1) (e) of the Ugandan Constitution.
- c) An order directing the management of the hotels cited to sign a recognition agreement with the Applicant trade union in accordance with the existing labour law.

THE UGANDAN LEGAL SYSTEM

The 1995 Constitution of Uganda is supreme in the country and any statute or regulation inconsistent with it is invalid. The constitution entrenches the protection of fundamental rights and freedoms. It has a comprehensive Bill of Rights, which envisages a broad spectrum of fundamental freedoms including the right to work, the freedom of conscience, of expression and of assembly and association. It covers all the elements of human rights law accepted by the international community. The government has made attempts to provide for the implementation of human rights treaties and there is legislation in place establishing organs to protect human rights. The Ugandan Human Rights Commission Act provides for a human rights commission established to investigate any violations of human rights and also for the purposes of monitoring the government's compliance with international treaty and convention obligations.

Uganda has ratified several regional and international treaties concerned with labour rights. The Ugandan government has however made a reservation to the International Covenant on Civil and Political Rights (ICCPR) to the effect that it does not accept the competence of the Human Rights Committee from an individual if the matter has already been considered under another human rights mechanism. The efforts of the ILO in Uganda have also resulted in the publication of a draft Bill (The Labour Unions Bill of 2001) to repeal the Trade Unions Decree No. 20 of 1976¹ and to replace it with a modern law incorporating modern concepts of the Labour movement and in particular to ensure freedom of association of workers in accordance with the constitution and ILO standards. This Bill has however not yet been enacted into law.

The Ugandan legal system is dualist and therefore international instruments that are ratified are not directly applicable; they have to be domesticated. International treaty provisions to which Uganda is party to however are of persuasive authority in Ugandan courts insofar as they are not inconsistent with domestic legislation. In a landmark constitutional case, **Major General David Tinyefunza v Attorney General**,² a senior army officer whose resignation from the armed forces had not been accepted sued the State for infringement of his constitutional rights and human rights treaties were cited in this case. The court held *inter alia* that the court is duty bound to enforce the paramount commands of the Constitution by applying a generous and purposive construction of the Constitution that gives effect to and recognition of fundamental human rights and freedoms.

¹ Trade Unions Decree, 1976 (No. 20). Consolidates provisions regarding the National Organisation of Trade Unions, which shall be the only principal organisation of employees, and repeals the Trade Unions Act of 1970.

² Major General David Tinyefunza V Attorney General Supreme Court Constitutional Appeal No. 1 Of 1996 . Available at <http://www.kituoachakatiba.co.ug/cases.htm>

Constitutional Provisions on Trade Unions & Related Rights

Article 29(1) (e) of the Ugandan Constitution states that every person shall have a right to freedom of association, which shall include the right to form or join unions including trade unions. Article 40(2) provides that every person in Uganda has the right to practice his or her profession and to carry on any lawful occupation, trade, or business. Article 40(3) provides that every worker has a right: i) to form or join a trade union of his or her choice for the promotion and protection of his or her economic and social interests; ii) to collective bargaining; and, iii) to withdraw his or her labour according to law.

Under the 1995 Constitution the freedom to form and join a trade union is unfettered. However the provisions of the Trade Union Decree 1976 contradict the constitutional provisions. The most important provisions in the Decree which are a fetter to unionization are:

- a) The requirement under S.8 (3) that in order to be registered every trade union must have not less than one thousand registered members;"
- b) The provision under S.19 (1) (e) that

"every employer shall be bound to recognize a registered trade union to which at least 51 per cent of his employees have freely subscribed their membership and in respect of which the Registrar has issued a certificate under his hand certifying the same to be a negotiating body with which the employer is to deal in all matters affecting the relationship between the employer and those of his employees who fall within the scope of membership of the registered trade union.

It is important to note that as a result of complaints from trade unions, on the unconstitutionality of the above two provisions, to the Ministry of Labour, in 1997 Uganda's Attorney-General gave an opinion that agrees with the trade unions. The Attorney General was of the view that:

Articles (1)(e) of the Constitution provides that every person shall have a right to freedom of association which shall include freedom to form and join associations or unions, including trade unions. This right is further reinforced by Article 40(3) of the Constitution. Furthermore article 36 of the constitution provides that minorities have a right to participate in decision-making processes. Sections 8(3) and 19(e) of the... Trade Unions Decree are inconsistent with articles 29(1) (e), 36 and 40 (3) of the Constitution. Article 2 (2) of the Constitution provides that if any other law is inconsistent with any of the provisions of the Constitution, the Constitution shall prevail, and all the other laws shall, to the extent of the inconsistency, be void. Clearly the quoted provisions of the said Trade Unions Decree are void since they, in terms of the quoted constitutional provisions, curtail the right of persons to

form or join trade unions.³

In spite of the above legal position by government's legal counsel trade unions continue to be denied recognition even when they have fulfilled the requirements of the old law particularly by organizing and recruiting more than 51% of workers in a given enterprise or firm.

All unions must by law belong to the National Organisation of Trade Unions (NOTU), which was created by an act of parliament as the country's sole national union centre. However, public servants and teachers, who have been authorised to form and join trade unions in recent years, have not been obliged to belong to NOTU.

The Trade Union Laws (Miscellaneous Amendments) Act (1993)

In 1993 Uganda's interim parliament the NRC (National Resistance Council) passed the Trade Union Laws (Miscellaneous Amendments) Statute 1993. This Statute represented two major developments. On the one hand it allowed several hitherto non-unionisable categories of workers both in the private and public sectors to be unionisable. On the other hand it created room for representation of workers in that interim parliament, the NRC.⁴

At independence the right to form and join trade unions was regulated by the Trade Union Ordinance 1952.⁵ Under that Ordinance all workers in both the public and private sectors had been free to form and join trade unions until the Public Service (Negotiating Machinery) Act 1963⁶ allowed only junior public officers to join or belong to trade unions. In 1968 the Public Service (Negotiating Machinery) (Amendment) Act⁷ removed the right of even junior public officers from joining trade unions. Only the lowest cadres, the group employees could join trade unions. In 1973 Bank of Uganda employees were prohibited from joining trade unions.⁸

Therefore as of 1993 all public service employees were excluded from joining trade unions. In the private and parastatal sector the levels of unionisation had always depended upon agreement between the Union and the employer usually stipulated in the Recognition Agreement. The 1993 law expanded the unionisation levels by removing the legal barriers. The new law repealed that provision and instead provided that only members of the army, police, prisons, and local administration police as well as officers of ISO (Internal Security Organisation) and ESO (External Security Organisation) could not join a trade union.⁹ It was also provided that officers or employees may be excluded from membership of trade union

³ Letter from B.M Katureebe, Minister of Justice /Attorney General to The 3rd Deputy Prime Minister, Minister of Labour and Social Welfare, dated 9th September 1977.

⁴ Barya J-J, Trade Unions and the Struggle for Associational Space in Uganda: The 1993 Trade Union Law and Article 40 of the Constitution, CBR Publications, Working Paper No. 63 (2001)

⁵ Ordinance No. 10/1952.

⁶ No.78/1963.

⁷ Act 24/1968.

⁸ Decree 29/1973, *supra*.

⁹ S.3of Statute 10/1993.

or employees association "by mutual agreement between an employer and the trade union to which such officers or employees would otherwise belong".¹⁰

The effect of the above provisions was to liberate the overwhelming majority of public service employees (mainly the traditional civil service) and allow them to join trade unions to promote and protect their employment related interests. In addition it limited the area of non-unionisable employees in the private sector only to a small group of people, namely, personnel and industrial relations officers. Otherwise the voluntary nature of trade unionism and collective bargaining was upheld in the provision cited above that workers could only be "excluded from membership of trade unions and employees associations by *mutual agreement between an employer and the trade union* to which such officers or employees would otherwise belong." This was also a confirmation and improvement on the decision in *Amalgamated Transport and General Workers' Union vs. the Oil Industry Joint Industrial Council of 1986*¹¹ in which the court had overruled the wholesale exclusion of employees from union representation simply because their duties were confidential or supervisory or because they were professional or university graduates.¹²

The Trade Unions Act (Cap 223) contains a number of provisions that restrict the exercise of associational and collective bargaining rights of workers that are constitutionally guaranteed. The Act requires that:

- a) for an employees' association to be recognized, it must be composed of a minimum of 30 employees (1 (e));
- b) for a trade union to be registered, it must have membership of 1,000 employees (s.1(cc) & s.6(3));
- c) an employer is bound to recognize only a trade union to which 51% of his/her employees are members (s.17(e));
- d) any proposed amalgamation of two or more trade unions proceed only with prior written consent of the Registrar and subject to conditions imposed by his/her office (s.28);
- e) the Minister may from time to time add new categories of workers to the schedule of non-unionisable workers (s. 70 (1) (e)); and
- f) the National Organisation of Trade Unions (NOTU) is established as the only Labour Centre to which all trade unions are by law compelled to affiliate (s.2).

The 1976 Trade Unions Decree requires 1,000 members to form a union; and requires 51% of the workforce in order to be recognised for collective bargaining. The government has recognised that these provisions are inconsistent with the 1995 constitution and has told the ILO that it is addressing the problem within the framework of labour law reform. The right to strike is restricted by complicated procedures. After conciliation, grievances and strike notices must be submitted to the Minister of Labour, who often hands the case to the Industrial Court for decision. Both the Minister of Labour and the Industrial Court often

¹⁰ See S. 5 Statute 10/1993.

¹¹ Trade Dispute Cause No. 3 of 1986.

¹² Ibid: 101-102. For a full discussion, see the award itself and J.J. Barya 1991: 18-19.

rule against strikes. The functioning of the Industrial Court has been increasingly undermined in recent years. The Federation of Uganda Employers has questioned the Court's impartiality, and has not accepted its rulings. Although there is no avenue for appeal against the Court's rulings, employers have gone to the High Court. Unions have often lost these cases because they cannot afford to pay the legal expenses.

LABOUR RIGHTS UNDER INTERNATIONAL HUMAN RIGHTS LAW

Under international law, the employment relationship is intractably linked to human rights issues. Freedom of association in a trade union is acknowledged as a human right in both the International Covenant on Civil and Political Rights (ICCPR) and the International Covenant on Economic Social and Cultural Rights (ICESCR). The right to work, which is institutionalized and formulated in the employment contract, is in itself a human right, together with proper working conditions.

Most of the international human rights instruments deal primarily with obligations of State but these rights are also applicable to all actors. Some general human rights standards should be construed as applying to artificial entities as well as multi national corporations. **Article 30** of the Universal Declaration of Human Rights (UDHR) forbids any state, person or group from doing any activity that is aimed at the destruction of the rights construed therein.

Uganda's Obligations under Customary International Law: The UN charter and the Universal Declaration of Human Rights

The basic concept of the UDHR is that Human Rights are inherent in all human beings and equally applicable to everyone without distinction. In terms of substance, the UDHR has a holistic approach and deals with economic, social and cultural rights are introduced in Article 22, the second pillar of the declaration. Emphasis is laid on the right of everyone, "as a member of society" and the entitlements in terms of the economic, social and cultural rights are to be achieved "through national efforts and international cooperation and in accordance with the organization and resources of each state".¹³ The articles that follow, formulate the right to work and to receive equal pay for equal work, the right to form and to join trade unions, the right to rest and leisure and to a standard of living adequate for the health and well-being of each person among others.

Uganda became a member of the United Nations on 25th October 1962. Under **Article 56** of the UN Charter it is constrained to promote the respect and observance of human rights and fundamental freedoms of all without distinction as to race, sex, language or religion. These rights are enumerated in the Universal Declaration of Human Rights (UDHR). The UDHR also affirms the right of everyone to an effective remedy by the competent national tribunals for acts violating the fundamental rights granted by the constitution or by the law.¹⁴ These rights are to be determined through a 'fair and public hearing by an independent and impartial tribunal'.¹⁵

¹³ Article 22, UDHR

¹⁴ Article 8, UDHR

¹⁵ Article 10, UDHR

Article 23 of the Universal Declaration of Human Rights states that everyone has the right to work, to free choice of employment, to just and favorable conditions of work and to protection against unemployment. It goes on to state that everyone has the right to a standard of living adequate for the health and the well-being of himself and his family, including food, clothing, housing and medical care and necessary social services, and the right to security in the event of unemployment, sickness, disability, widowhood, old age and other lack of livelihood in circumstances beyond his control. The realization of these rights is progressive and depends on the economic situation of each state. The UN Committee has however stated that this progressive realization is not a judicial doctrine but an obligation of the State. In Uganda these rights have been codified under the Constitution and expressed as fundamental human rights and under various statutes which further provide redress for any breach of these rights by the courts.

The ILO Conventions

The ILO Conventions are international treaties subject to ratification by ILO member states. Recommendations are non-binding instruments though they also deal with the same issues set out in the different Conventions. These recommendations set out guidelines, which can orient national policy and actions. The governing body of ILO decided that eight conventions are to be regarded as fundamental to the rights of human beings at work and they should be implemented and ratified by member states. These fundamental ILO Conventions are:

- a) Freedom of Association and protection of the right to organize, 1948 C no. 87
- b) The right to organize and collective bargaining, 1949 C no. 98
- c) Forced Labour, 1930, C no. 29
- d) Abolition of forced labour, 1957, C no. 105
- e) Discrimination (employment and occupation), 1958 C no. 11
- f) Equal remuneration, 1951 C no. 100
- g) Minimum Wage, 1973 C no. 3
- h) Worst form of Child Labour, 1999 C no. 182

The international labour standards are universal in character. The drafters' intent was for all countries to be able to implement and ratify them regardless of each stage of economic development or social economic system. Due to this ambition and policy, standards are often written with flexibility in their obligations. As a consequence of that fact, several very important standards set only goals and broad frameworks for national actions. When a Convention is ratified, this International Labour Standards oblige a country to use means appropriate to promote these goals and to be able to demonstrate progress over time in achieving the goals. If a member state decides to ratify a Convention, it assumes the binding obligation to implement its provisions in domestic legislation and in practice. Nevertheless, even in the absence of ratification, a Convention may serve as a benchmark for law and practice. Uganda has ratified five of the fundamental ILO Conventions but the same have not been domesticated.

OPINION

The freedom to join a trade union is one of the fundamental aspects of freedom of association as affirmed under Article 2 of the ILO Convention No. 87 and Article 2 of the ILO Convention No. 98. Uganda has not ratified this convention but has ratified the ILO Convention No. 98, which is based on the ILO Convention No. 87. Uganda operates a dualist system meaning that treaties have to be domesticated before they can be binding. Nevertheless, the Ugandan Constitution guarantees the right to form and/or join a trade union¹⁶.

In addition, the right to join or form a trade union has been described as a fundamental right brooking no derogation under international law. In 1975, the ILO's Committee on Freedom of Association determined that member countries are "bound to respect a certain number of general rules which have been established for the common good . . . among these principles, freedom of association has become *a customary rule above the Conventions*."¹⁷ Responding to requests from the World Trade Organization (WTO), the Organization for Economic Cooperation and Development (OECD) and other international bodies to identify "core" labor standards among its more than 180 conventions, the ILO in 1998 adopted the landmark *Declaration of Fundamental Principles and Rights at Work*¹⁸. The declaration covers freedom of association, forced labor, child labor, and discrimination. The declaration says expressly:

"All members, *even if they have not ratified the Conventions in question*, have an obligation arising from the very fact of membership in the Organization, to respect, to promote, and to realize, in good faith and in accordance with the [ILO] Constitution, the principles concerning the fundamental rights which are the subject of those Conventions, namely: (a) freedom of association and the effective recognition of the right to collective bargaining; . . . (d) "the elimination of discrimination in respect of employment and occupation."

Uganda is as what concerns the ILO convention No. 87 as a member of ILO accordingly bound by this convention even if Uganda not has ratified it.

According to Uganda's national labour laws, trade unions still require a national trade union to which others are affiliated (NOTU). The state is however not allowed to restrict workers freedom to join trade union according to choice¹⁹. Workers that do not want to join existing unions or federations shall have the freedom to establish their own unions or federations according to what the Committee of Experts on the Application of Conventions and

¹⁶ Article 40 (3), Ugandan Constitution

¹⁷ See Fact Finding and Conciliation Commission on Chile, International Labor Organization, Geneva, Switzerland (1975), para. 466 (emphasis added).

¹⁸ The text of the *Declaration of Fundamental Principles and Rights at Work* is available online at: http://www.ilo.org/dyn/declaris/DECLARATIONWEB.static_jump?var_language=EN&var_pagename=DECLARATIONTEXT. Accessed on 10th March 2005.

¹⁹ Only for some categories of public servants has it been accepted that the composition of members of primary organisations may be restricted

Recommendations (EK) has stated in several cases²⁰. Even if employers and workers assume that it is in their mutual interest to avoid an increase of the number of competing trade unions this is not enough to justify a direct or indirect intervention of the state²¹. The regulated monopoly of NOTU, is according to the ILO convention a violation of ILO's recognition of union pluralism. The Trade Unions Decree 1976 makes it compulsory for every trade union to be affiliated to NOTU and all unions must be registered with the Registrar of Trade Unions.²²

Even if the Government of Uganda has admitted that the Trade Unions Decree 1976 is some parts inconsistent with the Constitution of Uganda²³, enough has not been done to ensure that the provisions in the Trade Unions Decree are amended in line with the regulation of freedom of association in the Constitution. Not even the recommendation of the ILO Governing Body in the case of the complaint against the Government of Uganda by ITGLWF (Report No. 316, Case No. 1996) has obviously yet led to the enactment of The Labour Unions Bill of 2001. The Bill is, as said earlier, supposed to make the labour laws consistent with the ILO Conventions No. 98 and 87.

The case should at the High Court of Uganda be, as is probably already done, pleaded as an infringement of the Ugandan Constitution, why the provisions in the Trade Unions Decree 1976 are void to the extent they infringe on the Constitution. In order to support this the union should claim that the provisions violates the ILO Conventions No. 87 and 98 as well. Additionally should however be considered if a complaint should be presented to ILO of violations of freedom of association against the Government of Uganda. This would make it easier and more credibly to claim in the High Court of Uganda that there is not only a matter of violations of the Ugandan Constitution but also a matter of violations of the ILO Conventions No. 87 and 98.

My inquiry on what other steps the Ugandan Government has taken to comply with the ILO-decisions and if these eventually steps have been reported to ILO and if they are within the recommendation have given the following picture.

In its decision in the ITGLWF-case in 1999 ILO noted that the Government of Uganda had recognized that the provisions in the Trade Unions Decree not were compatible with the Constitution and had taken steps within the framework of the Labour Reform Process (Labour Unions Bill) to address the problem. ILO has also noted that the Government for its part acknowledges that the problem of non-recognition of trade unions is a matter of concern to the Government and that it has tried to address this problem to tripartite meetings.

However, in its report on effect given to the Recommendations of the Committee and the Governing body (No. 333, *Vol. LXXXVII, 2004, Series B, No. 1*) the Committee on

²⁰ EK GS 1994, p. 96. EK sess.85, 1997, Egypt, p. 167. EK, sess. 89, 2001, Egypt, p. 262 – 263.

²¹ EK , 42 sess, 1958, Mexico, p. 56. EK GS 1994, p. 96. Digest 1996, p. 287.

²² S.8. Trade Unions Decree, No.20/1976.

²³ The Ugandan Government's reply to ILO the Case of International ITGLWF:s complain against Uganda, Report No. 316, Case No. 1996.

Freedom of Association of March 2004 reports the following on how the Committee react to what has happened or rather not happened in the ITGLWF-case.

“Case No. 1996 (Uganda)

96. The Committee last examined this case at its May-June 2003 session. It requested the Government to speed up the process concerning the recognition of the Uganda Textile, Garments, Leather and Allied Workers' Union (UTGLAWU) at the Nytil Picfare company, later taken over by Southern Range Nyanza Ltd. and to keep it informed of any progress achieved. It further requested the Government to provide information on various legal proceedings filed by UTGLAWU against a number of companies to obtain recognition for collective bargaining purposes, and on the adoption of two draft bills (elaborated with ILO technical assistance) amending provisions of the Trade Unions Decree inconsistent with freedom of association principles [see 331st Report, para. 63].

97. In a communication dated 16 January 2004, the Government indicates that the negotiation between the management of Southern Range Nyanza Ltd. and the UTGLAWU has not yielded fruitful results and the matter is now being handled at a political level and in accordance with sections 17(2) and (3), respectively, of the Trade Unions Act 2000, Cap 223 (formerly section 19(2) and (3) of the Trade Unions Decree No. 20 of 1976). Section 17(2) provides that “[...] whenever an employer refuses to deal with a registered trade union as therein provided, the trade union shall report the facts to the Minister who shall call upon the employer to show cause in writing within twenty-eight days why the trade union is not being so recognized”. And section 17(3) provides that “[...] where the Minister is not satisfied with the cause shown by the employer under subsection (2) or the Minister considers that the public interest so requires, the Minister may, by statutory order and after informing the parties concerned, declare that the registered trade union shall deal in respect of all matters relating to the relations of the employer with those of his or her employees who fall within the scope of membership of that trade union”.

98. The Committee takes note of the Government's reply. The Committee notes however that the Government has not provided information on certain matters previously raised. The Committee deplores that, more than four years after the first examination of the case and after repeated demands, some issues are still pending. The Committee has recalled that it has always taken the view that nothing in Article 4 of Convention No. 98 places a duty on the Government to enforce collective bargaining by compulsory means with a given organization; such an intervention would clearly alter the nature of bargaining [see Digest of decisions and principles of the Freedom of Association Committee, 4th edition, 1996, para. 846]. On the other hand, it has also taken the view that employers should recognize, for collective bargaining purposes, the representative organizations of the workers employed by them or organizations that are representative of workers in a particular industry. If the union concerned is found to be the majority union, the authorities should take appropriate conciliatory measures to obtain the employer's recognition of that union for collective bargaining purposes [see Digest, op. cit., paras. 821, 823 and 824]. In the situation at hand, the Committee recalls once again that the UTGLAWU is the most representative, if not the sole, organization of workers in the textile sector in Uganda. The Committee further

observes that the Government appears to have taken certain conciliatory measures to obtain the concerned employers' recognition of the UTGLAWU for collective bargaining purposes but, regretfully, to no avail. The Committee deplores that the employer in question has still not recognized the UTGLAWU for the purposes of collective bargaining, which constitutes a flagrant violation of Article 4 of Convention No. 98, ratified by Uganda [see 316th Report, para. 667]. It requests the Government to take the necessary measures to remedy this situation.

99. The Committee therefore takes note of the procedure provided by section 17(2) and (3) of the Trade Unions Act 2000 and requests the Government to indicate whether the employer has already presented its written statement to the Minister and to keep it informed of any development with regard to the recognition of UTGLAWU by Southern Range Nyanza Ltd.

100. The Committee recalls that the UTGLAWU had filed legal proceedings against a number of companies, namely Vitafoam Ltd., Leather Industries of Uganda, Kimkoa Industry Ltd., Tuf Foam (Uganda) Ltd. and Marine and Agro Export Processing Co. Ltd. in order to obtain recognition for collective bargaining purposes. The Committee urges the Government to provide without delay information on these legal proceedings.

When it comes to the matter of adoption of the two draft bills amending provisions of the Trade Unions Decree the Committee writes in its report:

“101. Finally, the Committee urges the Government to provide, without delay, information on the adoption of the two draft bills amending provisions of the Trade Unions Decree.”

In its report in March 2005 the Committee of Freedom of Association noted that it is still awaiting observations or information from the Government in Uganda.

Since obviously nothing has happened with the Bills amending the Trade Unions Decree and no other steps seem to have been taken it is on its place to make another complaint to ILO. This will not only support the argumentation in the High Court of Uganda but also draw the attention of ILO to the fact that the Trade Unions Decree still is in force in its parts that violates the ILO conventions No. 87 and 98.

Stockholm May 30, 2005

Tor Nitzelius

