Unwanted Witness

Amplifying voices. Changing lives

Preliminary Report

Uganda's Digital ID System:
A cocktail of Discrimination

Captured ✓

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Uganda's Digital ID System:
A cocktail of Discrimination

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Acknowledgements

Executive Summary

The report presents findings of a preliminary study that sought to establish the impact of National Identity Card system (commonly known as "Ndaga Muntu") to people's Economic, Social and Cultural rights, in relation to the state obligation to provide services. A random sample of 76 respondents was obtained with 53%M and 47%F. Data was collected using qualitative and quantitative tools. It was analyzed using Excel and STATA.

Findings

Content of Personal Information shared with government

From the findings, 25% Male and 13% Female respondents were uncomfortable with sharing a lot of personal information before getting the ID. Information relating to: ethnicity, tribe, parents details, TIN number, occupation, address and spouse details were considered to be an invasion of their privacy as well as a ploy by government to spy on them.

Data Security, Safety and Accessibility

 The greatest level of data insecurity and mistrust was among those above 50 and below 30 years. The reasons for this was that there were high chances on data misuse, bribery and data hacking. Among the sampled respondents most had no problem with their data written on the front and the back of the card although they wanted a phone number added on the ID for easy contact in case it was lost or in case of an emergency.

Duration it takes one to get a National ID

 Out of the total population sampled, only 12% of respondents had obtained their National IDs at the time of the study. A proportion of 88% had submitted their registration forms but had not received their national IDs having waited for a period of over 6 months.

National ID as pre-condition to access services.

Among the respondents that were interviewed, 72% revealed that they were required to present a National ID before receiving a private service, a few mentioned that they were required to present a village council card, passport, driving permit, employee ID but for registration of the SIM card, no alternative was given but strictly, a National ID. Those denied access to private service were at 80%

In order to access Public service such as health care, agricultural Inputs (seedlings, piglets among others) and Mosquito nets, 70% of the respondents said that they were required to present a National ID and 85% of these respondents were denied a public service

Recommendations.

Parliament of Uganda should review section 66 of the Registration of Person's Act, 2015, and forthwith suspend pre-conditioning the enjoyment of basic fundamental freedoms and rights to a National ID until NIRA has the full capacity to deliver on its mandate.

Government should strengthen human, financial and technical resources of NIRA to enable efficiency and effective execution of the agency's mandate of providing National ID to Ugandans in a timely manner.

Government, Civil Society actors and development partners should create open space for citizens' engagement to ensure inclusivity of citizens' voices in the implementation of the ID system and minimize its negative impact on human rights.

Ministry of Internal affairs should undertake an open national wide consultation on the National ID program to address public concerns associated with its implementation.

Government should enhance transparency around the National ID system, including fully disclosing the planned future scope and uses of the program, and instituting a policy to mandate the disclosure of any data breaches, including to any individuals impacted.

It is evident that the National ID is slowly becoming the only legally acceptable national identification document, which is sadly limiting the enjoyment of basic fundamental rights in Uganda, and in the process exacerbating exclusion, inequality and discrimination especially among the under privileged members of society.

Acronyms

CCAS	Court Case Administration System
CSO's	Civil Society Organization
DISO	District Internal Security Officer
DNA	Deoxyribonucleic Acid
GDPR	General Data Protection Regulation
HRDs	Human Rights Defenders
ID	Identity
ICCPR	International Covenant on Civil and Political Rights
(ICESCR)	International Covenant on Economic, Social and Cultural Rights
KY	Know Your Customer
NIC	National Identity Cards
NIN	National Identification Number
NIRA	National Identification and Registration Authority
NITA	National Information Technology Authority
PDO	Personal Data Protection Office
UW	Unwanted Witness
UDHR	Universal Declaration of Human Rights
UNSR	United Nations Special Rapporteur

1.0 Introduction

1.2 Background of the Baseline study

The background to the introduction of the National ID can be found within the requirements laid forth in the Sustainable Development Goal target 16.9("legal identity for all, including birth registration, by 2030") which is key to advancing the 2030 agenda commitment to leave no one behind.

An estimated 1.5 billion people in the world today lack "legal identity" implying that they don't have access to identification documents like passports and birth certificates, without an official identification there is struggle to access financial services and obtaining other welfare benefits. The most affected by this are the marginalized societal groups such as women, children, indigenous people, and other minority groups. (UNDP 2017)

This forms the background upon which the Government of Uganda launched the National ID program in 2014 and further expanded it after the enactment of Registration of persons Act, in 2015, enforcing mandatory ID registration. Section 66 of the Act lists the mandatory uses of the National ID for which many public and private institutions have decided to enforce in the process excluding a section of society, who have not yet obtained the ID. The National ID has been made mandatory to the enjoyment of vital rights including, financial inclusion - students loan schemes and opening of a bank account, immigration - passport acquisition, employment - recruitment in public service not to mention hindering communication as witnessed during the purchasing and validation of SIM Cards.

Over the years, government of Uganda has made efforts to digitize service delivery including, digitizing Land Registry, an electronic Crime Records Management System developed by Police to keep criminal records, Prisons are required to keep records of convicts, courts in Uganda are digitalizing the Court Case Administration System (CCAS), Uganda Revenue Authority uses its e-Tax system. As a whole the government is determined to establishing an effective e-system for all its departments.

In the private sector there are numerous instances in which private data is held by different institutions, including banking, telecom companies, education and hotel industry. Concerns are rising about data security, opening up a new discourse on the infringement of economic, social and cultural rights as the implementation of the National ID system is increasingly being used to control citizens' access to vital public and private services. This is complicated further with inefficiencies born by institutions in charge of the management of the National

Identification System given the pro-longed period one takes to acquire an ID.

The National ID has also become a tool of surveillance by the state and non-state actors, for who to "include" and "exclude" depending on the political, social and economic aspects putting many citizens in a state of denial to vital services. Such anomalies have prompted Unwanted Witness Uganda (UW) to conduct a study to ascertain the extent to which the implementation of Uganda's ID system is affecting the government's International obligation to respect, uphold and promote fundamental human rights.

1.3 The scope of the Study:

The study is the first one to be done by Unwanted Witness Uganda (UW) which covered areas of Kampala, Wakiso and Kasese. Interviews were obtained from 76 respondents who were above 18 years. Literature reviews were done on the available documented sources and a review of existing laws. The study covered people's experiences, perceptions, knowledge and attitudes concerning their comfort in giving out personal data as a condition to enrol for the National ID, if they paid a bribe to get National ID, the period it took one to get a National ID and ascertain whether people are being asked to present a National ID in order to get a service. This information was to form a basis for awareness among state and non state actors responsible for National ID implementation, development agencies and human rights advocates to ensure that the whole system takes a human rights centred approach.

1.4. About Unwanted Witness (UW)

Founded in 2012, Unwanted Witness is a Ugandan-based civil society organization that seeks to protect human rights in the digital era.

UW's Mission: To contribute to good governance through effective and efficient use of the internet/ online activism through networking and strengthening capacities of citizens for collective Advocacy and Synergy

UW's Vision: An open, free and secure internet which contributes to the realization of human rights and good governance in Uganda

1.5 National Identification Card Registration processes in Uganda

1.5.1 National Identification and Regulatory Authority (NIRA)

NIRA was created by an act of parliament on 26 March 2015 and is regulated by the Registration of Persons Act 2015. Before then, registration of personal vital data was gathered under various laws by different government agencies, including the Uganda Registration Services Bureau, the Electoral Commission, the Directorate of Citizenship and Immigration Control, the Uganda Revenue Authority and local governments. NIRA's role is to harmonize and standardize the collection of personal identifying information of all citizens and that of legally recognized non-citizen residents. Developing a National Identification Register of the county's citizens and legally non –citizens residents among others.

1.5.2 How the Citizen Information is captured

All fingerprints and a high-quality facial photo are collected. This biometric data is stored on the NIC's smart chip, and a machine-readable barcode on the back of the card allows the data to be validated and retrieved. Many institutions that require the authentication of the NIC will use equipment to read the card's barcode. (NIRA: 2019)

1.5.2. Process of getting a National ID

A first-time National ID applicant will need a letter from LCI with clearance from GISO [Gombolola, or Sub-county, Internal Security Officer] or DISO [District Internal Security Officer]. The letter should indicate the applicant's citizenship, tribe, clan and parents' details (names and status, whether they are dead or alive). To apply for a National ID, one also needs to submit a copy of either parents' National ID and personal identifying Documents like birth Certificate, passport, Permit etc. The current National ID registration program is being conducted at sub-county level or any NIRA offices. (NIRA: 2019)

1.5.3 Replacing a National ID

The NIC is issued free of charge for the first time but a fee is levied upon replacement. In case of loss, a case is reported to the nearest police station in the area. A replacement request notice is obtained from the police to use in the process of contacting NIRA. The NIRA application form 11 for lost identity card is downloaded and filled in accurately, a fee UGX 50,000 is paid after generating a payment slip obtained from the URA web portal. The applicant then goes to NIRA offices to submit the form, police report and confirmation of payment slip (NIRA: 2019)

2. Study Objectives

i   To establish the impact of implementing the ID system to the protection of fundamental human rights

ii   Assess factors that contribute to or hinder effective implementation of the ID system in Uganda

iii   To establish impact of the National ID on citizens' enjoyment of services in Uganda

iv   To propose recommendations to government and international community on how to ensure that IDs are an empowering tool.

3. Legal Framework

3.1 International Legal Frame work and Conventions
Universal Declaration of Human Rights (UDHR)

Article 12 of the Universal Declaration of Human Rights states that "No one shall be subjected to arbitrary interference with his privacy, family, home or correspondence, nor to attacks upon his honor and reputation. Everyone has the right to the protection of the law against such interference or attacks."

International Covenant on Economic, Social and Cultural Rights (ICESCR)

In accordance with the Universal Declaration of Human Rights, the ideal of free human beings enjoying freedom from fear and want, can only be achieved if conditions are created whereby everyone may enjoy his economic, social and cultural rights, as well as his civil and political rights.

 As a UN state party, Uganda ratified the convention and therefore has an obligation to respect, uphold and promote the economic, cultural and social rights of her citizens. All the rights therein are to be exercised without discrimination based on race, color, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.

International Covenant on Civil and Political Rights (ICCPR)

Article 17 of the International Covenant on Civil and Political Rights (ICCPR) protects individuals against arbitrary interference with their privacy and attacks upon their honor and reputation.

National Legal Framework

Constitution of the Republic of Uganda (1995)

Article 27 of the Constitution of Uganda protects the privacy of a person's "home, correspondence, communication or other property."

The Constitution of the Republic of Uganda firmly protects the right to privacy. Article 27 thereof provides as follows:

(1)   No person shall be subjected to—

(a)   Unlawful search of the person, home or other property of that person; or

(b)   Unlawful entry by others of the premises of that person.

Data Protection and Privacy Act (2019)

The Act applies to any person, institution or public body collecting, processing, holding or using personal data within and outside Uganda. According to section 2 of this Act, if whatever is being held in any form is enough to identify a particular person then it is personal data. The Data Protection and Privacy Act 2019 aims to "protect the privacy of the individual and personal data" inspired by the European Union's GDPR.

Registration of Persons Act (2015)

The purpose of this Act was to harmonize and consolidate the law on registration of persons; to provide for registration of individuals; to establish a national identification register; to establish a national registration and identification authority; to provide for the issue of national identification cards and aliens identification cards and for related matters.

Information privacy remains a relatively new area in Uganda, and it is for this reason that Uganda has been lagging behind in relation to the legal regulation and framework on collection, use, and disclosure of personal information. Uganda has taken major strides in the areas of national census, voter registration, mandatory Subscriber Identification Modules (SIM) card registration, and the National Identity Card registration but there is more to be done in areas of data privacy and consent.

As Privacy International (2019) notes: Privacy enables us to create barriers and manage boundaries to protect ourselves. Privacy helps us limit who has access to our bodies, places and things, as well as our communications and our information. It's the right to know that your personal communications, medical records, metadata and bank details are secure, but it is also about ensuring that they are under your control. The right to privacy is a qualified fundamental human right - meaning that if someone wants to take it away from you, they need to have a valid and good reason for doing so.

4. Literature Reviews/Document Reviews

According to the World Bank, there is a small gender gap with regards to acquisition of the national identification cards at 80% and 82% for women and men respectively. Among the poor and vulnerable, the identity gap widens if the need for legal protection and social assistance is enabled by proof of identity.

The technology used for identity enrolment, credentialing, and authentication varies by country, as do methods of data storage and levels of system security. Only a few countries store and manage their data according to international best practices to protect it against theft or unintentional loss. The integration and interoperability rankings of identity systems in Africa, ranks Uganda at 40th position followed by Mauritius which is in the 43rd position while Nigeria is ranked 45th. (Sautitech, 2018)

In the neighboring Kenya as noted in the recent report by the UNSR (2019) on extreme poverty, the High court ruled that government's pre-conditioning the acquisition of services and benefits to "Huduma Namba" violated citizens' right to privacy, equality, non-discrimination and public participation. The court ordered for its suspension, and maintained that the registration was to progress on a voluntary basis and warned the government against tagging service provision to the National ID. This case was filed by Nubian Rights Forum, after the system excluded them from exercising their rights.

 Quarmby (2003), the introduction of identity cards using biometric data within the American society was in light of the increased need for vigilance after the 9/11 bombings. The supporters of the scheme argue that this information should only include individuals entering the country, or people with a criminal record whereas opponents argue that identification system applying only to a small cross-section of the population would be of little use for national security purposes and would inevitably lead to racial profiling and unfair singling out of specific minorities but rather advocates for an identification system based on the DNA because the methods used in collection of the data are non-intrusive.

 In Nigeria for example, the National IDs are designed to allow access to essential public services as well as foster the growth of digital culture. (Olaniyi 2017:20)

The world's largest biometric identification system is Aadhaar in India, which is a 12-digit unique identifying number issued to Indian residents. It contains both demographic and

biometric information, including an iris scan, a photograph and fingerprints. This is used to verify the identity of recipients of benefits and subsidies, tax filling and allotment of permanent accounts.

Aadhaar was first introduced in 2009 and now covers more than 1.2 billion people, enthusiastically endorsed by the international development community. In a supreme court ruling in New Delhi, human rights were upheld as private entities were barred from using Aadhaar card for KYC (Know Your Customer) authentication purposes other KYC documents like Voter card, driver's license would apply in obtaining a SIM card, surveillance would be minimal as data was to be stored in silos so the invasion of privacy would be minimal but the system scores high becouse it promotes equal rights as it considers the marginalized.

Uganda has developed, and iterated on a large scale, multiple campaigns to register all Ugandans with a NIN and eventually a NIC. Many Ugandan residents in NIRA's national identity database were registered during the mass registration drive that formed part of the 'My Country, My Identity' campaign from 2014 to 2016. The objective of the campaign was to ensure that the entire voting-age population received a NIC ahead of the 2016 elections. The drive resulted in 15.3 million voters being successfully registered with the Electoral Commission, and 14.8 million registered for a NIC. (NIRA: 2019)

It is worth noting that in most countries, accessibility of identity systems and services is low due to the various challenges: lack of ICT infrastructure, under funding, poor internet and power connections which are major barrier for the extension and utility of identity eco systems. Fiscal arrangements to fund ID implementation are constrained as it is considered a line item in the national budget.

Across countries , identity is becoming our password that unlocks our devices and grants us access to our rights; Governments and industry are building identity systems to support their needs to administer, govern, and profit.

These systems are not being built to empower us but to facilitate in targeting, profiling and surveillance. While launching the National CCTV Command Center, at police headquarters, the Inspector General of Police Martins Okoth Ochola revealed plans for police to integrate its CCTV camera and forensic system with key agencies such as URA,NITA-U, NIRA and immigration to ease information sharing but embedded is the desire to servile on people. (https://www.softpower.ug/police-to-integrate-its-cctv-forensic-systems-with-ura-nira-immigration/)

Governments have an obligation to provide services to citizens in a bid to foster economic growth but this should be inclusive and equitable with protection of human dignity irrespective of nationality, place of residence, sex, ethnic origin and other status. This should be done following a human rights based approach focusing on promoting equality, non-discrimination, ensuring participation and inclusion of disadvantaged groups from simple service delivery to parallel strengthening of different implementing sectors to meet human rights obligations. Uganda as a UN member state and a signatory to international human rights treaties is bound by obligations to promote, protect and respect human rights as emphasized by the committee on Economic, Social, and Cultural rights. Comment No: 16 states that "Violations of the rights contained in the act can occur through direct action, failure to act or omission by state parties or their institutions or agencies at national and local levels. (ICESCR: 2017)

Lyon (2010), summarizes all these and states that the need for National IDs is now globally recognized and as a result has created a new social-political condition in all parts of the world. Lyon further argues that the IDs may be viewed along a continuum that ranges from democratic documents to tools of tyranny, a perspective that has to be changed through a holistic approach by all stake holders being held accountable to any violations of human rights amplified by HRDS.

5.0 Study Methodology

The study was exploratory in nature to investigate the understanding of the citizen's experience, perceptions, attitudes in reference to their rights to privacy and other basic human rights. It used mixed methods of data collection, analysis and integration of both qualitative and quantitative data techniques. The combination of the two methods helps to illuminate a number of factors which would have been left out.

5.1 Study Design

It was a cross- sectional survey design that relied on responses from selected respondents to understand the impact of implementing the ID system to the citizens' right to privacy and factors that contribute to effective implementation of the ID system in Uganda in relation to exercising rights.

5.2 Study Population

The population consisted of Ugandans registered for the National IDs above 18 years of age. Males and females were sampled from different occupations with varying levels of education.

5.3 Study sample and size

Simple random sampling was used to select the sample. The sample size was selected as a convenient one for the researchers given the limited resources and time available in which the study had to be done. Sample size of 76 respondents was obtained.

5.4 Methods

Quantitative Methods

The main method used was a questionnaire and targeted a Ugandan resident above 18 years of age. It was administered by trained interviewer who understands the different social dynamics in the respondent's livelihood and dwellings.

Qualitative Method

Transcriptions were done for the semi structured questions to obtain commonalities between responses as way to enrich the statistical representations. This was done using nvivo and Excel

Literature Reviews

Secondary data was collected from academic articles, online publications, newspaper articles which were key in providing a better understanding of the application of the national identity system in other parts of the world.

5.5 Data Collection process and Analysis

Data Collection Process

A team of 3 data collectors was involved in the data collection process (2 in Wakiso, Kampala, and 1 in Kasese). To ensure efficiency, the data collectors were trained, given the unbalanced levels of literacy among the respondents, the data collectors read the questions and the respondents answered depending on how they understood the question and the subject matter. It was key that before administering the questionnaire consent was first sought and purpose of the study stated. The respondent was at liberty to opt out of the interview at any time.

Analysis

After the quantitative data was collected, it was entered into Excel and analyzed using STATA. The data analyst generated the required frequencies presented through graphical and charts representations. Qualitative data was analyzed basing on the commonalities of the responses which are organized into themes to back up the statistical outcomes.

6.0 Situational Analysis on Uganda's National ID and the Right to privacy and Access to services

Presented in this section are the findings obtained guided by the questionnaire and other methods that were used in the data collection. This section is presented into 6 themes.

6.1 Demographic Characteristics

Gender

A pie chart showing sex distribution across the sampled population
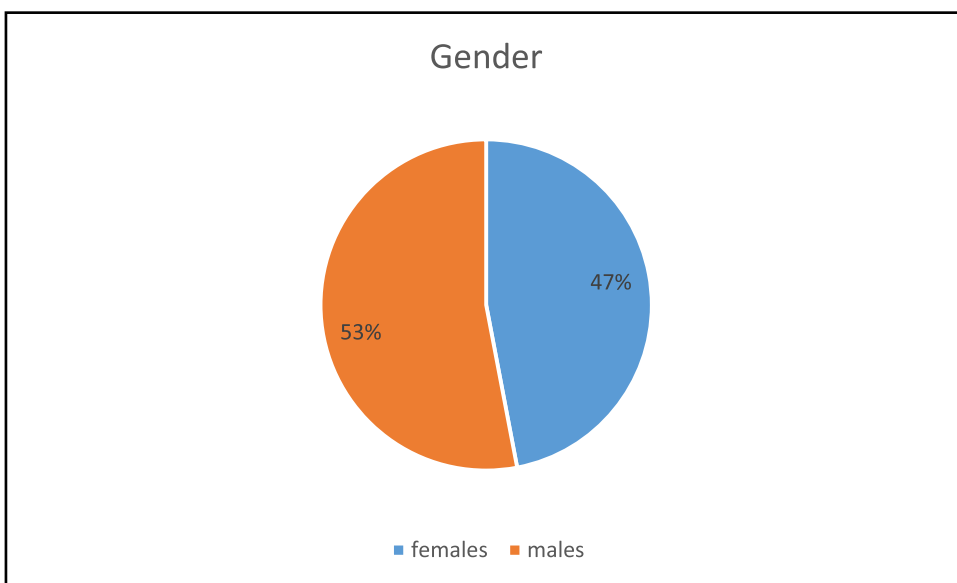
The chat above show the sex distribution of the sampled population with 53% male and 47% female of the total population(76 respondents)

A table showing age distribution across the sampled population

Age Groupings	No.	%
(19-29)	42	55%
(30-40)	23	30%
(41-51)	8	11%
(51+)	3	4%

The table above show the distribution of age-groups within the selected respondents with those below 30 years making the largest composition of more than half the sampled population, while respondents above 50 years of age making less than 5% ,leaving the 30% for the middle age population

Occupation

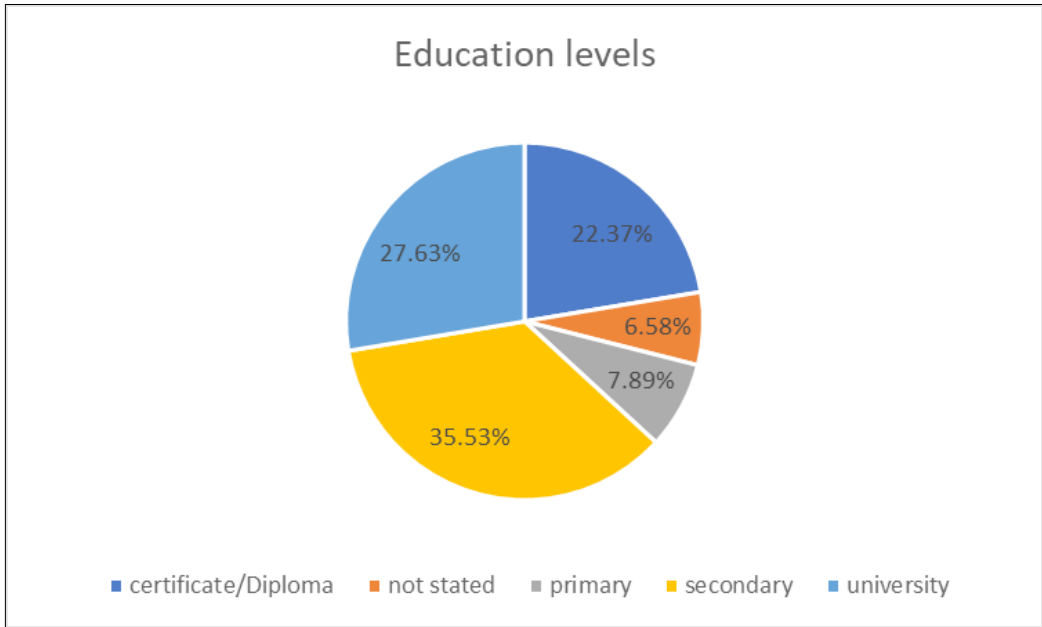*A bar graph representing the Occupation Distribution*
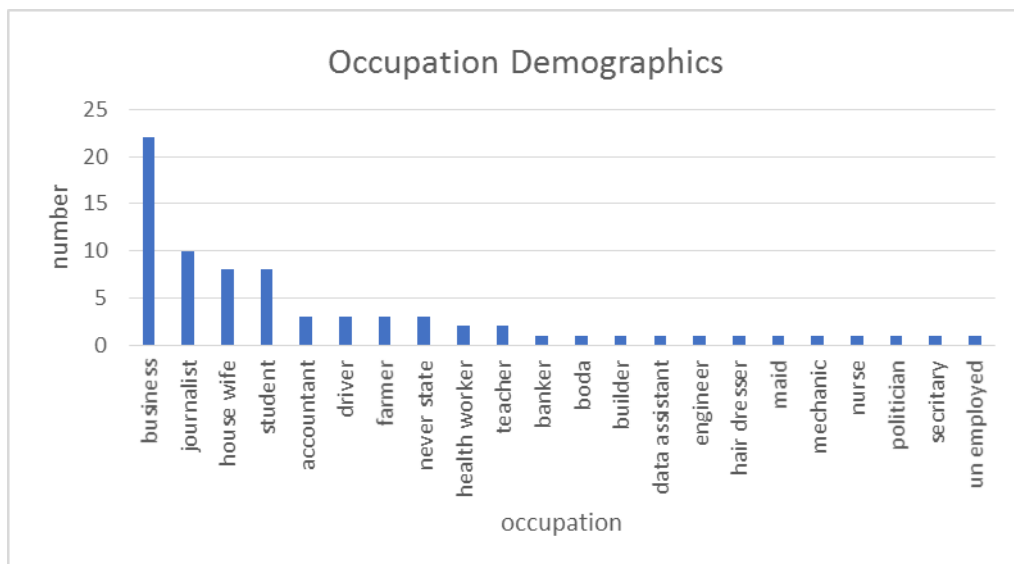
The figure above shows that majority of those sampled were mainly in business sector

followed by journalists and the unemployed registering the lowest response rate

Education Levels

A Pie Chart showing Educational Levels

According to the findings, the biggest percentage of the population selected had attained atleast secondary school education followed by those with university education, certificates and diploma levels of education, but as a whole there were more university respondates than primary counterparts.

6.2 Information sharing as a requirement to get a National ID

Table showing comfortability in Information sharing based on gender

Comfortability	Female	%female	Male	%male	Total	%
Not stated	6	8%	1	1%	7	9%
No	10	13%	19	25%	29	38%
Yes	20	26%	20	26%	40	53%
Total	36	47%	40	53%	76	100%

From the figure above it can be observed that an equal percentage of males and females felt comfortable with having all there information shared. The discrepancy can be seen with more males (25%) feeling uncomfortable sharing all their Information as compared to females (13%)

A table showing Comfortability levels in information sharing based on level of education

Comfort	Not stated	%	Cert. / Dip.	%	Pri.	%	Sec.	%	Uni.	%	Total
Not stated	0	0%	0	0%	1	1%	4	5%	2	3%	7
No	0	0%	8	11%	1	1%	5	7%	15	20%	29
Yes	5	7%	9	12%	4	5%	18	24%	4	5%	40
Total	5	7%	17	22%	6	8%	27	36%	21	28%	76

The uncomfortable levels were higher among respondents with university level qualifications but more comfortable levels were observed among respondents with secondary school level qualifications and a small percentage of those with unknown level of education formed the lowest percentage of uncomfortability.

A table showing Comfortability in information sharing based on Age Group

Age Group	No.	Age group %	Yes	%	No	%	Not Stated	
(19-29)	42	55%	22	52%	16	38%	4	10%
(30-40)	23	30%	14	61%	7	30%	2	9%
(41-51)	8	11%	3	38%	4	50%	1	13%
(51+)	3	4%	1	33%	2	67%	0	0%

Those aged (30-40) showed the highest level of comfortability to share their information. Although those above 50 years of age constituted the least number of respondents but they were uncomfortable sharing their private information.

6.3 Data safety, security and Accessibility

Table showing data safety, security and Accessibility based on gender

Data security	Female	%Female	Male	%Male	Total
Not stated	4	11%	4	10%	8
No	16	44%	21	53%	37
Yes	16	44%	15	38%	31
Total	**36**		**40**		**76**

The figure above shows that women tend to show an equal attitude toward the security of their data having tied at 44%. Men show a high level of data insecurity sharing their personal data at 53%

Table showing data safety, security and Accessibility based on Age group

Age Groupings	No.	Age group %	Yes	%	No	%	Not Stated	
(19-29)	42	55%	16	38%	22	52%	4	10%
(30-40)	23	30%	12	52%	10	43%	1	4%
(41-50)	8	11%	3	38%	3	38%	2	25%
(51+)	3	4%	0	0%	3	100%	0	0%

The information in the table shows that those above 50 years show a greater fear of data insecurity and accessibility as none of them felt secure in trusting government with their information. On the other hand the age ranges of (41-50) showed no difference in their attitude towards the data security. Although over 50% of those below the age of 30 felt insecure with their data being kept by the government

Table showing data safety, security and Accessibility based on level of education

Data Security	Not stated	%	Cert. Dipl.	%	Pri.	%	Sec.	%	Uni.		Total
Not stated	0	0%	0	0%	2	33%	6	22%	0	0%	8
No	0	0%	10	59%	1	17%	11	41%	15	71%	37
Yes	5	100%	7	41%	3	50%	10	37%	6	29%	31
Total	5		17		6		27		21		76

In the figure above over 70% with university education level felt uncomfortable with government storing their information. Those with no education stated felt not bothered with their data stored by government.

6.4 Duration it takes to get a National ID

All respondents interviewed had registered for the National ID, 12% had gotten their National ID but only 4 of the respondents got the National IDs in the stipulated time (within 3 months). Those who had registered but had not got their IDs constituted 88% with 6 still waiting for the ID for over 2 years.
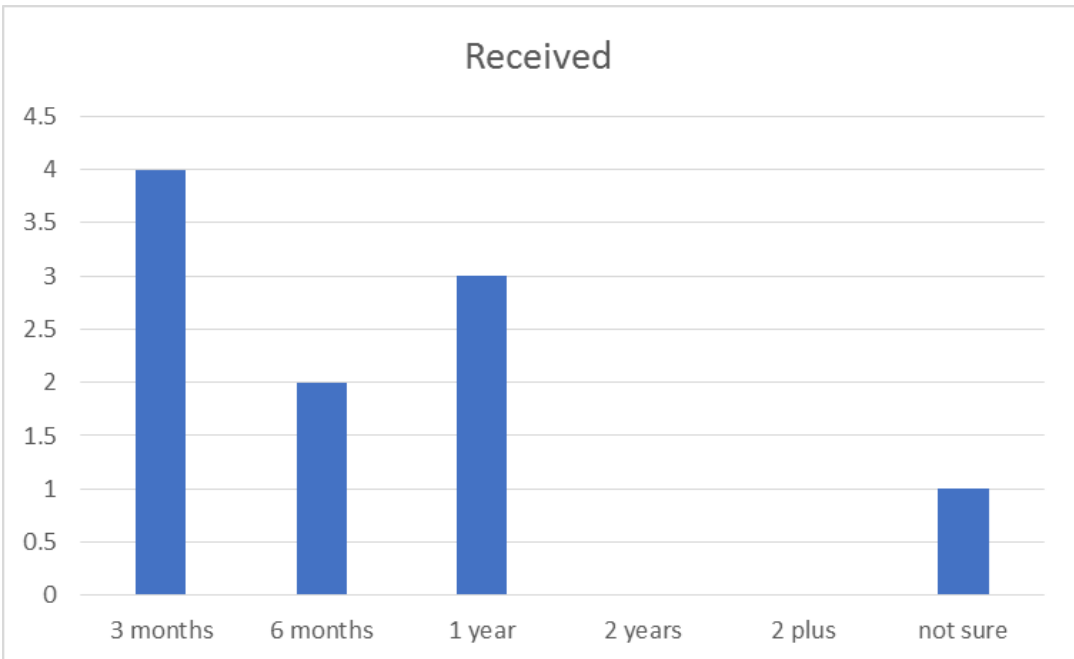
Table showing duration to receive National ID

Duration	Received	Not yet Received
3 months	4	12
6 months	2	13
1 year	3	18
2 years	0	5
2+years	0	6
Not sure	1	12

From the table, it shows that out of the 76 eligible respondents for the National ID, only 9 had received their IDs and of these only 4 had received them within the stipulated time , while other 67 respondents had registered but not received their National IDs spanning from a period of 3 months to over 1 year. More illustrations are shown in the graphs below.

Graph below shows those who received their National ID against time

Graph Showing those who Registered but not yet received their ID's
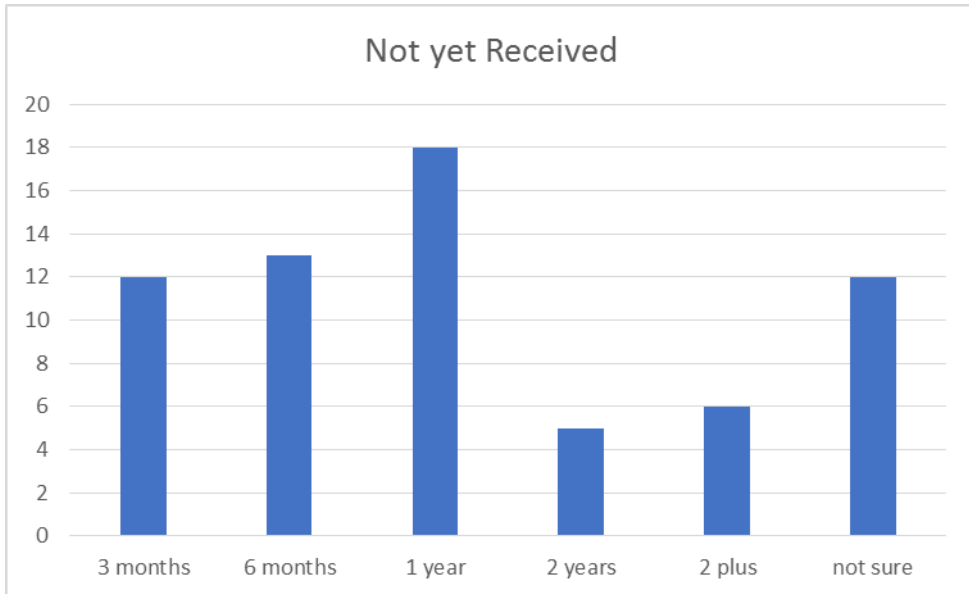
6.5 Payment to get a National ID

Respondents totaling to 25% of the total population interviewed paid a bribe to get National ID with men making the highest majority.

Table showing those who paid for a bribe

Payment for ID	Female	Male	Total	%
Not stated	3	1	4	5%
No	25	28	53	70%
Yes	8	11	19	25%
Total	36	40	76	100%

From the above table, it shows that most of the respondents are in the know that getting a National ID is free of charge that's why 25% paid for a bribe to get an ID for urgent reasons like employment, access to get loans and travel plans.

6.6 Presenting National ID to access service

Table showing those who presented National ID to access Public Service

ID requested for	Freq.	Percent
Not stated	9	12%
No	14	18%
Yes	53	70%
Total	76	100%

Of the 76 respondents, 70% confirmed that to access a service, it was mandatory to present a National ID whereas an 18% were not asked to present a National ID

Graph showing the Public Service where National ID was requested for.
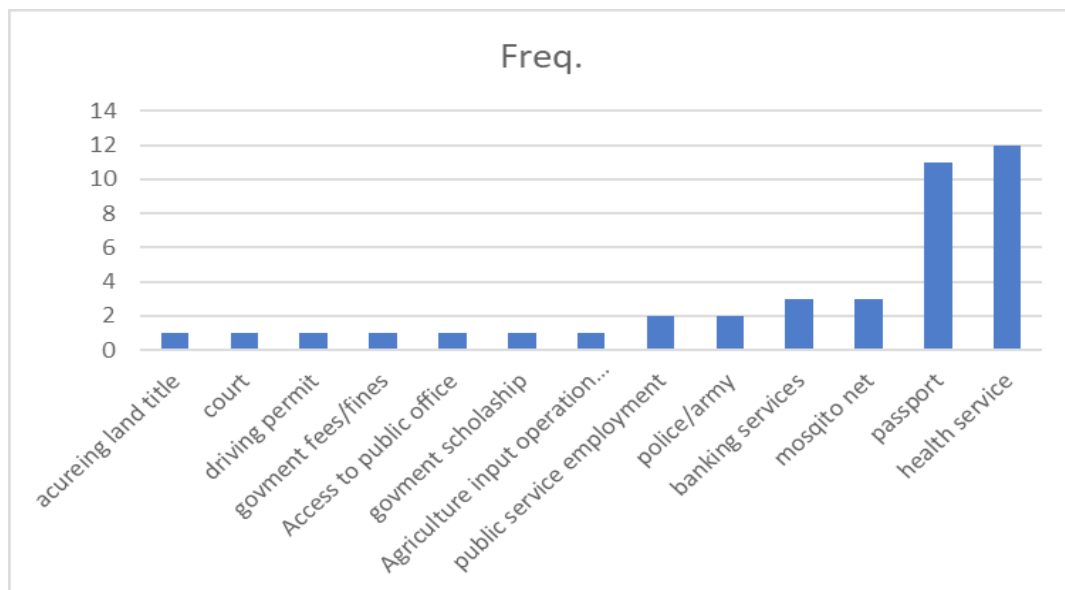
The figure illustrates the public services where people are frequently asked to present a National ID. Health service sector and immigration office having the highest responses. Acquiring a land title had the least responses because few people own land .Accessing health care services on condition that one must have a National ID is an abuse of a fundamental human rights. Article 22 of 1995 constitution of Uganda states that "We all have the right to life which must not be taken away except through a death sentence passed and confirmed by a competent court" and making the National ID as requirement to access health services creates more exclusion and discrimination violating Article 21 of the Uganda constitution.

*Table showing those who presented National ID to access Private Service*

ID requested for	Freq.	Percent
Not stated	8	11%
No	13	17%
Yes	55	72%
Total	76	100

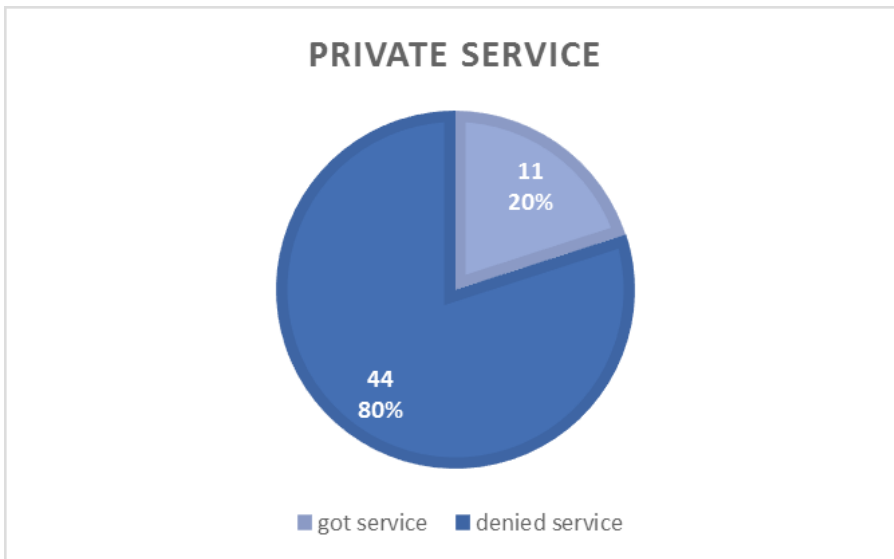*A graph showing Private services accessed using National ID*
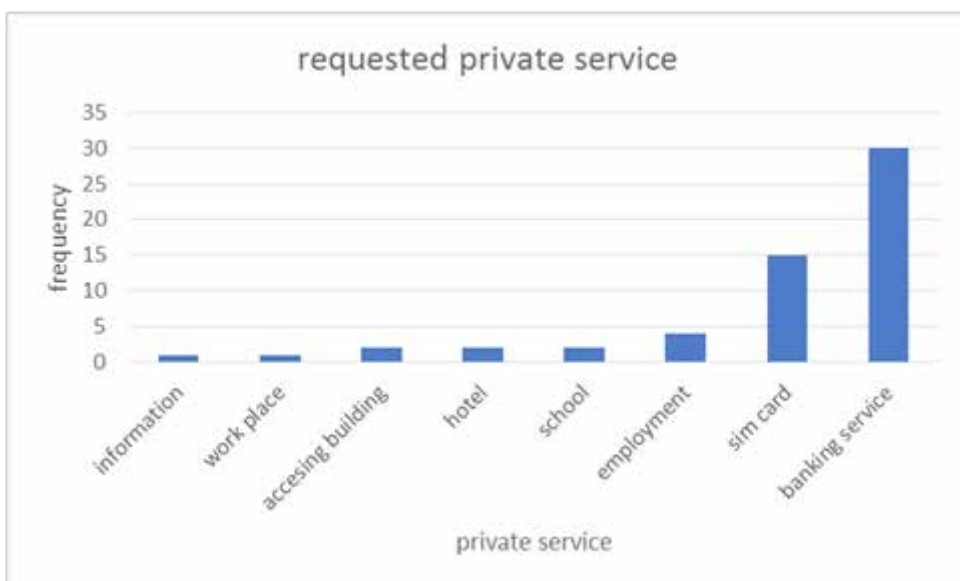
Like access to public Service, similarity is manifested in the findings of private service provision, 72% of the respondents who sought for a private service it was mandatory to produce a National ID. Sim Card registration and opening up a bank account ranked highly followed by hotels services and accessing school premises. Keen interest coming from the findings shows that during SIM card registration and verification it was compulsory for Ugandans to present the National ID as the only recognized identification document. This restrictive requirement denied those without National IDs, mobile phone services such as mobile money banking, this was not only discriminatory but led to the violation of economic rights of those whose livelihoods depended on this service. This also defeats the purpose for which the Anti-money laundering law was enacted whose goal of "Know Your Customer" is crippled because people who are denied these services resorted to using other people's National IDs to register increasing cases of impersonation, fraud and high organized crime rates.

A pie chart showing those who asked for a Government service but were Denied
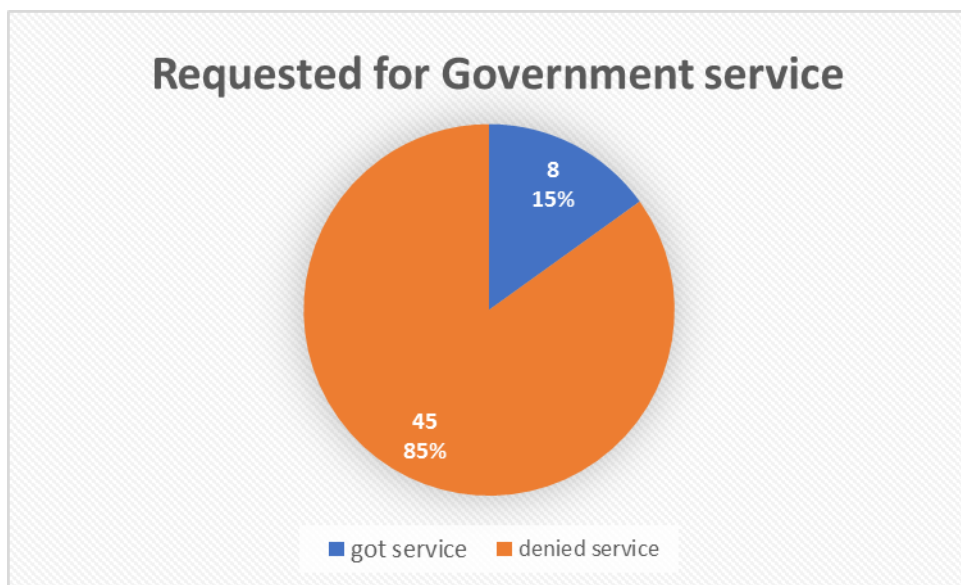

In general, 85% of the respondents who went to seek for a public service were denied and the 15% accessed the service through providing an alternative document

A pie chart showing those who asked for a Private Service but were Denied

PRIVATE SERVICE

In general, 80% of the respondents who went to seek for a private service were denied and 20% accessed the service through providing an alternative document

A Graph showing Alternative documentation to National ID
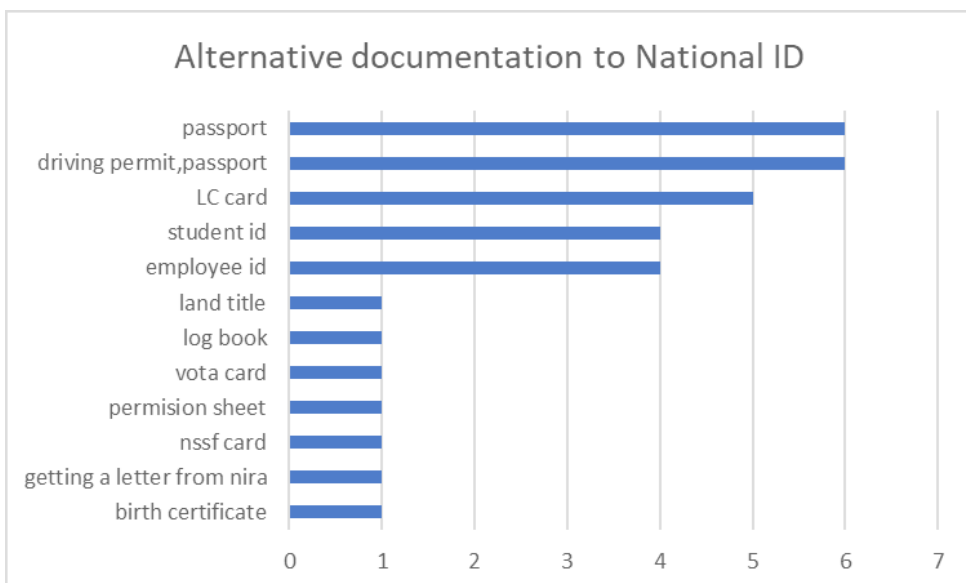
For a few of the respondents who never had a National ID, other relevant legal documents were sought. Through a triangulation of both public service and private service access, the most sought alternative documents were: a passport, driving permit, student ID and employee ID.

7.0 Study Conclusions

Of the respondents interviewed 53% were comfortable with declaring all the information required before one got the National ID whereas the 38% were uncomfortable. The discomfort was due to questions and information relating to ethnicity, parents' details, clan, TIN (Tax Identification Number) and spouse details. These were seen as an infringement on one's privacy as biometrics would serve to identify a person instead of those so many details.

On data security, safety and accessibility, women had an equal opinion showing no big divergence when asked whether they felt safe with their data being stored by the government an equal percentage was attained (44%).   Men showed a divergent opinion as majority of them felt unsafe with their data being stored by the government.

As earlier noted there were delays in acquiring the National ID contrary to known standard period of 90 days (3months) and of the 76 respondents who were eligible and had registered for the National ID, only 9 had received their IDS and of these only 4 had received them within the stipulated time by NIRA ,whereas the remaining 67 who were also registered had not received their National IDs by the time of study spanning from a period of 3 months to over 1 year sending a signal of inefficiencies within the authority.

The cases of bribery to get a National ID are fewer because many people were aware that acquiring an ID for the first time was free of charge, although a few people paid bribe ranging from 10,000 shs to 70,000 Uganda shillings to get them express.

From the findings it is clear that enjoyment of basic fundamental rights are infringed upon by the mandatory requirement of availing of the National ID as a pre-requisite to accessing healthcare, agricultural supplies, passports, SIM Card registration and financial services.

8.0 Study Recommendations

Parliament of Uganda should review section 66 of the Registration of Person's Act, 2015, and forthwith suspend pre-conditioning the enjoyment of basic fundamental freedoms and rights to a National ID until NIRA has the full capacity to deliver on its mandate.

Government should strengthen human, financial and technical resources of NIRA to enable efficiency and effective execution of the agency's mandate of providing National ID to Ugandans in a timely manner.

Government, Civil Society actors and development partners should create open space for citizens' engagement to ensure inclusivity of citizens' voices in the implementation of the ID system and minimize its negative impact on human rights.

Ministry of Internal affairs should undertake an open national wide consultation on the National ID program to address public concerns associated with its implementation.

Government should enhance transparency around the National ID system, including fully disclosing the planned future scope and uses of the program, and instituting a policy to mandate the disclosure of any data breaches, including to any individuals impacted.

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Regulation of Interception of Communications Act 18 of 2010

The National Information Technology Authority, Uganda Act, 20

10.0 ANNEX:

Interview Questionnaire

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