

MODULE 2: CITIZENSHIP

1.0 INTRODUCTION

1.1 Background

Citizenship denotes the link between a person and a state. There is nothing as fulfilling as knowing that you belong somewhere; that you have a place that you call home. Can you imagine a situation where you have no country to belong to; no state or nation to be associated with! There are people in this world who are in this category.

Citizenship gives you an automatic right to live, work, and participate in the political activities of your country. To enjoy these rights and benefits, you need to be recognized as a citizen of that country.

1.2 Aim

The aim of this module is to enable you to understand what citizenship is, demonstrate an understanding of what it means to be a citizen of Uganda and its importance.

1.3 Objectives

By the end of this module you should be able to:

- i. Explain the evolution of Uganda's boundaries as a nation;
- ii. Define citizenship;
- iii. Explain the national values
- iv. Describe the different types of citizenship in Uganda;
- v. Explain the importance of citizenship;
- vi. Explain the duties and responsibilities of a citizen;
- vii. Explain the difference between Ugandan citizens and non-citizens.

Key Messages:

- It is your responsibility to protect the boundaries of your country.
- Sharing a language or other customs with tribes across the border does not deprive you of your citizenship.
- A citizen has rights to enjoy and duties and responsibilities to perform.
- One can have citizenship of two countries at the same time.
- A person can be deprived of or voluntarily lose his / her citizenship.
- A citizen has to be part of the success and the challenges of his / her state.
- It is your duty and responsibility to defend the Constitution and other laws of Uganda.
- It is your responsibility to provide information to government.
- It is important for foreigners to be law abiding and respect Ugandans.
- It is important to live in harmony with the refugees.

1.4 Specific Sub Topics

- i. Background to the formation of Uganda as a nation
- ii. The Concept of Citizenship
- iii. Types of Citizenship
- iv. Dual Citizenship
- v. Loss of Citizenship
- vi. Importance of Citizenship
- vii. Duties and Responsibilities of Citizens
- viii. Registration of Births, Marriages and Deaths
- ix. Non Ugandans

Sub Topic I

2.0 Background to the Formation of Uganda as a Nation

Key Messages:

- Protect the boundaries of your country.
- Sharing a language or other customs with tribes across the border does not deprive you of your citizenship.

2.1 Introduction

In 1894 the area including the present day Uganda was declared a British Protectorate. The British rule was established through signing agreements with Ugandan kings and chiefs of different kingdoms and chiefdoms. The British signed agreements with Buganda, Tooro, Ankole and Bunyoro.

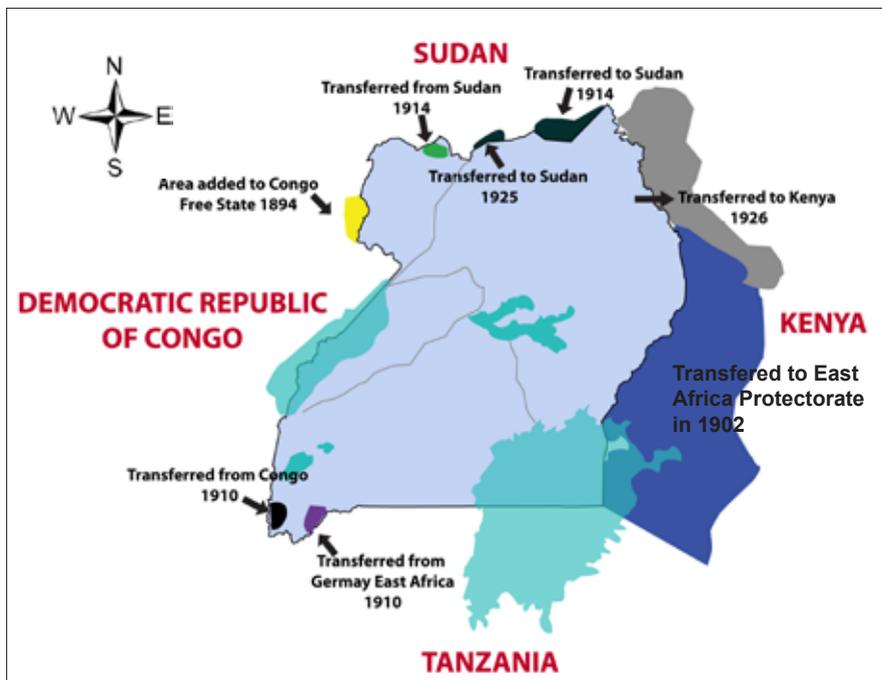
The agreements meant that the Ugandan rulers lost power. They also lost control over most of the land. Large areas of land such as forests and minerals became property of the Protectorate Government. The British began to make use of the resources and collected taxes to pay for the administration activities of the Protectorate Government.

Mention the border points that you know.

2.2 The boundaries of Uganda

The boundaries of Uganda were first drawn in 1890. Subsequently, adjustments were made as follows:

- 1902 - Nyanza Province in the East was transferred to Kenya.
- 1910 - Part of Rwanda (Kigezi) was transferred to Uganda.
- 1910 - The area close to Lake Edward was transferred to Uganda.
- 1914 - West Nile was transferred to Uganda while Gondokoro and Nimule were transferred to Sudan.
- 1915 - Some part of Western Uganda (Mboga) was transferred to Congo.
- 1926 - Part of North Eastern Uganda (currently occupied by the Turkana) was transferred to Kenya.



A map showing evolution of Uganda boundaries

In 1926, the final borders were settled. This was the birth of what we call Uganda as a nation today. The people of this nation are called Ugandans or citizens of Uganda.

2.3 Ethnic groups at the borders

The boundaries were drawn for the convenience of colonial rulers and as a result, many ethnic groups of people were divided into two or three parts; one part in Uganda and another part in a neighboring country. There were no clear physical features to serve as natural borders but rather an artificial line on maps drawn by colonial governments. For example, the Samia are found in Uganda and Kenya, the Rwandese are both in Uganda and Rwanda, the Alur are both in Uganda and Democratic Republic of Congo. The Kakwa are in Uganda, South Sudan and Democratic Republic of Congo, the Madi are in Uganda and South Sudan.

However, the people did not take these borders seriously, and as a result, people of the same ethnic group continued to move in and out of Uganda to meet, visit, trade or permanently stay with relatives and tribesmen without much regard to immigration laws. Ever since, intermarriages have continued across borders. With each such marriage, new relations formed which borders could not control.

Activity 1

- What lessons do we learn from the drawing of boundaries by the colonial rulers?

Sub Topic II

3.0 The Concept of Citizenship

Key Messages:

- A citizen has rights to enjoy and duties and responsibilities to perform.

3.1 Introduction

Citizenship refers to the link between a person and a state. Citizenship is the state of being vested with the rights, privileges and duties of a citizen. Citizenship gives you an automatic right to live, work, and participate in the political activities of your country. In democracy the source of power is the collective body of people who are citizens of a particular country. Citizenship is the same as nationality. For example citizens of Uganda are called Ugandan nationals.

Chapter Three of The Constitution of Uganda provides for citizenship including duties of a citizen. It also provides for different types of citizenship. One can be a Ugandan citizen by birth, founding / adoption, registration or naturalization.

Mention situations where you are required to state your citizenship or nationality?

3.2 Types of Citizenship

Since you now know who a citizen of a country is, and what citizenship means, it is also important to know the types of citizenship. You are now going to learn about the different types of citizenship in Uganda. The law that governs citizenship is contained in **Chapter Three** of the Constitution and **The Citizenship and Immigration Control Act, Cap 66 as amended** (Laws of Uganda). The law categorizes citizenship as follows:

- By Birth;
- By Foundlings and Adoption;
- By Registration; and
- By Naturalization.

Let us now look at the details of each type of citizenship.

3.2.1 Citizenship by Birth (Article 10 of the Constitution)



Citizenship by Birth

The following persons are citizens of Uganda by birth—

- (a) every person born in Uganda one of whose parents or grandparents is or was a member of any of the indigenous communities existing and residing within the borders of Uganda as at the first day of February, 1926, and set out in the Third Schedule to this Constitution; and
- (b) every person born in or outside Uganda one of whose parents or grandparents was at the time of birth of that person a citizen of Uganda by birth.

This means that all those persons, communities and tribes within the geographical area known as Uganda and their offspring are known as indigenous Ugandans. Also in this category is one who was born in or outside Uganda but whose one or both parents or grandparents were at the time of birth of that person a citizen of Uganda. For example, the Banyarwanda who are an indigenous community in Uganda since 1926 are recognized as Ugandan citizens by birth.

3.2.2 Citizenship by Foundlings and adopted children (Article 11)



Citizenship by Foundling

1. A child of not more than five years of age found in Uganda, whose parents are not known, shall be presumed to be a citizen of Uganda by birth.

2. A child under the age of eighteen years neither of whose parents is a citizen of Uganda, who is adopted by a citizen of Uganda, shall on application, be registered as a citizen of Uganda.

3.2.3 Citizenship by registration (Article 12)

- (1) Every person born in Uganda—
 - (a) at the time of whose birth—
 - (i) neither of his or her parents and none of his or her grandparents had diplomatic status in Uganda; and
 - (ii) neither of his or her parents and none of his or her grandparents was a refugee in Uganda; and
 - (b) who has lived continuously in Uganda since the ninth day of October, 1962, shall, on application, be entitled to be registered as a citizen of Uganda.
- (2) The following persons shall, upon application, be registered as citizens of Uganda—
 - (a) every person married to a Uganda citizen upon proof of a legal and subsisting marriage of three years or such other period prescribed by Parliament;
 - (b) every person who has legally and voluntarily migrated to and has been living in Uganda for at least ten years or such other period prescribed by Parliament;
 - (c) every person who, on the commencement of this Constitution, has lived in Uganda for at least twenty years.
- (3) Clause (2)(a) of this article applies also to a person who was married to a citizen of Uganda who, but for his or her death, would have continued to be a citizen of Uganda under this Constitution.
- (4) Where a person has been registered as a citizen of Uganda under clause (2)(a) of this article and the marriage by virtue of which that person was registered is—
 - (a) annulled or otherwise declared void by a court or tribunal of competent jurisdiction; or
 - (b) dissolved, that person shall, unless he or she

renounces that citizenship, continue to be a citizen of Uganda.

3.2.4 Citizenship by naturalization (Article 13).

This is contained in the Citizenship and Immigration Control Act.

A person wishing to become a citizen by naturalization must apply to the National Citizenship and Immigration Control Board and is required to have:

- i. Resided in Uganda for an aggregate period of twenty years;
- ii. Resided in Uganda for two years before the date of his/her application;
- iii. Adequate knowledge of a prescribed vernacular language or English;
- iv. A good character; and
- v. An intention of continuing to live in Uganda permanently and take oath of allegiance to the constitution.

Activity 2

- How does one become a citizen of another country?

Sub Topic III

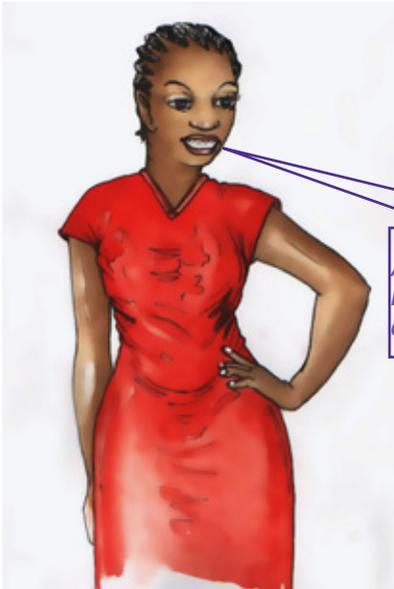
4.0 Dual citizenship

Key Message:

- One can have citizenship of two countries at the same time.

4.1 Introduction

Dual citizenship means being a citizen of two countries at the same time. According to **Article 15** of The Constitution of Uganda, a citizen of Uganda who is 18 years and above can voluntarily acquire citizenship of another country and retain citizenship of Uganda as well. In the same aspect, a citizen of another country can voluntarily acquire Ugandan citizenship and remain a citizen of his/her country if it allows dual citizenship.



As a Ugandan Citizen, I will not lose my citizenship if I become a citizen of another country

Mention the importance of dual citizenship



4.2 Acquiring dual citizenship

One can be a citizen of two countries. There are many Ugandans who have acquired citizenship in Europe, Asia and other parts of the world. These people have acquired dual citizenship by applying and registering in those countries. The importance of dual citizenship is to enable Ugandans abroad maintain linkages without legal hindrances and enjoy rights, of those countries.

Activity 3

- What is the procedure of acquiring dual citizenship?

Sub Topic IV

5.0 Importance of Citizenship

Key message:

- A person can be deprived of or voluntarily lose his / her citizenship.
- A citizen has to be part of the success and the challenges of his / her state.

5.1 Introduction

Citizenship is one of the greatest attributes of the people in the state or nation. It shows that you are a full member of that nation. Whatever happens to the nation, in peace or war, you have a share or responsibility. If the nation prospers and becomes great, you have every reason to feel proud and happy. If the nation declines or is defeated in war you share in its humiliation and disgrace. A citizen, unlike a non-citizen or foreigner, truly feels the glories and misfortunes of his country.

How does the Uganda government support Ugandans abroad?

5.2 Ugandan citizens abroad

Every citizen is entitled to consular assistance and protection when out of Uganda. It is the duty of a Ugandan citizen to report to the consulate or embassy of Uganda in a foreign country on arrival. The travelling citizens must also pick the contacts of the consulate or embassy. Ugandans out of the country must be assisted when in problems. It is the duty of every citizen to abide by all the laws of the country where they have travelled.

5.3 Loss of Citizenship (Article 14)

A person may be deprived of his or her citizenship if acquired by registration, on any of the following grounds—

- (i) voluntary service in the armed forces or security forces of a country hostile to or at war with Uganda;
- (ii) acquisition of Uganda citizenship by fraud, deceit, bribery, or having made intentional and deliberate false

- statements in his or her application for citizenship; and
- (iii) espionage against Uganda.

One can voluntarily denounce his / her citizenship.

Activity 4

- How can the government assist a Ugandan in a foreign country?

Sub Topic V

6.0 Duties and Responsibilities of a Citizen (Article 17)

Key Message:

- It is your duty and responsibility to defend the Constitution and other laws of Uganda.

6.1 Introduction

A good citizen is one who supports and defends the constitution and other laws of Uganda. He / she serves the country when required, respects and tolerates fellow countrymen and women with different opinions, cultures, ethnic groups and religions. Actively participates in the community and honors his / her civic duties.

What are the rights and responsibilities of a citizen?



Every citizen of 18 years and above has a duty to register for elections



6.2 Duties and responsibilities of a citizen

- (1) It is the duty of every citizen of Uganda—
 - (a) to respect the national anthem, flag, coat of arms and currency;
 - (b) to respect the rights and freedoms of others;
 - (c) to protect children and vulnerable persons against any form of abuse, harassment or ill-treatment;
 - (d) to protect and preserve public property;
 - (e) to defend Uganda and to render national service when necessary;
 - (f) to cooperate with lawful agencies in the maintenance of law and order;
 - (g) to pay taxes;
 - (h) to register for electoral and other lawful purposes;
 - (i) to combat corruption and misuse or wastage of public property; and
 - (j) to create and protect a clean and healthy environment.]
- (2) It is the duty of all able-bodied citizens to undergo military training for the defence of the Constitution and the protection of the territorial integrity of Uganda whenever called upon to do so; and the State shall ensure that facilities are available for such training.

You are required to be a good citizen by abiding by the laws in the constitution. You have to support and defend the constitution, and serve the country when required. Work hard to uplift your socio-economic status.



Respect the national symbols



Undergo military training

6.3 National Values

A citizen respects and upholds national values

- (a) Democratic governance
- (b) Love for work
- (c) National unity, Peace and Stability
- (d) Respect for Humanity
- (e) Honesty
- (f) Respect for diversity
- (g) Service to the community



Caring for children



Community service

Activity 5

- Mention any five duties and responsibilities you can perform as a citizen of Uganda.

Sub Topic VI

7.0 Registration of Births, Marriages and Deaths (Article 18)

Key message:

- It is your responsibility to provide information to government.

7.1 Introduction

It is the duty of government to register every birth, marriage and deaths occurring in Uganda. The responsibility of every citizen is to ensure that they provide this information to government.

How does registration assist you as a citizen?

7.2 Where to Register

Citizens can register births, marriages and deaths at the offices of the following:

1. Sub County Chiefs;
2. Chief Administrative Officers;
3. City Divisions;
4. Town Clerks and
5. The Uganda Registration Bureau.

After registrations, certificates are issued.



Register every birth, marriage and death.



7.3 Importance of Registration

It is important that every birth, marriage and death is registered according to the law. Below is the importance of registration.

1. This information helps citizens to keep proper records.
 2. This information is used in the inheritance and acquisition of property.
 3. This information is used by government for planning purposes.
 4. Registration certificates help citizens to quickly acquire travel documents like passport and Visas.
 5. Birth certificates are needed for admission into schools colleges and universities.
 6. Birth certificates are also necessary for acquisition for national IDs and Voters' cards.
 7. This information also helps fight crime with proper identification.
 8. Birth certificates help to prove the age of a candidate seeking to stand for a political post such as MPs.
 9. Birth certificates help to prove the age of retirement from public service or other service.
 10. This information is also needed to process the retirement benefits of a person.
- *Uganda has started issuing national identity cards to only Ugandan citizens. (Section 28 and 30 of the Uganda Citizenship and Immigration Control Act).*
 - *Section 39 provides that every Ugandan has a right to a passport or other travel documents.*

Activity 6

- Why is it important for a citizen to have a Birth Certificate?
- How can you encourage parents / guardians in your community to obtain birth certificates for their children?

Sub Topic VII

8.0 Non Ugandans

Key Messages

- It is important for foreigners to be law abiding and respect Ugandans.
- It is important to live in harmony with the refugees.

8.1 Introduction

There are many foreigners living in Uganda just as there are many Ugandans living in other countries. The world is almost becoming one global village with people from one country moving to another for various reasons. Uganda like other countries is bound to allow foreigners to enter Uganda in accordance with the law. A foreigner should come to Uganda legally and be registered at the entry points.

While in Uganda foreigners must obey the Constitution and the laws of Uganda. People must learn not to be prejudiced against foreigners just because they are foreigners. What is important is for foreigners living in this country to be law abiding and to respect Ugandans.

What are the differences between a foreigner and a refugee?

8.2 Foreigners (Aliens)

The law governing foreigners is contained in **Part VII** of the Uganda Citizenship and Immigration Control Act **Chapter 66** as amended, Laws of Uganda. According to this Act, “Alien” means a person who is not a citizen of Uganda.

Section 69 states that “Every alien shall within ninety days after arrival in Uganda register with the National Citizenship and Immigration Board”.

According to **Section 70**, “every alien resident in Uganda holding an entry permit, certificate of permanent residence, dependence pass, student’s pass, is required to hold an aliens identity card issued by the Immigration Board”.

8.3 Refugees

The United Nations High Commissioner for Refugees (UNHCR) defines a refugee as; *“Any person who owing to a well-founded fear of being persecuted for reasons of race, religion, nationality of a particular social group or political opinion, is outside the country of his/her nationality, and is unable to or owing to such fear, is unwilling to avail himself of the protection of that country.”*

Ugandans have always had refugees living with them from different countries including Sudan, Somalia, Rwanda and the Democratic Republic of Congo. Ugandans have also taken refuge in times of instability to neighboring countries and beyond. Becoming a refugee may not be of one’s choice and Ugandans should have a positive attitude towards them. All refugees must obey the laws of Uganda.

8.3.1 The Refugees Act, 2006

The law governing refugees is contained in **The Refugees Act, 2006** Laws of Uganda. Below are some of the provisions about refugees. It defines a refugee as;

“a person who having qualified to be granted refugee status has been granted refugee status by the Eligibility Committee or is a member of a class of persons declared to be refugees by the minister.”

- Section 25 of the Refugees Act empowers the responsible Minister to declare a class of persons to be refugees after an influx of asylum seekers in Uganda. The declaration must be published in the gazette. In such a situation the asylum seekers will be granted refugee status without applying to the Eligibility Committee.
- Section 26 allows a member of the family of a recognized refugee who enters Uganda to enjoy the same protection as that of the recognized refugee.
- Section 27 allows a recognized refugee to apply for a member of his family to enter and reside in Uganda for purposes of reunion.

8.3.2 Rights of refugees

Section 28-33 provides for the rights of refugees:

- They are entitled to fair and just treatment without

- discrimination based on family, race, colour, religion, sex or political opinion.
- Right to transfer assets held and declared at the time of entering into Uganda including those lawfully acquired in Uganda.
- Right to engage in agriculture, industry, and establish commercial and industrial companies.
- Right to practice the profession of the refugee who holds qualifications recognized in Uganda.
- Right to have access to employment
- Right to practice their religion
- Free access to courts of law
- Right to a travel document for all countries except the refugee's country of origin and those countries with respect to which Uganda has restrictions.
- A recognized refugee in possession of a valid passport issued by a country of origin shall surrender that passport to the issuing office before acquiring a travel document
- A person who ceases to be a recognized refugee shall not be issued with a travel document. If he has one, he shall surrender it to the immigration office.
- Every refugee child is entitled to enjoyment of the rights and freedoms contained in the Children's Act irrespective of the child's parent, ethnic group, colour, sex, or political opinion.
- A woman refugee is entitled to equal enjoyment of all human rights and fundamental freedoms as provided in the laws of Uganda.

8.3.3 Duties of refugees

Section 35 provides for duties of refugees and these are;

- To conform to all laws of Uganda
- Not to engage in any political activities in Uganda at local or national
- If engaged in full employment to pay taxes
- Not to engage in any political activities against any country including his country of origin.



8.3.4 Denial and/or withdrawal of refugee status

Section 38: Any person, who fails to be recognized as a refugee and unlawfully continues to leave in Uganda, shall be dealt with under the Uganda Citizenship and Immigration Act.

- Section 39 empowers the Eligibility Committee to withdraw refugee status but the person affected can appeal to the Appeals Board within seven days.
- Section 41 provides for extradition of refugees required to answer criminal charges or those convicted of criminal offences which are not political.

Section 44 empowers the Minister to designate by notice in the Gazette areas or places on public land to be transit areas or refugee settlements to accommodate those applying for refugee status and those whose refugee status have been granted. Those refugees who wish to stay outside the designated areas may apply to the Commissioner for Refugees to do so.

Section 45 provides for those wishing to apply for Ugandan citizenship by naturalization to do so.

8.3.5 Stateless Persons

These are people who have lost their citizenship in a country without gaining citizenship in another country. A person can also become stateless if a government deregisters him/her. Statelessness can also be caused when governments denounce some of their citizens.

Activity 7

- What would you advise Ugandans who are treated unfairly outside Uganda?

Summary

Citizenship is the social and legal link between individuals and the governance of their country. According to the National Objectives and Directives of State Policy in The Constitution, it is the responsibility of every citizen to actively participate at all levels of their governance. This participation includes: registration and voting, support and loyalty to elected leaders, improving the quality of both political and civic life, monitoring service delivery and demand for social justice for all.

2.11.0 Glossary

Alien: A person in a country who is not a citizen of that country

Citizen: An inhabitant of a city or country who is entitled to the rights and privileges of a freeman in that country.

Citizenship: The status of being a member of a community, city or country where you are entitled to rights and privileges.

Expatriation: Voluntary relinquishing or giving up of citizenship or nationality.

Foundling: A child of not more than 5 years of age found in Uganda whose parents are not known.

Gazette: A gazette is a public journal, a newspaper of record, or simply a newspaper

Refugee: Someone who has been forced to flee his/her country because of persecution, war or violence for reasons of race, religion, nationality, political opinion or membership in a particular social group.

Statelessness: Lack of any nationality or the absence of a recognized link between an individual and any state. It is also the condition of a person/individual who is not considered as national by any state under the operation of its law.