



Prepared by: British Red Cross

IFRC Review of Emergency Decrees: UGANDA v1.0 28 03 20

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Overview

The materials referenced in this review have principally been sourced from the Uganda Legal Information Institute's website and the pages created specifically for Uganda's COVID-19 regulations and related law: <https://ulii.org/blogs/admin/25-march-2020/covid-19-legal-and-policy-response-resource-guide-uganda>

At the date of writing (28 March 2020), no state of emergency or disaster appears to have been declared. Instead, the current COVID-19 measures adopted in Uganda comprise the following four sets of regulations made under the Public Health Act (Cap 281):¹

(1) The Public Health (Notification of COVID – 19) Order, 2020 ('COVID-19 Notification Regulations')²

These Regulations declare COVID-19 to be a notifiable disease under the Public Health Act (Cap 281). The effect of the regulations is to enable the Minister for Health to:

- (a) make rules introducing reporting duties;³
- (b) trigger duties in the Act relating to, among other things, inspection, disinfection and destruction of property, removal to hospital, the notification and disposal of bodies; and
- (c) make rules for such things as: the closure of schools and public entertainments, establishment and operation of isolation hospitals etc, imposition of quarantining and surveillance and the prevention of spread of infection by imposing restrictions on businesses, trades or occupations, and introducing other restrictions eg on movement;⁴ and
- (d) by statutory order to regulate, restrict or prohibit entry at borders and impose requirements such as quarantine.⁵

(2) The Public Health (Prevention of COVID - 19) (Requirements and Conditions of Entry into Uganda) Order, 2020 ('COVID-19 Entry Conditions Regulations')⁶

¹ https://www.kcca.go.ug/uDocs/public%20health%20act%20Chapter_281.pdf

² <https://ulii.org/ug/legislation/statutory-instrument/2020/45>

³ Public Health Act., s. 11.

⁴ Public Health Act, ss. 12 – 27.

⁵ Public Health Act, s. 36.

⁶ <https://ulii.org/ug/legislation/statutory-instrument/2020/46>



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These Regulations enable medical officers to examine any person arriving in Uganda and hold them in isolation.⁷ Individuals entering Uganda are to be categorised based on the country of departure and any other factors the medical officer considers relevant; the level of quarantining will depend on that categorisation.⁸ A medical officer may also require vehicles and aircraft to be decontaminated.⁹

(3) The Public Health (Control of COVID-19) Rules 2020 ('COVID-19 Control Regulations')¹⁰

The COVID-19 Control Regulations:

- (a) require notification of incidents of infection;¹¹
- (b) set out the powers of medical officers (including power to require disinfection and removal or quarantining of individuals and to search and disinfect premises);¹²
- (c) close schools, higher education institutions, bars, cinemas;¹³
- (d) prohibit prayers in churches and mosques and open-air prayers, marriage ceremonies and funerals (except if 10 or less persons attend), public meetings including political rallies, conferences and cultural related meetings, indoor and outdoor concerts and sports events and trading in live animals at designated places;¹⁴ and
- (d) allow for the declaration of infected areas in which all residents must undergo medical inspections or examinations and/or be kept under observation or surveillance.¹⁵

(4) The Public Health (Prohibition of Entry into Uganda) Order 2020 ('COVID-19 Prohibition Regulations')¹⁶

These prohibit the entry into Uganda of any person or the introduction of any animal, article or thing through any border post from 23 March 2020. Exemptions are granted to a person or thing etc belonging to any UN or humanitarian organisation and any vehicle or aircraft used for carrying cargo into Uganda.¹⁷

⁷ COVID-19 Entry Conditions Regulations, regs. 3 and 4.

⁸ COVID-19 Entry Conditions Regulations, reg 6.

⁹ COVID-19 Entry Conditions Regulations, reg. 5.

¹⁰ <https://ulii.org/ug/legislation/statutory-instrument/2020/52>

¹¹ COVID-19 Control Regulations, reg. 3.

¹² COVID-19 Control Regulations, regulations. 5 -7.

¹³ COVID-19 Control Regulations, reg 9.

¹⁴ COVID-19 Control Regulations, reg 9.

¹⁵ COVID-19 Control Regulations, reg 13.

¹⁶ <https://ulii.org/ug/legislation/statutory-instrument/2020/53>

¹⁷ COVID-19 Prohibition Regulations, reg. 3.



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1. Is there coordination between state and non-state actors, e.g. through a national emergency response mechanism?

There is no specific reference to coordination with non-state actors in any of the above regulations.

Under Objective XXIII of the Constitution,¹⁸ the State is required to institute effective machinery for dealing with any hazard or disaster arising out of natural calamities or any situation resulting in general displacement of people or serious disruption of their normal life.

Under this provision, the Uganda National Policy for Disaster Preparedness and Management has been prepared.¹⁹ This identifies the bodies responsible for the response to a pandemic as: (a) Ministry of Health (lead institution); (b) Office of the Prime Minister – Disaster department; (c) Ministry of Internal Affairs – Immigration and Policy; (d) Ministry of Defence – UPDF; (e) Ministry of Information and National Guidance; (f) Ministry of Local Government; and (g) District Local Governments.²⁰ No mention is made of the Red Cross nor other humanitarian organisations.

The main reference in the Policy to national and international humanitarian organisations and NGOs is found at page 64.²¹ There appears, though, to be no specific mention of the role of such organisations in any response.

2. Is there mention of the role of Red Cross (RC) or humanitarian actors? In what areas/sectors? What responsibilities are ascribed to RC?

Yes. UN Organisations and humanitarian organisations are expressly exempted from the prohibition on entry into Uganda.²²

3. Are there exceptions to travel restrictions that will facilitate the movement of RC/humanitarian relief teams and/or aid across borders? What (if any) quarantine requirements or other conditions are attached?

¹⁸ http://www.statehouse.go.ug/sites/default/files/attachments/Constitution_1995.pdf

¹⁹ <https://www.ifrc.org/docs/IDRL/Disaster%20Policy%20for%20Uganda.pdf> . Obtained from IFRC database so may need to check if still current version.

²⁰ Uganda National Policy for Disaster Preparedness and Management, p 13

²¹ Uganda National Policy for Disaster Preparedness and Management, p. 64.

²² COVID-19 Prohibition Regulations, reg. 3(a).



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Yes. UN Organisations and humanitarian organisations are expressly exempted from the prohibition on entry into Uganda.²³ Vehicles or aircraft used to convey cargo into Uganda are also exempt from the prohibition on entry.²⁴

A medical officer must examine any person arriving in Uganda and may enter vehicles, vessels and aircraft for this purpose.²⁵ A person so examined may be held in isolation²⁶ and vehicles etc may be required to be decontaminated.²⁷ All persons arriving in Uganda are to be categorized based on their countries of departure and transit and any other factors as may be determined by a medical officer. Category 1 individuals shall be quarantined at a designated place for at least 14 days; Category 2 individuals, shall be observed by a medical officer for 14 days; and Category 3 individuals are to be advised on measures to take to avoid being infected.²⁸ There are no express exemptions for RC and humanitarian organisations from these provisions, although the fact that an individual is from such an organisation might be a factor for the medical officer to take into account when categorising that person.

4. Are there exceptions to quarantines, curfews and other restrictions on movement that allow RC/humanitarian organizations access to vulnerable populations (including for psychosocial or non-medical aid)?

At the date of writing, it appears that there are no curfew or general quarantine or lockdown provisions in place beyond those in the COVID-19 Control Regulations.

The powers that would enable these measures to be taken in the future appear not to contain any express exemptions.

5. Have any special legal facilities or exemptions been put in place for the importation of medical aid or other relief items or personnel (International Disaster Response Law)? What (if any) quarantine requirements or other conditions are attached?

No provision of this nature appears yet to have been made. Reliance appears to still be placed on whatever pre-existing measures and arrangements are in place.

²³ COVID-19 Prohibition Regulations, reg. 3(a).

²⁴ COVID-19 Prohibition Regulations, reg. 3(b).

²⁵ COVID-19 Entry Conditions Regulations, reg. 3.

²⁶ COVID-19 Entry Conditions Regulations, reg. 4.

²⁷ COVID-19 Entry Conditions Regulations, reg. 5.

²⁸ COVID-19 Entry Conditions Regulations, reg. 6.



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6. Is the RC (or humanitarian organizations) categorized as 'essential' or 'emergency' services, for the purposes of exemptions to restrictions on business operations and opening hours?

At the time of writing, there appear to be no restrictions on business operations, although there are powers for these to be ordered in the future. No provision is included in the enabling powers expressly referring to exceptions or exemptions for the RC or humanitarian organisations.

7. What other measures are provided in the emergency decrees? (for governmental actors, for communities, for health workers, etc).

The measures in force and that may be made in the future are outlined in the overview (above).

**Simon Whitbourn
Knightwood Legal**

28 March 2020