



THE REPUBLIC OF UGANDA

## EXECUTIVE ORDER

(Under Article 99 (1) and (4) of the 1995 Constitution)

DIRECTIVE ON LEGAL AND ADMINISTRATIVE  
PROCESSES AND PROCEDURES TO BE  
FOLLOWED IN  
THE ISSUANCE OF IDENTIFICATION DOCUMENTS *Pro*  
UGANDAN CITIZENS

By virtue of the authority vested in the President by Article 99 (1) and (4) of the Constitution, this Executive Order is made this Z.g. day of *January*, ..2025.

I have consistently received complaints regarding the manner in which people applying for passports are sometimes treated by the concerned authorities. This mainly relates to how the question of whether or not an applicant is a citizen of Uganda is approached, when he or she has applied for a passport.

The issue of citizenship was resolved under Chapter 3 of the 1995 Constitution. It provides for the following types of the citizenship;

1 . Citizenship by Birth;

2 Citizenship by Registration; and

3 Citizenship by Naturalization.

Clearly, the issue is not the law or any gaps in it but how the law is administered with regard to proof of citizenship by applicants for passports or other documents of identity.

Therefore, since the challenge is administrative in nature, I hereby direct as follows:

1. Every Ugandan citizen has a right to a passport or other travel document and to enter, leave and return to Uganda.
2. Upon receipt of an application for a passport, officials of the Directorate of the Citizenship and Immigration Control should address themselves to the provisions of Section 40 of the Citizenship and Immigration Control Act, Cap. 313 which only requires a person to produce his or her National Identification Number (NIN) and to comply with any other requirements prescribed by the Board. Where there are other requirements by the Board, they must be published, known and based on the law.
3. The concerned authorities or institution must also properly address themselves to the provision of the 1995 Constitution and the laws enacted regarding determination of citizenship or registration of persons.
4. All administrative processes through which a person might be required to prove citizenship especially by birth must uphold the dignity of all persons and no requirement not provided for or contemplated under the law should be applied.

5. Immigration officials should be mindful that citizenship by birth is inherent and not given by the immigration officers, and that there must be a presumption of citizenship, unless an immigration officer has cogent and reliable evidence that the information submitted by an applicant is not true.
6. It is the duty of the immigration officer to bring forth evidence that the information submitted by the applicant regarding their citizenship by birth is inaccurate and forward the same to NIRA for appropriate action in accordance with the Registration of Persons Act, Cap. 332. The duty is not on the applicant.
7. The Directorate of Citizenship and Immigration Control should not confiscate or cancel National Identity Cards issued by NIRA without following due process prescribed by law. Mindful of every person's right to be heard and the right to access services, an immigration officer's first option should be to have any anomalies identified in the particulars of an applicant addressed by NIRA.
8. It is not the mandate of the Directorate of Citizenship and Immigration Control to investigate citizenship by birth and should there be a question about the veracity of the information provided by an applicant for a passport, who has indicated that they are a citizen by birth, DCIC should refer the matter to NIRA in accordance with the process prescribed under the Registration of Persons Act.

9. The documents required for the purpose of registering an applicant by NIRA are as prescribed in the relevant law. These are, birth certificate, voters' card, driving permit, baptism certificate etc. where an applicant is unable to produce any of these documents, a relative of the applicant may identify the applicant under oath through statutory declaration as permitted under the law.
10. The requirements for acquisition of passports or other identification documents must apply to all applicants equally, regardless of tribe, ethnicity or community.
11. If the applicant's application is supported by a letter from the local authorities (and corroboration by notable elders, where necessary), the applicant should be promptly issued with a national identification card or passport. The local authorities, in this case, are the chairperson local council I, the chairperson local council III, the Gombolola Internal Security Officer and the Resident District Commissioner. If in future it is proved that a person issued an identification document or passport is not a citizen, the National Identity Card or passport can be cancelled.
12. Presently, the law does not accord automatic citizenship to children of citizen by birth and by naturalization. A citizen produces a citizen. The Minister of Internal Affairs and the Attorney General are directed to immediately have this anomaly addressed.