



For Immediate Release

Uganda: A call to end the continuous unabated assault on fundamental Human rights and freedoms of Human Rights Defenders.

(Kampala / March 18, 2022) The National Coalition of Human Rights Defenders in Uganda (NCHRD-U) with its partners note with concern the escalation in violation of human rights and the continued disrespect of the rights and freedoms of human rights defenders.

Colleagues from the press, we have invited you here today, to address you on emerging human rights concerns and developments that negatively affect human rights defenders that deserve urgent attention by the relevant authorities as we shall indicate in today's press conference. We cannot afford to be passive by-standers and be victims of our circumstances. Human rights defenders are people who make things happen and it's a choice we make every day.

Before we address you on the most pressing emerging human rights issues affecting human rights defenders, I would like to state that Civil Society Organisations derive their legitimacy from Art.38 of the 1995 Ugandan Constitution which states:



38 ① “Every Uganda citizen has the right to participate in the affairs of government, individually or through his or her representatives in accordance with law”

② Every Ugandan has a right to participate in peaceful activities to influence the policies of government through civic organisations.

Freedom of Association: Operations of NGOs

Close to 54 NGOs were suspended last year by the regulator (the NGO Bureau)-Today, court will this morning issue its ruling on the matter in which one of our partners Chapter Four Uganda is challenging suspension of its operational permit by Uganda's NGO Bureau. Uganda's NGO Bureau in our findings “**Human Rights Defenders at Crossroads**” last year is shown to increasingly exert control over NGOs and companies limited by guarantee by increasing bureaucratic requirements and more stricter timelines for NGOs. Some of the actions as cited for example in the Chapter Four case are not consistent with the guarantees under the Constitution of Uganda which emphasises the freedom of association and places strict circumstances under which the freedom can be justifiably limited.



Office Break-ins

On February 27th, 2022, unknown assailants broke into offices of Community Transformation Foundation Network-COTFONE, a Non-Government Organization that is working to ensure communities in greater Masaka persons affected by the East African Crude Oil Pipeline-EACOP project to get their compensation. The Network NGO whose offices are located in Kiwangala Trading centre in Kisekka Sub County, Lwengo district coordinates activities that aim at empowering community actors to address the needs of vulnerable and marginalized groups. It adds to a growing list of NGO break-ins that remain inconclusively targeted.

Incommunicado detention and the continuous infringement of Torture

On December 28th, 2021, Kakwenza Rukirabasheija was arrested by members of Uganda's Security Agencies. Despite a court order calling for his unconditional release on January 4th, 2022, he continued being held incommunicado in total disregard of a court order. A subsequent court order issued by the High Court was equally disregarded by the authorities. To date he is operating in exile.

On March 10th, 2022, 9 staff of an on-line digital Television Alternative Digitalks were kidnapped from their offices by UPDF officers and held incommunicado without access to their lawyers or informing their next of kin or relatives and in the least medical care as the law requires. On the eve of court issuing an order on the March 16th, 2022, seven of the affected staff were let loose, while the other two hurriedly arraigned and charged at the Makindye court on charges of cyber stalking and offensive communication. The nine arrested staff include the following :

1. Mr. Tumuhimbise Norman-Executive Director,
2. Mr. Mukose Arnold (Programs Director),
3. Ms. Faridah Bikobere (TV Host),
4. Mr. Jeremiah Mukiibi (Producer),
5. Mr. Tumusiime Kato (Production),
6. Mr. Tulyahabwe Roger (Production),
7. Ms. Nabukeera Teddy Teangle (Presenter),
8. Ms. Lillian Luwedde (presenter) and
9. Mr. Wabyona Jeje Jacob (Media intern student from Uganda Christian University)

In both cases we note three deeply disconcerting issues; incommunicado detention beyond 48-hour rule, allegations of torture and disrespect of court orders by officers of the security agencies. Officers of court particularly lawyers and advocates exercising their right to defend their clients often find themselves exercising huge personal risk to take on these cases with threats, intimidation and trailing in some cases.

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Freedom of Expression and Opinion

On February 1st, 2022, Uganda Police officers at Makerere Hill assaulted two NBS journalists Eddie Kisseka and Samalie Kisakye. The journalists were covering an operation by Police on boda boda riders (commercial cyclists) who were working during curfew time.

The Computer Mis-use Act 2011 continues to be a source of targeted persecution of Human Rights Defenders. In both cases of Kakwenza Rukirabasheija and the two staffers of Alternative DigiTalks, the charges preferred against them have been either offensive communication or in some cases cyber harassment or stalking

As we have stated previously, continued targeted attacks towards journalists stifles the fundamental freedoms of expression and opinion as most practitioners will opt to self-censor which is a huge blow to progress previously registered by the government in ensuring that citizens enjoy their freedom of speech, opinion expression and thought that constitute the basic tenets of a democracy.



Environmental Human Rights Defenders: Business and Human Rights

On February 1st 2022, Total Energies EP Uganda, CNOOC Uganda Limited, the Uganda National Oil Company (UNOC), and the Tanzania Petroleum Development Corporation (TPDC) as representatives of the private sector and the governments of Uganda and Tanzania respectively, announced the Final Investment Decision (FID) on the Lake Albert Development which has not only a huge financial dividend to Uganda's economy but also simultaneously has an impact on human rights and the environment. Despite subtle remarks from President Yoweri Museveni asking local authorities to allow NGOs undertake their work without interference or hindrance, we have credible information that some NGOs continue to be targeted.



For example, AFIEGO staff still report to police in respect to a bond issued as far back as last year on unknown charges to date and thus undermining their work as a business where they derive livelihood

Land and environmental human rights defenders in the Albertine region particularly are at grave risk as they continue to face risks and threats due to the nature of work they are engaged in. The patterns of Environmental and human rights violations include threats, arrests, and detention, torture, cruel and inhuman, deregistration and suspension of NGO's operations permit as well as organizational break-ins, extrajudicial surveillance among other threats.

Access to resources for Human Rights Defenders

As of today, Uganda's largest state and non-state funding entity the Democratic Governance Facility remains closed a year and two months since its indefinite suspension by the government of Uganda. This has had a sharp incremental effect on legitimate work of particularly NGOs that work everyday to advance the rights of communities inclusive of Women Rights Organisations pushing to challenge gender based violence, FGM and other cultural practices that affect women including the provision of legal aid to indigent persons.

We now wish to make the following recommendations:

The Executive

1. As Commander in Chief (CiC) of the Uganda People's Defence Forces, initiate an investigation of military officers complicit in recent torture cases as a way to operationalise presidential directives on torture of civilians by security agencies.
2. Conduct a full and transparent investigation into alleged cases of human rights violations by armed security agents targeted at human rights defenders.
3. lift the suspension of the Democratic Governance Facility (DGF) to enable civic organisations and other state actors access resources to empower citizens through the awareness of human rights and promoting good governance





To Parliament of Uganda

1. Expeditiously table findings of investigations into widespread allegations of torture, incommunicado arrests and illegal pre-trial detention against citizens.
2. Urge government relevant ministries to promptly, thoroughly and independently investigate all allegations of human rights abuses and violations targeted at human rights defenders
3. Make a resolution to the effect that all restrictions on fundamental human rights and freedoms be imposed with the oversight of the Parliament of Uganda and the Uganda Human Rights Commission.
4. Appropriate more resources to the Uganda Human Rights Commission and fully constitute its membership to ensure it effectively discharges its cardinal role towards protection and promotion of human rights
5. Immediately consider and pass the Human Rights Defenders protection bill 2019 which provides for the recognition, legitimacy and protection of Human Rights Defenders

To Judiciary

1. Halt trials of suspected tortured persons appearing before the courts of law and address the human rights issues of such suspects first.
2. Investigate circumstances under which trials of suspects (previously held incommunicado) are planned expeditiously and held without notifying the suspects legal representatives or next of kin.

To Uganda Peoples Defence Forces

1. Conduct full and transparent investigations into alleged cases of excessive use of force by security agents especially when handling joint security operations including those operating the infamous "Drone" vehicles used to kidnap citizens.

To Uganda Police:

1. Exhibit transparency on the operations that happen at the detention facility known as the Special investigations Branch (SIB) Kireka and make it accessible to citizens who want to check on detainees kept there.

In conclusion and moving forward, as a community of HRD's and CSOs we are going to have constructive engagements with the three branches of government- the executive, the judiciary and the legislature on the different aspects highlighted in today's brief that continuously affect the operations of Human Rights Defenders.

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