



Uganda: Security forces brutality must not be used to intimidate dissenting voices

This is a multi-sectoral media statement where we the undersigned human rights groups, artists, members of The Law Society of Kenya and other citizens of good will, while deeply concerned about the deteriorating human rights situation in Uganda wish to address you as follows:

In the past weeks, the world has been treated to egregious acts of Human rights violations in the Arua region of northern Uganda following a clash between the ruling party and opposition supporters, during Arua Municipality by-election campaigns. In the clashes one of the presidential vehicles was also reported to have been damaged as crowds pelted stones on the motorcade. H.E Yoweri Museveni President of Uganda was also in Arua to campaign for a candidate for the ruling party.

In retaliation, the Ugandan security authorities arrested five opposition lawmakers (who are critics of President Yoweri Museveni), two journalists and 28 other people. Of the five lawmakers, of particular importance is Hon. Robert Kyagulanyi (Bobi Wine), whose driver, driver Yasin Kawuma was shot dead by the security forces.

Hon. Kyagulanyi was arrested and apparently tortured in an undisclosed location and later charged in a military court in Gulu with the offence of unlawful possession of firearms. The other legislators arrested and charged are; Hon. Kassiano Wadri, an independent candidate who won the by-election in Arua, Hon. Gerald Karuhanga, Hon. Paul Mwiru and Hon. Francis Zaake. Lawmakers Hon. Karuhanga, Hon. Mwiru and Hon. Wadri alongside the 30-other co-accused were charged with treason in a magistrate's court in the northern Ugandan town of Gulu on 16 August. They were charged in connection to the reported attacks on the presidential motorcade.

The circumstances under which, Hon. Kyagulanyi was arrested and charged before a military court in Gulu on 16 August, leaves a lot to be desired. Security officers allege that they found firearms in his hotel room, allegations which has been refuted by the Hotel management and those present on the day of the arrest. While Hon. Kyagulanyi is listed to appear again before military court in Makindye, Kampala on 23 August, we are disturbed by the claims of torture visited upon him and Hon. Zaake.

We are also apprehensive about statements by Hon. Kyagulanyi's Lawyers, Uganda Human Rights Commission officers and family who visited him. They have corroborated claims of torture and other ill-treatment. His wife in her statement raised concerns about his deteriorating health condition and confirmed that no independent doctor has been allowed

by the military to treat Hon. Kyagulayi. Meanwhile, Hon. Zaake is in critical condition at Rubaga Hospital after being tortured too.

We are troubled that the Government of the Republic of Uganda is willfully disregarding International laws such as Treaty for the Establishment of the East African Community, The United Nation Convention Against Torture, The African Charter on Humans and Peoples Rights, The Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights. These conventions guide every party State on human rights issues.

We are further disturbed that President Museveni found it appropriate to mock, belittle and downplay the veracity of the human rights violation in his statement on 20 August by justifying the use of military force terming it a way to teach a lesson to the “chronically in disciplined” opposition leaders. President Museveni even made a joke about Hon Zaake having escaped from hospital yet he is in a coma. We find such statements very unfortunate from a head of state.

We are also bothered by actions of the security forces in using excessive force in dispersing anti-Government demonstrators seeking the release of detained politicians in various parts of the country, mostly Kampala, where security officers have fired live ammunitions at the crowds, causing loss of life and maiming of innocent civilians. There have been arbitrary arrests of hundreds of people. We even have reports of journalists, such as Akena James, a photojournalist attached with Reuters who was beaten up while covering the protests on 20 August.

Security forces must not use the violent acts of a few as a pretext to restrict the rights to freedom of assembly for others. They should proactively try to defuse tensions at protests without the use of force.

We urge the government of Uganda to respect the rule of law and recognize that all power belongs to the people, the people of Uganda want peace and stability and the ongoing crackdown on opposition dissidents will do nothing but worsen the situation.

We hereby call on the Government of the Republic of Uganda to:

1. Launch a thorough, independent and impartial investigation, including appropriate forensic investigations, into how Yasin Kawuma was killed with a shot to his head. There must be accountability for this tragic death;



2. Guarantee that each of the persons accused of recognizable offences under Uganda law and international law will have their guilt or innocence determined by a fair and effective legal process;
3. Immediately and unconditionally release Hon. Kyagulanyi from military incarceration;
4. Ensure that Hon. Kyagulanyi receives adequate medical treatment as required by his state of health, by a doctor of the family's choosing;
5. Promptly, impartially and thoroughly investigate all allegations of torture and other ill-treatment in detention, make the findings of the investigation public, and bring those found culpable to justice in proceedings that meet international fair trial standards without recourse to the death penalty;
6. Respect and facilitate people's right to peacefully assemble. Citizens have a right to express their opinions and discontentment freely;
7. Respect and facilitate media's right to report on protests. The media must be protected and not attacked.

This is a call to action! This is a call to every able-bodied person to join us as we embark on a journey to stand with our brothers and sisters from our neighboring country that are facing persecution.

Join us for a nationwide demonstration this Thursday 23 August at freedom corner so that advancing the rule of law is no longer optional!

Signed:

Kenya Human Rights Commission

Law Society of Kenya

National Coalition of Human Rights Defenders

PAWA254