



PRESS STATEMENT

16th July 2020

For Immediate Release

A STATEMENT CONDEMNING CONTINUED ACTS OF ABUSE, TORTURE AND VIOLATIONS OF HUMAN RIGHTS BY THE LAW ENFORCEMENT AGENCIES (POLICE & LDU)

The Legal Aid Service Providers Network, an umbrella organization of 55 Legal Aid Service Providers (LASPs) spread across 80 districts in Uganda is deeply concerned about the ongoing human rights violations and abuses meted out on the public by security agencies particularly the Police and Local Defence Unit (LDU). We have observed through mainstream and social media that it has almost become habitual for LDUs to torture innocent citizens under the guise of enforcing the Presidential directives on COVID 19 especially at the time of curfew. The torturous acts of LDU Officers have been more evident during the COVID-19 lockdown where a significant number of civilians are subjected to wanton beating and inhumane degrading treatment causing loss of lives in some instances.

The notable incidents where LDUs have abused powers and violated human rights through use of force and torture that we would like to highlight in this statement include:

- The killing of Mr. Francis Ogwang Munu, an elderly man aged 65 years who was beaten in Oyam district on the 27th June 2020 under the guise of enforcing curfew guidelines.
- The matter of an officer attached to Masaka Reserve Force, Private Robert Muyaga who shot his wife, Jacqueline Nagasha dead on allegations that she was having an extra marital affair with Francis Musasizi, the Lutovu B Village chairperson on the 8th May 2020.
- On 30th April, a 25 year old PWD man, Oloya Willis was shot in the leg by an LDU in Mugila west village, Agago district when he continued walking away as they talked to him because he could not see or hear them. His leg was amputated as a result of his injuries and he now endures another layer of disability. This is an indicator that the COVID19 measures are not inclusive of PWDs and as such they suffer police and LDU brutality.
- In Lagile parish Pader district, a police officer shot at three people killing one Odong Bosco on site. Whereas the LDU was arrested, the police officer was merely transferred to another location without investigations or prosecution being conducted for his erroneous act.
- On 7th July 2020, four (4) LDU Officers were under the spotlight for assaulting the Mityana LC5 chairman, Joseph Luzige. Although the UPDF Spokesperson Brig. Gen. Richard Karemire condemned the unbecoming conduct of those LDU Officers, this and previous actions remain prevalent as a demonstration of impunity in the force

- On 2nd July 2020, in Masaka, a boda boda man by the names of Hussein Walugembe set himself on fire in the precinct of police on allegations that police were demanding for a bribe to release his confiscated motorcycle. We have subsequently seen the media awash with many such motorcycles being impounded and used to extort money from the already impoverished Ugandans. These actions are likely to continue
- Another victim of security torture is the late Emmanuel Tegu, a veterinary student at Makerere University who was allegedly beaten by unidentified security operatives as he left St. Augustine's Chapel in Makerere University. Through media reports, we later learnt that the deceased Emmanuel Tegu sustained serious injuries which led to his untimely demise. The Police despite public demand has refused to release the video alleging Tegu was assaulted by a mob, an account considered suspicious in view that this incident happened during curfew time when it is only security personnel at large.

The above and many more incidents not accounted for are an indication of serious growing impunity and are a threat to the security of persons and their property in Uganda. These erroneous acts of security officers are contrary to established international, regional and national legal framework established to protect human rights like the right to life, freedom from torture, in human and degrading treatment.

The Universal Declaration of Human Rights Article 3 among others, provides that the right to life, liberty and security of persons should religiously be promoted and adhered to. The other legislative frameworks upon which we should draw the basis of protection of human rights include: **The African Convention on Human and Peoples Rights (ACHPR)**, to which Uganda is a state party and **the 1995 Constitution of Uganda under Chapter 4** commonly referred to as the bill of rights under which the right to life, personal liberty are enshrined. The violations further contravene **Article 22** of the Constitution that safe guards the right to life; **Article 44 (a)** of the constitution on torture which provides that *“there shall be no derogation from the enjoyment of freedom from torture and cruel, inhuman or degrading treatment or punishment.*

In exercise of their powers and mandate **Article 221** of the Constitution requires security organs to observe and respect human rights and freedoms in the performance of their functions ; **Article 212(a)** provides that the Police is mandated to protect life and property. Additionally the **Police Act, Section 4(1)(a)** and **Uganda Peoples Defense Forces Act, 2005 Section 29(2)(b) and (d)** as well as code of conduct of 2005, mandates the IGP & CDF to ensure professionalism and modernization in the defense forces while promoting and fostering strict adherence to the rule of law, human rights as well as principles of natural Justice.

It is against this background of the continued security personnel brutality, acts of torture, in human and degrading treatments , that LASPNET a human rights based organization joins other stakeholders and all concerned citizens of Uganda to condemn in the **STRONGEST TERMS**

the unlawful acts of the Law enforcement agents especially the Police & LDUs. LASPNET takes cognizant and warns the Uganda Police and UPDF that if these acts go on untamed, such violations can easily be interpreted as institutionalized abuses by security organs. This is more so because LDU Officers are an auxiliary force to the Uganda Peoples' Defence Forces (UPDF). We also presume that if not prevailed over by Government especially Parliament, LDUs could continue to escalate violence as we draw closer to the election period.

THEREFORE, AND IN THE LIGHT OF THE ABOVE , WE HEREBY APPEAL AND MAKE THE FOLLOWING RECOMMENDATIONS.

To Parliament of Uganda:

- To engage the Ministry of Internal Affairs and make resolutions to disband Local Defence Unit (LDU) since it has lost its purpose and have turned out to be a danger to the right to life, security of persons and their property
- To engage the Leadership of Security agencies (Police & UPDF) so that they remain transparent, accountable to the people of Uganda through unequivocally, investigating, prosecuting and punishing officers implicated; restraining them from carrying out errant acts endangering the community and stopping the ongoing escalating human rights violations committed against the public.

To Security Agencies (Uganda Peoples' Defence Forces and Uganda Police Force)

- In the alternative, if not Disbanded the UPDF should immediately put in place measures to restructure the LDU force; and popularize a Human rights abuse response center where errant officers can be reported by the public.
- UPF & UPDF should immediately investigate and cause prosecution of its errant officers.
- UPF (CIID) to immediately conduct comprehensive investigations in a transparent and timely manner the cases of Tegu Emanuel; Hussein Walugembe and all other cases where LDU have caused serious injuries leading to death. The report detailing an account of what exactly happened as well as action taken so far should be availed to the public in addition to the ongoing judicial proceedings.
- UPF & UPDF must respect and enforce the Human Rights Enforcement Act (2019) which poses individual liability to perpetrators of Human rights abuse.

Uganda Human Rights Commission:

- To pronounce themselves on the ongoing human rights abuses calling out the security agencies and their personnel to order.
- To mainstream capacity building trainings on Human Rights Based Approaches (HRBA) for all Security agencies.
- To conduct on-spot assessments of Law enforcements agencies and take appropriate action.

To the Office of the Director of Public Prosecution (ODPP)

- To expedite direction of investigations with the CIID arm of police and prosecute all those found culpable of the ongoing abuses causing loss of lives especially in the cases of TEGU Emanuel and Hussein Walugembe.

To Judiciary:

- To expeditiously handle the cases of police brutality and human rights violations brought before courts of law and ensure those convicted get punitive and deserving punishments

Media:

- To continue undertaking investigative stories and provide timely reporting on human rights violations orchestrated by Security agencies.

To Uganda Law society and Legal Aid Service Providers:

- In addition to the ongoing legal and advisory support, to support victims of such cases by taking up public interest interventions like **LAWYERS ON WATCHING BRIEF** and where it so requires to institute **PRIVATE PROSECUTION** as provided by law and support the victims of human rights violations.

The Public:

- To use the available Rapid response mechanisms to report any rights violations and abuses. For LASPNET they should call **0800100155**, FIDA call on **0800111511** and Uganda Police Force **toll free line 0800199699**.

As a Network of Legal Aid Service Providers, **WE REAFFIRM OUR COMMITMENT and RESOLVE TO STAND** and support the Public in accessing justice for human rights abuses.

FOR GOD AND OUR COUNTRY

Sandra Oryema

Chairperson, BOARD OF DIRECTORS

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