



PRESS RELEASE

Geneva, 27 January 2022

UGANDA AND THE STATE OF CIVIC FREEDOM AHEAD OF UN REVIEW

Human rights organisations CIVICUS, Foundation for Human Rights Initiative (FHRI), Justice Access Point (JAP) and African Institute for Investigative Journalism (AIIJ) call on UN member states to urge the Government of Uganda to protect civic freedoms as its human rights record is examined by the UN Human Rights Council on 27 January 2022 as part of the 40th session of the Universal Periodic Review (UPR).

During its previous UPR examination in November 2016, UN member states made 41 recommendations that directly related to civic space. Uganda subsequently accepted 18 recommendations and noted 23 related to civic space. The government of Uganda committed to taking concrete measures to, among others, “ensure that relevant constitutional provisions relating to freedom of the press are properly implemented and adhered to and that a free press, and freedom of speech are allowed to thrive without undue interference”; “ensure the full respect of the freedoms of association”; and take measures “to guarantee the right to peaceful assembly and avoid abuses in police activities and, if such abuses occur, ensure that they do not go unpunished.”

In a joint submission to the Human Rights Council under the 3rd UPR cycle, our organisations assessed the implementation of these recommendations and compliance with international human rights law and standards over the last five years. The assessment found that since 2016, Uganda has persistently failed to address unwarranted restrictions on civic space, specifically on the rights to freedom of expression; the judicial persecution, harassment and intimidation of human rights defenders (HRDs); freedom of assembly and association. Journalists have been physically assaulted for covering events or protests and independent newspapers and radio stations have on several occasions been forced to close and had their licenses suspended and broadcasting equipment confiscated by the authorities; HRDs engaged in legitimate activity are subjected to judicial persecution, threats and harassment, arrested on fictitious charges, threatened or stigmatized by government officials; the internet and social media accounts have on various occasions been shut down, and the provisions of the NGO Act 2016 have been adversely applied to constrain freedom of association rather than facilitate it - including the suspension of legitimate NGOs.

“States must take the opportunity of Uganda’s human rights review to hold the government to account for violations. The state has not only failed to deliver on the human rights commitments it made, but has continued to use the judicial system to silence dissent and introduced additional laws to restrict freedom of expression”

David Kode Advocacy & Campaign Lead at CIVICUS

“Covid 19 Containment measures have been severely used to abuse freedom of assembly, association and citizen’s right to participate in political processes”

Dr. Livingstone Ssewanyana, Executive Director, Foundation for Human Rights Initiative

“Freedom of assembly and association are faced with dire restrictions in law and practice of state agencies. There is need for the state to respect the provisions of the International covenant on civil and political rights and its constitution”

Mohammed Ndifuna, Executive Director, Justice Access Point.

“Many people who have brutalized journalist, have not been held accountable for these actions – they walk the streets with impunity. This must stop.”

Solomon Serwanja, Executive Director, AIII asserted.

Key recommendations that should be made include:

1. Stop the practice of arbitrarily arresting, detaining and persecuting HRDs in response to their human rights activities.
2. Review restrictive provisions of the Penal Code that are used to target journalists and ensure they are in line with Uganda’s domestic and international human rights obligations.
3. Thoroughly investigate threats, torture and other inhumane and degrading treatment committed against journalists and attacks on media houses, bring to justice those responsible and guarantee reparations to the victims.
4. Stop imposing bans on social media and desist from shutting down the internet at politically critical moments and allow citizens their rights to access online platforms.
5. Refrain from issuing impromptu bans on independent radio stations and media agencies when they broadcast views of members of the political opposition and opinions that differ from those of the government.
6. Take measures to guarantee the right to peaceful assembly and avoid abuses in police activities and, if such abuses occur, ensure that they do not go unpunished.
7. Amend the Public Order Management Act, 2013 to ensure the freedom of peaceful assembly in line with international human rights standards.
8. Amend the NGO Act, 2016, which restricts the right to freedom of association, to bring it into conformity with the Constitution and the ICCPR.

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