



**USAID**  
FROM THE AMERICAN PEOPLE



**JUSTICE  
ACCESS  
POINT**

EAST • WEST  
MANAGEMENT  
INSTITUTE

USAID/Uganda Civil Society  
Strengthening Activity (CSSA)

# PERIODIC STATUS REPORT

## ON PUBLIC ASSEMBLIES BASED ON SELECTED CASE STUDIES OF EVENTS MONITORED IN UGANDA



**JULY – AUGUST 2022**

**Disclaimer**

This report was made possible with the generous support of the American people through the United States Agency for International Development (USAID). The contents are the responsibility of JAP and do not necessarily reflect the views of USAID or the United States Government.

**PERIODIC STATUS REPORT**  
**ON PUBLIC ASSEMBLIES BASED ON SELECTED CASE**  
**STUDIES OF EVENTS MONITORED IN UGANDA**

**JULY – AUGUST 2022**

## ACKNOWLEDGEMENT

JAP acknowledges the generous financial and technical support of the USAID/Uganda Civil Society Strengthening Activity (CSSA) through the United States Agency for International Development Implemented by East West Management Institute (EWMI) and International Center for Not-for-Profit Law (ICNL) that has enabled the production of this report. In a special way JAP recognizes the contribution of JAP staff including Mr. Mohammed Ndifuna (Executive Director), Ms. Zam Nalwoga (Director of Programmes) for the write-up, and the field based monitors of public assemblies who participated in the collection of data for the compilation of this report.

## TABLE OF CONTENTS

ACKNOWLEDGEMENT	-2
TABLE OF CONTENTS	-3
LIST OF ACRONYMS AND ABBREVIATIONS	-5
FOREWORD	-6
EXECUTIVE SUMMARY	-7
1.0 BACK GROUND	-9
1.1 Introduction:	-9
1.2 The purpose of the status report	-9
1.3 The scope of the status report	10
1.4 Methodological approach	10
2.0 CASE STUDY ONE – CITIZEN PROTESTS AGAINST ESCALATION OF FUEL PRICES IN JINJA DISTRICT.	11
3.0 CASE STUDY TWO – THE CITIZENS PROTEST OVER STALLED CASES IN THE UGANDAN COURTS OF LAW	14
4.0 CASES STUDY THREE – A GROUP OF YOUTH PROTESTED AGAINST GOVERNMENT OF UGANDA’S POSITION OF AMBIVALENCE REGARDING THE WAR IN UKRAINE AND RUSSIAN AGGRESSION AGAINST UKRAINE.	17

5.0	CASE STUDY 4 – YOUTH PROTEST OVER POOR LEADERSHIP IN THE NATIONAL YOUTH MOVEMENT (NYM). - - - - -	20
6.0	CASE STUDY 5 – PROTEST OF SOME DEMOCRATIC PARTY (DP) FUNCTIONARIES AGAINST THE SIGNING OF AN MOU BETWEEN DP AND THE NATIONAL MOVEMENT - - - - -	23
7.0	CASE STUDY 6 – PROTEST OF SOME VOTERS AGAINST ALLEGED BALLOT STUFFING IN SOROTI EAST CONSTITUENCY BY ELECTIONS. - - - - -	26
8.0	THE KEY OBSERVATIONS AND ISSUES OF CONCERN: - - - - -	29
9.0	RECOMMENDATIONS: - - - - -	31
	THE CONCLUSION- - - - -	33
	REFERENCE - - - - -	34
	ABOUT JUSTICE ACCESS POINT (JAP)-- - - - -	35

## LIST OF ACRONYMS AND ABBREVIATIONS

<b>ABU</b>	African Battalion Union
<b>CCA</b>	Concerned Citizen Activists
<b>CSSA</b>	Civil Society Strengthening Activity
<b>DP</b>	Democratic Party
<b>EWMI</b>	East West Management Institute
<b>ICNL</b>	International Center for Not-for-Profit Law
<b>JAP</b>	Justice Access Point
<b>NRM</b>	National Resistance Movement
<b>NYM</b>	National Youth Movement
<b>RSJC</b>	Rubaga Social Justice Center
<b>UHRC</b>	Uganda Human Rights Commission
<b>UPR</b>	Universal Periodic Review
<b>USAID</b>	United States Agency for International Development
<b>YAG</b>	Youth Action Group

## FOREWORD

I am delighted to commend to you this periodic status report produced by Justice Access Point. This report collates the findings that emerged from the field based exercise undertaken between 1<sup>st</sup> July and 30<sup>th</sup> August 2022. Monitoring public assemblies constitutes an important plank in the strategy to protect and promote the right to peaceful protest. This is very crucial for the protection or consolidation of our democracy. Democracy is where people (demos) meet to decide and pronounce their preferences (kratik). Therefore public assemblies are bedrock for democracy.

This periodic status report provides the reader with insight into the quality of public assemblies management and points to areas of possible improvement to protect and uphold the right to peaceful protest in Uganda. Hopefully, this will be the first of a series of other reports that will contribute to the National status report on public assemblies in Uganda.

For God and My country,

**Prof. Dr. Wilson Muyinda Mande**

Chairperson, Board of Directors  
Justice Access Point.

## EXECUTIVE SUMMARY

This report contains the findings from the monitoring of public assemblies that occurred in Uganda between 1<sup>st</sup> July and 30<sup>th</sup> August 2022. The status report on public assemblies in Uganda is one of the outputs for the project implemented by Justice Access Point (JAP) whose overarching objective is strengthens stakeholders' capacity to effectively advocate for freedom of peaceful assembly in Uganda.

Public assemblies were purposively sampled for monitoring. The monitoring exercise pre-eminently relied on primary data elicited from a number of respondents that included participants, organisers and responders using the comprehensive standardized tool that was specifically developed to monitor public assemblies in Uganda.

The field based monitoring exercise conducted revealed that:

- a. Most of the public assemblies monitored were organized without due regard to the requirement of section 5(1) of the Public orders Management Act, 2013 (Act 9 of 2013) thereby putting the organizers and participants of the public assemblies in conflict with the law.
- b. Both the organizers/participants and the law enforcement agencies exhibited aggressive behavior towards each other at the different stages of the public assemblies.
- c. Some of the demonstrations degenerated into instances of civil disturbance which complicated the policing of those public assemblies.
- d. Police conducted joint operations with other security agencies in the policing of some public assemblies thereby compounding accountability and opening up elements of impunity for excesses committed by officers of the law.

- e. Stakeholders are neither satisfied with how the police discharged their role; nor with how the organizers disposed their role in the management of public assemblies in Uganda.
- f. According key stakeholders many of the public assemblies and how they were policed fell short of the law and the International human rights standard.

Based on the findings the following recommendations are made:

- a. Enhance public awareness and knowledge on human rights, the law on public assemblies; and the essence of Non-violent protest;
- b. There is need for guidelines on the management of spontaneous assemblies;
- c. UPF and other allied security agencies should facilitate and enforce responsible use of fire arms and force during policing of public assemblies including use of de-escalation measures during public assemblies, early warning and response , nonlethal force and accountability for misuse of fire arms and abuse of force during public assemblies;
- d. Amendment of existing laws for instance the Police Act 1994 and the Public order Management Act 2013 to provide for better management of public assemblies in Uganda.
- e. UPF should consider the creation and training of crowd marshals to help in the management of public assemblies;
- f. Human rights and civic education to empower the different stakeholders with knowledge on freedom of assembly and the tennets of non-violent protest;
- g. There is a need for continual community based monitoring of public assemblies or maintenance of standby commissioned monitors to ensure proper documentation of the management of public assemblies.
- h. Civil society should consider utilizing existing internal accountability tools within UPF such as Police Form 105 to address issues of professional misconduct of police officers.

## 1.0 BACK GROUND

### 1.1 Introduction:

This report contains the findings from the monitoring of public assemblies that occurred in Uganda between July and August 2022. The status report on public assemblies in Uganda is one of the outputs for the project implemented by Justice Access Point (JAP) whose overarching objective is strengthens stakeholders' capacity to effectively advocate for freedom of peaceful assembly in Uganda. Uganda has been beleaguered by incidents of public disorder that have preeminently caught the attention of media; the subject of domestic litigations and recommendations to Uganda under the 1st and 2nd cycle of Universal Periodic Review (UPR) as areas of urgent need for improvement.

However, most of the reports on public assemblies have been anecdotal and not the outcome of consistent monitoring processes based on standardized tools that take into account the UN principles on freedom of assemblies and Uganda Human Rights Commission (UHRC) guidelines on management of public assemblies. The status report is the first of a series of possible effort by civil society to monitor public assemblies using a comprehensive standardized tool developed by Justice Access Point with financial and technical support of the USAID/Uganda Civil Society Strengthening Activity (CSSA) through the United States Agency for International Development Implemented by East West Management Institute (EWMI) and International Center for Not-for-Profit Law (ICNL).

### 1.2 The purpose of the status report

To furnish key information (facts and perceptions) on the management of public assemblies in Uganda that may be used by civil society in dialogues, quest for accountability for violation of human rights, and to advocate for law reform to enable better management of public assemblies and order in Uganda; and

To collect and compile data that can be used in the generation of a national status report on public assemblies in Uganda.

### **1.3 The scope of the status report**

This report contains the findings from the monitoring of public assemblies that occurred in Uganda between July and August 2022, in the Central and Eastern Uganda. It is based on selected case studies of public assemblies and does not present the totality of the episodes that occurred in the country or the selected regions for that matter.

The case studies selected included the citizen protests against escalation of fuel prices in Jinja district; the citizens protest over stalled cases in the Ugandan courts of law; a group of youth protested against government of Uganda's position of ambivalence regarding the war in Ukraine and Russian aggression against Ukraine; the youth protest over poor leadership in the national youth movement (NYM); the protest of some democratic party (DP) functionaries against the signing of an MOU between DP and the national movement and the protest of some voters against alleged ballot stuffing in Soroti East constituency by elections.

### **1.4 Methodological approach**

Different public assemblies were purposively sampled for monitoring. The monitoring exercise pre-eminently relied on primary data elicited from a number of respondents that included participants, organisers and responders using the comprehensive standardised tool that was specifically developed to monitor public assemblies in Uganda. The tool is structured into five (5) sections including section 1 on demographic characteristics, section 2 on the assembly, section 3 on Policing the Assembly, section 4 on counter-demonstrations, and section 5 on general assessment of public assembly. Secondary data from media reports and recordings was extracted for purposes of triangulation.

# Case Study

# 1

## CITIZEN PROTESTS AGAINST ESCALATION OF FUEL PRICES IN JINJA DISTRICT.



*Photos showing a scene at Mafubira Village where protestors blocked the road with stones and burning tyres*



On July 25<sup>th</sup>, 2022, a number of protests broke out in Mafubira and Bugembe in Jinja District. The reasons cited for the protests varied according to the source of the information. The protestors cited their disgruntlement with the state for failing to decisively deal with the skyrocketing process of fuel and essential goods, while the law enforcement agencies cited sabotage by the youth linked to the political opposition through their campaign code-named Kunga.<sup>1</sup>

The organizers were nondescript and the ranks of participants were majorly male youth. The organizers of the protests did not notify the police as required under section 5(1) of the Public orders Management Act, 2013 (Act 9 of 2013).

The participants raised barriers on the roads and obstructed traffic. They dumped bricks, rocks, and logs in middle or across the roads all of which interfered with traffic flow. The participants exhibited aggressive behavior including burning of used car tyres and threw stones at road users, smashed vehicles windscreens. Some of the protestors were seen snatching valuable from members of the public or beating them so as to discourage road users. The police responded with force including explosion of teargas canisters, and beating of protestors with truncheons. 250 people were arrested on 26/7/2022 and 50 remanded to Kirinya Prison.<sup>2</sup>

The overall assessment of the public assemblies in terms of the perceived roles of the police, the organizers as well as the perceived self-awareness of the stakeholders (police, organizers, participants or by-standers) in respect of Jinja District was as follows:

---

1 Protest to remove Museveni: Bobi Wine's NUP Breaks silence : <https://pearltimes.co.ug/protests-to-remove-museveni-bobi-wines-nup-breaks-silence/> . Last accessed 9/14/2022

2 50 remanded to prison after Jinja protests over high food, fuel prices: <https://www.monitor.co.ug/uganda/news/national/50-remanded-to-prison-after-jinja-protests-over-high-food-fuel-prices-3894446> . Last accessed 9/14/2022

- a. 30% of the respondents disagreed with the statement that the manner in which the police had discharged their role in policing public assembly was satisfactory, 30% neither agreed nor disagreed, while 40% agreed with the statement;
- b. 60% of the respondents disagreed with the statement that the manner in which the event organizers had discharged their role in policing the public assembly was satisfactory; 10% neither agreed nor disagreed; and 30% agreed;
- c. 30% of the respondents disagreed with the statement that the manner in which the participants behaved during the public assembly was satisfactory, 40% neither agreed nor disagreed, while 30% agreed with the statement;
- d. 30% disagreed with the statement that the public assembly had been conducted in accordance with the law; 50% neither agreed nor disagreed; and 20% agreed.
- e. 20% neither agreed nor disagreed with the statement that the assembly had been conducted in accordance with the regional and international human rights standard; 60% neither agreed nor disagreed, while 20% agreed.

# Case Study **2**

## THE CITIZENS PROTEST OVER STALLED CASES IN THE UGANDAN COURTS OF LAW



*Photos depicting some of the selected scenes of engagement between the protestors and the police officers at the precincts of the Parliament of Uganda, Kampala.*



On July 27<sup>th</sup> 2022, approximately 20 youth majorly male under the aegis of Youth Action Group (YAG) comprising of representatives of African Battalion Union (ABU), Concerned Citizen Activists (CCA) and Rubaga Social Justice Center (RSJC) organized a protest march. The reason for the protest was to demand for an expeditious disposal of the stalled cases in Courts of Law. No barriers were raised in the roads and obstructed traffic. The organizers of the event did not notify the police as required under section 5(1) of the Public orders Management Act, 2013 (Act 9 of 2013).

The participants did not exhibit aggressive behavior such as burning of used car tyres or threw stones at security personnel or smashed vehicles and damaged property. They peacefully demonstrated carrying placards and chanting their demands. They also claimed to bear a petition that they were to submit either to the Minister of Justice and constitutional affairs or the speaker of the republic of Uganda. The police blocked the protestors from accessing either the Ministry of Justice and Constitutional Affairs or Parliament. In the ensuing scuffle, a police officer tore the petition that the protestors sought to present thereby further infuriating the protestors. The police arrested some of the protestors.

The overall assessment of the public assemblies in terms of the perceived roles of the police, the organizers as well as the perceived self-awareness of the stakeholders (police, organizers, participants or by-standers) in respect of the Citizens protest over stalled cases in the Ugandan Courts of Law was as follows:

- a. 30% of the respondents disagreed with the statement that the manner in which the police discharged their role in policing public assembly was satisfactory, 30% neither agreed nor disagreed, while 40% agreed;
- b. 60% strongly disagreed with the statement that the manner in which the event organizers had discharged their role in policing the public assembly was satisfactory; 10% neither agreed nor disagreed; and 30% agreed;
- c. 40% of the respondents neither agreed nor disagreed with the statement that the manner in which the participants behaved during the public assembly was satisfactory, 30% neither agreed nor disagreed, while 30% agreed with the statement;
- d. 30% disagreed with the statement that the public assembly had been conducted in accordance with the law; 50% neither agreed nor disagreed; and 20% agreed;
- e. 20% neither agreed nor disagreed with the statement that the assembly had been conducted in accordance with the regional and international human rights standard; 60% neither agreed nor disagreed, while 20% agreed.

# Case Study

## 3

**A GROUP OF YOUTH PROTESTED AGAINST GOVERNMENT OF UGANDA'S POSITION OF AMBIVALENCE REGARDING THE WAR IN UKRAINE AND RUSSIAN AGGRESSION AGAINST UKRAINE.**



*A group of youth protested against Government of Uganda's position of ambivalence regarding the war in Ukraine and Russian Aggression against Ukraine.*



On August 8<sup>th</sup> 2022 a group of approximately 20 youth activists organized a public assembly. The purpose of the public assembly was to demand that Government of Uganda expresses solidarity with Ukraine being a victim of Russia's aggression; and to deliver a petition to the Embassy of Russia demanding that Russia ceases its aggression against Ukraine. The organizers of this event did not notify the police as required under section 5(1) of the Public orders Management Act, 2013 (Act 9 of 2013).

The participants commenced their activities with a press conference to highlight their concerns, and therefore embarked on a protest march leading towards the Russian Embassy in Kampala. The march was a peaceful one and the participants did not raise any barriers on the roads and obstructed traffic during their procession. The participants did not exhibit aggressive behavior such as burning of used car tyres and threw stones at security personnel, smashed vehicles and damaged property. However police blocked the procession to Russian Embassy; and arrested some of the protestors.

The overall assessment of the public assemblies in terms of the perceived roles of the police, the organizers as well as the perceived self-awareness of the stakeholders (police, organizers, participants or by-standers) in respect of the a group of youth protesting against Government of Uganda's position of ambivalence regarding the war in Ukraine and Russian Aggression against Ukraine as follows:

- a. 50% of the respondents disagreed with the statement that the manner in which the police had discharged their role in policing the procession was satisfactory, 33% neither agreed nor disagreed, while 17% agreed with the statement;
- b. 25% of the respondents strongly disagreed with the statement that the manner in which the event organizers had discharged their role in policing the assembly was satisfactory; 42% neither agreed nor disagreed; and 33% agreed;
- c. 25% of the respondents neither agreed nor disagreed with the statement that the manner in which the participants behaved during the procession was satisfactory, 42% neither agreed nor disagreed, while 33% agreed with the statement;
- d. 17% of the respondents disagreed with the statement that the procession had been conducted in accordance with the law; 58% neither agreed nor disagreed; and 25% agreed;
- e. 25% neither agreed nor disagreed with the statement that the procession had been conducted in accordance with the regional and international human rights standard; 50% neither agreed nor disagreed, while 25% agreed.

# Case Study

# 4

## YOUTH PROTEST OVER POOR LEADERSHIP IN THE NATIONAL YOUTH MOVEMENT (NYM).



*Youth activists holding a press conference to protest alleged maladministration at the helm of the youth movement: & the intervention of the police to stop the protest*



On August 11<sup>th</sup> 2022 a section of Youth leaders assembled at Teachers House Bombo Road on 11<sup>th</sup> August 2022 for a press conference that was to serve an antecedent to a series of protest actions against alleged poor leadership within the National Youth Movement (NYM). The youth read a press statement and carried placards citing a series of administration including mismanagement of youth funds, failure to convene meetings by the leadership, under representation in both the cabinet and the parliament of the Republic of Uganda. The event was organized to coincide or counter or parallel the official International Youth Day celebrations that took place on the same day.

The organizers of the youth protects did not notify the police as required under section 5(1) of the Public orders Management Act, 2013 (Act 9 of 2013). The event was stopped by police officers who appeared at the venue, collected the placards from the protesters and ordered them to disband or face arrest for unlawful assembly. The youth were neither aggressive nor armed projectiles. The police arrested some of the youth leaders at the event for unlawful assembly.

The overall assessment of the public assemblies in terms of the perceived roles of the police, the organizers as well as the perceived self-awareness of the stakeholders (police, organizers, participants or by-standers) in respect of the a group of youth protesting against maladministration in the National Youth Movement (NYM).

- a. 40% of the respondents disagreed with the statement that the manner in which the police had discharged their role in policing the procession was satisfactory, 40% neither agreed nor disagreed, while 20% agreed with the statement;
- b. 30% of the respondents strongly disagreed with the statement that the manner in which the event organizers had discharged their role in policing the assembly was satisfactory; 30% neither agreed nor disagreed; and 40% agreed;
- c. 20% of the respondents neither agreed nor disagreed with the statement that the manner in which the participants behaved during the procession was satisfactory, 30% neither agreed nor disagreed, while 50% agreed with the statement;
- d. 20% of the respondents disagreed with the statement that the procession had been conducted in accordance with the law; 50% neither agreed nor disagreed; and 30% agreed;
- e. 20% neither agreed nor disagreed with the statement that the procession had been conducted in accordance with the regional and international human rights standard; 50% neither agreed nor disagreed, while 30% agreed.

# Case Study

# 5

**PROTEST OF SOME DEMOCRATIC PARTY (DP) FUNCTIONARIES  
AGAINST THE SIGNING OF AN MOU BETWEEN DP AND THE  
NATIONAL MOVEMENT.**



*Standoff between  
the police and some  
of the DP activists at  
Balintuma Road*



On August 16<sup>th</sup> 2022 a group of Democratic Party functionaries and officials staged a protest to express their displeasure with the decision of the party leadership to sign an MOU with the ruling National Resistance Movement (NRM) allegedly without involving the relevant Democratic Party organs. The protest occurred at Balintuma Road in Rubaga Division within Kampala City and headed to the official premises of the party in the immediate vicinity.

The protesters were not armed with any projectiles, chanted party songs denouncing the leadership vowing to dislodge them from the premises. The organizers of the protect did not notify the police as required under section 5(1) of the Public orders Management Act, 2013 (Act 9 of 2013). The police cordoned off the entrance to the premises and ordered the protesters to disband. This resulted in skirmished between the police and the protester. The police arrested some of the protestors.

The overall assessment of the pubic assemblies in terms of the perceived roles of the police, the organizers as well as the perceived self-awareness of the stakeholders (police, organizers, participants or by-standers) in respect of the protest of some Democratic Party (DP) functionaries against the signing of an Memorandum of Understanding (MoU) between DP and the National Resistance Movement.

- a. The respondents 30% disagreed with the statement that the manner in which the police had discharged their role in policing public assembly was satisfactory; 20% neither agreed nor disagreed, while 50% agreed with the statement;
- b. 40% strongly disagreed with the statement that the manner in which the event organizers had discharged their role in policing the public assembly was satisfactory; 20% neither agreed nor disagreed; and 40% agreed;
- c. 20% of the respondents neither agreed nor disagreed with the statement that the manner in which the participants behaved during the public assembly was satisfactory; 20% neither agreed nor disagreed, while 60% agreed with the statement;
- d. 20% disagreed with the statement that the public assembly had been conducted in accordance with the law; 40% neither agreed nor disagreed; and 40% agreed.
- e. 10% neither agreed nor disagreed with the statement that the procession had been conducted in accordance with the regional and international human rights standard; 50% neither agreed nor disagreed, while 40% agreed.

# Case Study

# 6

## PROTEST OF SOME VOTERS AGAINST ALLEGED BALLOT STUFFING IN SOROTI EAST CONSTITUENCY BY ELECTIONS.



*Police arresting one of the mobilisers at Omalera  
polling station in Soroti East constituency during  
the Soroti By elections*

The event took place on 28<sup>th</sup> July 2022 in Soroti East Constituency as section voters protested alleged ballot stuffing. The by elections were organized following the nullification of the election of Moses Attan after Herbert Edmund Ariko contested the electoral outcomes on the ground that his the wards that constituted his strongholds, namely, Aleot and Opiya had been erroneously annexed to Soroti East Constituency. The protesters also accused the police and security of being partisan and arresting agents of opposition candidates on the eve or in the immediate aftermath of the elections.

This protest was spontaneous and quickly degenerated into a melee. As such the organizers of the youth protects did not notify the police as required under section 5(1) of the Public orders Management Act, 2013 (Act 9 of 2013). The police responded with pepper spray using drone-aided technology to disband the protestors. Over forty (40) persons were arrested for alleged involvement in the arrests.

Police arresting one of the mobilisers at Omalera polling station in Soroti East constituency during the Soroti By elections

The overall assessment of the pubic assemblies in terms of the perceived roles of the police, the organizers as well as the perceived self-awareness of the stakeholders (police, organizers, participants or by-standers) in respect of the Protest of some voters against alleged ballot stuffing in Soroti East Constituency by elections.

- a. The respondents 70% disagreed with the statement that the manner in which the police had discharged their role in policing public assembly was satisfactory; 10% neither agreed nor disagreed, while 20% agreed with the statement;
- b. 30% strongly disagreed with the statement that the manner in which the event organisers had discharged their role in policing the public assembly was satisfactory; 50% neither agreed nor disagreed; and 20% agreed;
- c. 30% of the respondents neither agreed nor disagreed with the statement that the manner in which the participants behaved during the public assembly was satisfactory; 40 % neither agreed nor disagreed, while 30% agreed with the statement;
- d. 60% disagreed with the statement that the public assembly had been conducted in accordance with the law; 20% neither agreed nor disagreed; and 20% agreed.
- e. 50% neither agreed nor disagreed with the statement that the procession had been conducted in accordance with the regional and international human rights standard; 30% neither agreed nor disagreed, while 20% agreed.

## 8.0 THE KEY OBSERVATIONS AND ISSUES OF CONCERN:

- a. Most of the public assemblies monitored were organized without due regard to the requirement of section 5(1) of the Public orders Management Act, 2013 (Act 9 of 2013) thereby putting the organizers and participants of the public assemblies in conflict with the law. Whereas POMA removes the burden of notification from organisers of spontaneous gatherings, in practice the police require notification for all public assemblies. Thus while organizers proceed as if all their public assemblies are spontaneous, on the other hand, law enforcement agencies by default do not recognize any spontaneous public assembly;
- b. Both the organizers/participants and the law enforcement agencies exhibited aggressive behavior towards each other at the different stages of the public assemblies. However, while the police perceived their violence as sanctioned by law, on the other hand some of protesters exhibited aggressive behavior because they perceived the police as a violator of their right to protest. Indeed section 36 of the Police Act 1994 gives wide powers to the police in dispersing public assemblies which may be open to abuse;
- c. Some of the demonstrations degenerated into instances of civil disturbance which complicated the policing of those public assemblies. While a demonstration is a legal assembly of persons who have organized primarily to express political, or social views; a civil disturbance is an unlawful assembly and is usually defined by law e.g the Penal Code Act (Chapter 120). There is contention among the stakeholders as to whether the instances of civil disturbance were the consequence of violent clamp down on protestors by security agencies or the vice versa;

- d. There were instances where police officers involved in policing public assemblies conducted themselves in unprofessional manner prior to the assembly, during or immediately after the assembly. Where the police were perceived to have played a partisan role in the events that provoked the protest, their efforts to police the assembly was essentially perceived as partisan (eg. The assembly in Soroti East Constituency). Unprofessional and potentially partisan actions by police officers during assembly as also a comparable effect (e.g. Citizens protest over stalled cases in the Ugandan Courts of Law);
- e. The public assemblies were policed by a varying mixture of different units of the police as evidenced by the blue camouflage uniforms for the Joint operations, and the Olive green uniform used by the general Police, and white uniforms for traffic police. This was coupled by security agents from the military, in some cases. While the joint operations between UPF and other security agencies in the containment of protests may have operational benefits, it can blur lines of accountability and increase the potential for human rights violations;
- f. Significantly, on how the different stakeholders discharged their roles, an appreciate percentage of the respondents in all the assemblies monitored (between 10% and 50%) were non-committal on whether they were satisfied or not. This is a pointer to possible lack of awareness regarding the lawful roles of the different stakeholders;
- g. Significantly, on how whether the assemblies were discharged in accordance with the law and the international human rights standards an appreciate percentage of the respondents in all the assemblies monitored (between 20% and 60%) were non-committal. This is a pointer to possible lack of awareness of the relevant national laws and the international human rights standards.

## 9.0 RECOMMENDATIONS:

- a. Enhance public awareness and knowledge on human rights, the law on public assemblies; and the essence of Non-violent protest;
- b. There is need for guidelines on the management of spontaneous assemblies;
- c. UPF and other allied security agencies should facilitate and enforce responsible use of fire arms and force during policing of public assemblies including use of de-escalation measures during public assemblies, early warning and response , nonlethal force and accountability for misuse of fire arms and abuse of force during public assemblies;
- d. Amendment of existing laws for instance the Police Act 1994 and the Public order Management Act 2013 to provide for better management of public assemblies in Uganda. Particular attention should be given to use of force and fire arms in policing public assemblies; and the cooperation between Uganda Police Force and other security agencies to ensure greater accountability and clarity of command structure in joint operations.
- e. UPF should consider the creation and training of crowd marshals to help in the management of public assemblies;
- f. Human rights and civic education to empower the different stakeholders with knowledge on freedom of assembly and the tenets of non-violent protest;
- g. There is a need for continual community based monitoring of public assemblies or maintenance of standby commissioned monitors to ensure proper documentation of the management of public assemblies. This should be coupled with building the capacity of CSOs to analyze the data collected using the comprehensive

standardized tool. This will facilitate the compilation of a National status report on public assemblies in Uganda;

- h. Civil society should consider utilizing existing internal accountability tools within UPF such as Police Form 105 to address issues of professional misconduct of police officers. This will require popularizing the police form 105 and other internal mechanisms such as the police standby disciplinary courts; similarly, the same pathway could be followed with UPDF in cases where military officers are participating in joint operations with UPF are accused of professional misconduct.

## THE CONCLUSION

Management of Public assemblies remain one of the daunting challenge characterized by human rights violations as well as knowledge and trust deficits among the different stakeholders. The different stakeholders ought to remain vigilant to explore opportunities for collaboration in initiatives that will further improvements in the management of public assemblies in Uganda. The documentation and reporting on the quality of public assemblies management occupies a central place in efforts to buttress freedom of assembly.

## REFERENCE

1. The Constitution of the Republic of Uganda 1995  
*[https://statehouse.go.ug/sites/default/files/attachments/Constitution\\_1995.pdf](https://statehouse.go.ug/sites/default/files/attachments/Constitution_1995.pdf)*
2. The Police Act 1994  
*<https://www.upf.go.ug/download/the-police-act/>*
3. Penal Code Act (Chapter 120)  
*<https://ulii.org/akn/ug/act/ord/1950/12/eng%402014-05-09>*
4. The Public Order Management Act 2013  
*<https://www.uhrc.ug/download/public-order-management-act-2013/>*
5. The pocket guide book on freedom of assembly in Uganda 2022, Justice Access Point  
*<https://jap.or.ug/wp-content/uploads/2022/07/Pocket-Book-Guidelines-Principles-on-Freedom-of-Assembly-2022.pdf>*

## ABOUT JUSTICE ACCESS POINT (JAP)

Justice Access Point (JAP) was established in 2018 and duly registered with the National Bureau for Non-Government Organizations in Uganda. JAP is mandated to operate nation-wide to prevent atrocity crimes; countering hate speech and violent extremism; prevention of statelessness; and promotion of rule of law and human rights.

### **Our Vision**

A society where every citizen is able to access and benefit from Justice.

### **Our Mission**

A one stop Justice center of excellence, enabling citizens and citizen organizations in fragile and post-conflict communities in Uganda to effectively and efficiently access and utilize the available justice mechanisms and meet their justice needs.

### **Strategic Objectives**

- a. To empower key stakeholders to promote, protect and uphold the human rights standards as enshrined in the domestic, regional and international human rights frameworks;
- b. To empower key stakeholders to prevent and respond to atrocity crimes in Uganda;
- c. To empower key stakeholders to counter violent extremism in Uganda;
- d. To empower key stakeholders to prevent and respond to statelessness in Uganda;
- e. To strengthen the capacity of the different stakeholders in Uganda to counter hate/dangerous speech.





**Justice Access Point (JAP)**

P. O. Box 9235, Kampala – Uganda.

Telephone: +256 706 341 749  
+256 703 384 055

Email: [justiceaccesspoint@gmail.com](mailto:justiceaccesspoint@gmail.com),  
[executive@jap.or.ug](mailto:executive@jap.or.ug)

Website: <http://jap.or.ug>