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The State of the World's Human Rights; Uganda 2023

Background

In March, Muhoozi Kainerugaba, President Museveni's son, announced on X (formerly Twitter), that he would run for president in 2026, later deleting his tweet. He then launched the MK Movement, a political mobilization campaign, continuing in his presidential bid. President Museveni did not announce his intentions for the election.

In August, the Electoral Commission launched the national strategic plan and roadmap for the 2026 general elections.

Also in August, OHCHR, the UN human rights office, closed in Uganda after the government refused to renew its host agreement. For 18 years, the office had worked closely with civil society, rights-holders and NGOs, and had engaged with state institutions for the promotion and protection of human rights in the country.

Freedom of peaceful assembly

In January, police in the capital, Kampala, arrested human rights defender Bob Barigye while he was organizing a public debate on climate justice. He was released from Wandegaya Police Station on police bond after three days, charged with "obstruct[ing]... a police officer on duty". In June, he was re-arrested along with Zarika Mutesi, Shamim Naruwada and Phionah Nalusiba, also human rights defenders, for protesting against the fossil fuel company East African Crude Oil Pipeline (EACOP) Ltd (see Right to a healthy environment below). They were taken to Kampala Central Police Station, charged with inciting violence, and released on police bond the next day.

On 15 September, student environmental activists Benjamin Akiso, Wasswa Alex, Abduh Twaib Magambo and Kajubi Maktumin were arrested by police in Kampala for holding a public protest. They were detained at Luzira prison for six days on charges of common nuisance before being granted bail by the Buganda Road court. Their case was pending at the end of the year.

In April, police arrested 12 women MPs outside parliament in Kampala as they prepared to march to the Ministry of Internal Affairs to deliver a petition about police use of excessive force to disperse various meetings organized by women MPs in their constituencies. The women, some of whom were injured during their arrest, were unconditionally released hours later from the central police station after the parliamentary speaker intervened.

At the end of August, the opposition National Unity Platform (NUP) party began campaigning and mobilizing, attracting huge crowds of supporters. In September, the police deputy inspector general responded by suspending NUP party gatherings and other activities nationwide. The authorities claimed that public order violations like traffic accidents, including one that led to a fatality, were being "used to incite violence, promote sectarianism, launch illegitimate calls for the... government's removal... and publish defamatory statements against the President..."

On 9 October, the security forces prevented NUP party leaders and supporters from holding a press conference at their headquarters. Fourteen of them, including secretary general David Lewis

Rubongoya, spokesperson Joel Ssenyonyi and the secretary for mobilization, Fred Nyanzi, were briefly arrested and released unconditionally.

On 11 October, police charged 59 NUP party supporters from Entebbe, Kajjansi and Kawempe (an area of Kampala) for holding an unlawful assembly and inciting violence contrary to the Penal Code Act. Tens of NUP leaders and supporters were arrested around the country for protesting against the house arrest of their party leader, Robert Kyagulanyi, also known as Bobi Wine. Robert Kyagulanyi was arrested on 5 October when he arrived at Entebbe airport from tours in Canada and South Africa. Security forces escorted him to his home in Magere, outside Kampala, where he remained under house arrest for three days.

LGBTI people's rights

In May, the Anti-Homosexuality Act, 2023 was enacted. It introduced the death penalty for the offence of “aggravated homosexuality”, vaguely described as sexual intercourse with a person over 75 or below 18 who either does not give consent, is unable to give consent, or is a person living with a disability or mental illness. The law also imposes life imprisonment and a maximum 10-year custodial sentence for consensual same-sex sexual acts, and attempted same-sex sexual acts, respectively; and criminalizes the “promotion” of “homosexuality”.

Following the enactment of the law, there were reports of increased violence and other violations against LGBTI people. A local NGO, Human Rights Awareness and Promotion Forum (HRAPF), recorded 379 cases of violence between June and December, including people being evicted from their homes and villages, and physical violence or threats of violence.

In August, the director of public prosecutions directed that all cases with charges preferred under the act should be submitted to her office with a written legal opinion providing further guidance before a decision to charge is made. However, five cases of “aggravated homosexuality” were already being tried in courts in the Kampala, Lugazi, Mbarara, Soroti and Wakiso districts, and two of the accused in these cases remained in police custody while others were released on bond. According to HRAPF, at least 59 people were charged with various offences under the law by the end of the year.

On 18 December, the constitutional court began hearing a petition, brought by local human rights groups, challenging the law.

Right to a healthy environment

On 24 January, EACOP Ltd, owned jointly by the Uganda National Oil Company, TotalEnergies EP Uganda, China National Offshore Oil Corporation Uganda and the Tanzania Petroleum Development Corporation, received a licence allowing it to develop a 1,443km pipeline (known as EACOP) from Kabaale, in the Hoima district in western Uganda, to Tanzania's Chongoleani Peninsula near Tanga Port. The project involves the construction of a 61cm diameter heated pipeline to transport crude oil and puts hundreds of villages in Kapapi and Kiganja sub-counties in danger of further forced eviction from their land (see below, Forced evictions). The pipeline is set to pass through human settlements and wildlife areas, agricultural land and water sources, and threatens the right to a clean, healthy and sustainable environment.

On 28 February, a French civil court dismissed a case brought in 2018 by six NGOs from France and Uganda against EACOP Ltd shareholder TotalEnergies. The NGOs sought to stop the pipeline under a 2017 French due diligence law that makes multinational companies liable for risks to the environment and human rights arising from their business activities at home and abroad. The court dismissed the case on procedural grounds.

Meanwhile, Kenyan, Ugandan and Tanzanian civil society groups waited for the third year for a decision from the East African Court of Justice, following their lawsuit seeking a temporary injunction with the aim of halting the construction of the pipeline. On 5 April, the court decided to reserve its judgment after hearing arguments, including from the East African Community secretary general, and the Tanzanian and Ugandan governments, that the matter was outside the court's jurisdiction (see Tanzania entry). On 29 November the court dismissed the lawsuit regarding it as time barred, while ruling that the applicants should have filed the case as early as 2017 rather than in 2020. The civil society groups appealed the decision on 11 December.

Forced evictions

During the night of 10 February, security forces forcibly evicted nearly 500 families in Waaki North, Kapapi Central, Waaki South, Runga and Kiryatete villages in Kapapi and Kiganja sub-counties, Hoima district, from their land to allow for the EACOP construction. Security forces burned houses, assaulted people and looted property, including livestock and harvested crops. By the end of the year, 11 villagers who opposed the evictions had been arrested and arraigned in court on various charges, including theft, threatening violence and malicious damage to property. In addition, at least seven activists who protested against the pipeline were arrested and later released, some having spent months in detention.

The Uganda Wildlife Authority (UWA) continued to violate the rights of the Indigenous Benet People of Mount Elgon, eastern Uganda, through arbitrary arrests, burning of houses and impounding domestic animals which they claimed had strayed into the Mount Elgon National Park. The UWA persisted with these tactics even while individual cases against the authority challenging forced evictions of the Benet were pending before the Mbale High Court. By the end of the year, 29 Benets had been arbitrarily arrested and held until they paid cash bail and other exorbitant fines for the release of their animals; 190 cows and 260 goats were impounded.

In February, the president suspended an eviction plan, ordered by the prime minister against all residents of Apaa village in Amuru district, northern Uganda, to vacate the area by 16 May or face forced eviction. He said the suspension was pending the formation and approval of the Judicial Commission of Inquiry which is expected to guide the government in decisions over land disputes in Apaa, a region which has been subject to territorial disputes for decades.

Refugees' and migrants' rights

Uganda continued to host the largest refugee population in Africa, with 1,615,162 refugees and asylum seekers in the country at the end of the year. Over 130,000 of them arrived in 2023. New arrivals were mainly from the Democratic Republic of the Congo and South Sudan. Others came from Somalia, Rwanda and Burundi.

UNHCR, the UN refugee agency, said it had received less than 30% of its USD 343.4 million funding requirement, compared to 2022 when it received at least 45% of what it needed.