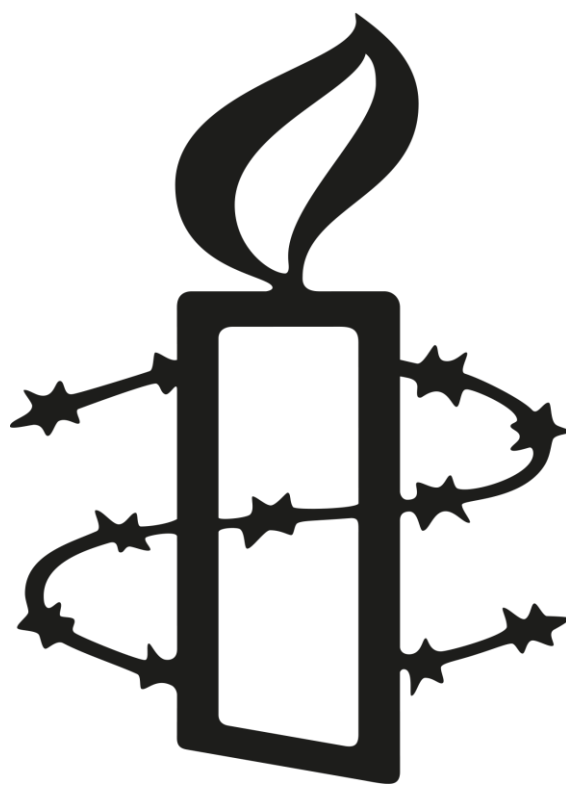


Flygtningenævnets baggrundsmateriale

Bilagsnr.:	402
Land:	Uganda
Kilde:	Amnesty International
Titel:	Uganda: Guarantee Human Rights
Udgivet:	30. juli 2021
Optaget på baggrundsmaterialet:	1. december 2021



UGANDA: GUARANTEE HUMAN RIGHTS

AMNESTY INTERNATIONAL SUBMISSION FOR THE UN UNIVERSAL PERIODIC REVIEW, 40TH SESSION OF THE UPR WORKING GROUP, JANUARY-FEBRUARY 2022

AMNESTY
INTERNATIONAL



Amnesty International is a global movement of more than 7 million people who campaign for a world where human rights are enjoyed by all.

Our vision is for every person to enjoy all the rights enshrined in the Universal Declaration of Human Rights and other international human rights standards.

We are independent of any government, political ideology, economic interest or religion and are funded mainly by our membership and public donations.

© Amnesty International 2021

Except where otherwise noted, content in this document is licensed under a Creative Commons (attribution, non-commercial, no derivatives, international 4.0) licence.

<https://creativecommons.org/licenses/by-nc-nd/4.0/legalcode>

For more information please visit the permissions page on our website: www.amnesty.org

Where material is attributed to a copyright owner other than Amnesty International this material is not subject to the Creative Commons licence.

First published in [2020]

by Amnesty International Ltd

Peter Benenson House, 1 Easton Street
London WC1X 0DW, UK

Index: AFR 59/4539/2021

30 July 2021

Original language: English

amnesty.org

AMNESTY
INTERNATIONAL



CONTENTS

FOLLOW UP TO THE PREVIOUS REVIEW	4
NATIONAL HUMAN RIGHTS ACTION PLAN	5
THE HUMAN RIGHTS SITUATION ON THE GROUND	6
RIGHT TO FREEDOM OF EXPRESSION, ASSOCIATION AND PEACEFUL ASSEMBLY	6
TORTURE AND EXCESSIVE USE OF FORCE BY SECURITY FORCES	7
RIGHT TO HEALTH	8
RIGHT TO ADEQUATE HOUSING	8
THE DEATH PENALTY	8
LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND INTERSEX PEOPLE	9
REFUGEES AND ASYLUM SEEKERS	9
RECOMMENDATIONS FOR ACTION BY THE STATE UNDER REVIEW	10
RIGHT TO HEALTH	10
LESBUAN, GAY, TRANSGENDER AND INTERSEX PEOPLE	10
RIGHT TO LIFE, LIBERTY AND SECURITY OF PERSON	10
FREEDOM OF EXPRESSION, ASSOCIATION AND PEACEFUL ASSEMBLY	10
RIGHT TO ADEQUATE HOUSING	11
REFUGEES AND ASYLUM SEEKERS	11
FREEDOM OF ASSOCIATION	11
THE DEATH PENALTY	11
ANNEX	12

FOLLOW UP TO THE PREVIOUS REVIEW

In 2016, Uganda accepted 149 recommendations and rejected 78.¹

In its 2016 UPR, Uganda accepted five recommendations to strengthen its national human rights institution² and eight to implement its National Human Rights Action Plan (NHRAP) or other plans.³ Nevertheless, despite its commitment at the first UPR in 2011 to develop a NHRAP,⁴ Uganda is yet to finalise it.

Uganda accepted three recommendations calling on the state to consider ratification of, or accession to, core international human rights instruments, but made no progress in this regard.⁵

Despite accepting two recommendations to submit its overdue reports to the relevant treaty bodies,⁶ Uganda is yet to submit any of these to all 10 treaty bodies to the instruments it has ratified.⁷

In the last review, Uganda accepted 24 recommendations related to ending discrimination and violence based on sexuality and gender.⁸ However, the Sexual Offences Act 2021, if enacted, would hinder survivors and victims of sexual and gender-based violence from demanding justice while further entrenching discrimination and intolerance against LGBTI persons and sex workers, as well as people living with HIV/AIDS.

Uganda accepted three recommendations to ensure accountability for excessive use of force, including investigations into cases of torture.⁹ Uganda further accepted four recommendations to implement the Prevention and Prohibition of Torture Act 2012.¹⁰ Nonetheless, cases of torture have continued to be reported by Ugandans.

In the 2016 review, Uganda accepted recommendations on respecting the rights to freedoms of expression, association and peaceful assembly, including recommendations on ending suppression and arbitrary arrests and politically motivated prosecution of human rights defenders

¹ UN Human Rights Council, *Report of the Human Rights Council on its thirty-fourth session*, 27 December 2016, UN Doc. A/HRC/34/2, para. 699.

² UN Human Rights Council, *Report of the Working Group on the Universal Periodic Review: Uganda*, UN Doc. A/HRC/34/10, Recommendations 115.39-43 (Nepal, Philippines, Bangladesh, Niger, South Africa).

³ A/HRC/34/10, Recommendations 115.27-32 (Cuba, Angola, Mauritius, Sudan, Venezuela, Russian Federation) and recommendation 115.38 (Djibouti)

⁴ Office of the High Commissioner for Human Rights (OHCHR), "A National Human Rights Action Plan – Uganda follows through on its commitment to the Universal Periodic Review", 6 November 2013, [ohchr.org/EN/NewsEvents/Pages/UgandaNationalHumanRightsActionPlan.aspx](https://www.ohchr.org/EN/NewsEvents/Pages/UgandaNationalHumanRightsActionPlan.aspx)

⁵ A/HRC/34/10, Recommendations 115.1 - 3 (Congo, Syrian Arab Republic, Azerbaijan).

⁶ A/HRC/34/10, Recommendations 115.47- 48 (Ghana, Sierra Leone)

⁷ OHCHR, "Reporting status for Uganda", June 2021, tbinternet.ohchr.org/_layouts/15/TreatyBodyExternal/countries.aspx?CountryCode=UGA&Lang=EN

⁸ A/HRC/34/10, Recommendations, 115.49 (Mauritius), 115.51 (Mexico), 115.52 (Guatemala), 115.53 (Italy), 115.54 (Madagascar), 115.55 (Pakistan), 115.59 (Colombia), 115.61 (Namibia), 115.62 (Argentina), 115.63 (Syrian Arab Republic), 115.64 (Georgia), 115.65 (Timor-Leste), 115.66 (Slovenia), 115.67 (Togo), 115.68 (Maldives), 115.69 (China), 115.70 (Nigeria), 115.71 (Algeria), 115.72 (Cyprus), 115.73 (Czechia), 115.74 (Spain), 115.75 (Philippines), 115.76 (Botswana), 115.91 (USA).

⁹ A/HRC/34/10, Recommendations 115.86 – 88 (Denmark, Austria, Ghana).

¹⁰ A/HRC/34/10, Recommendations 115.4 – 6 (Denmark, Portugal, Switzerland, Ireland).

(HRDs), civil society actors, media workers, opposition leaders and other government critics, but violations of these rights continue to be reported.¹¹

In the 2016 review, Uganda accepted 10 recommendations aimed at improving the right to health.¹² Three of the recommendations specifically called on the government to increase or ensure sufficient national budget allocated to health.

In August 2020, Uganda's Constitutional Court declared that access to maternal health care is a basic right and that the government should set aside sufficient funds for maternal healthcare in its national budget. However, in 2021, the government cut its allocation for maternal healthcare by 9.3% of the health budget. The government further cut the overall health sector to 5.1% of the national budget in the 2020/21 financial year down from 7.9% in the 2019/2020 financial year¹³ violating the 2020 court order as well as the Abuja Declaration to which Uganda is a signatory.¹⁴

NATIONAL HUMAN RIGHTS ACTION PLAN

Uganda accepted a recommendation to ensure that its enforcement and implementation of laws follows the Constitution and the country's obligations under international and regional instruments¹⁵ that the state is a party to but has made limited progress.

In March 2021 Uganda's Constitutional Court declared Section 8 of Uganda's Public Order Management Act (POMA) 2013 illegal and unconstitutional. POMA gave the Inspector General of Police sweeping powers to arbitrarily prevent or stop public gatherings organized by opposition politicians, and to crack down on protests.¹⁶

Uganda has progressive laws such as the Prevention and Prohibition of Torture Act, 2012. The practice of torture is still prevalent and continues to be reported in Uganda. Similarly, after the Court declared Section 8 of Uganda's POMA unconstitutional, the state promulgated the Public Health (Control of COVID - 19) (No. 2) Rules, 2020¹⁷ currently used to target assemblies of opposition parties in a selective and partisan way.¹⁸

The Sexual Offences Act 2021 passed by parliament in May 2021 may not only fail to adequately protect survivors of sexual violence but also increase discrimination against lesbian, gay, bisexual, transgender and intersex (LGBTI) people. It doubles down on the 1950 Penal Code that already criminalizes consensual same-sex conduct.

¹¹ A/HRC/34/10, Recommendations 115.101 – 103 (France, Australia, Spain), 115.106 – 107 (United Kingdom of Great Britain and Northern Ireland, Botswana), 115.110 (Uruguay).

¹² A/HRC/34/10, Recommendations 115.112 – 117 and 115.119-122 (Bangladesh, Indonesia, Paraguay, Ukraine, Syrian Arab Republic, Colombia, Nepal, Democratic People's Republic of Korea, Egypt, Kenya).

¹³ United Nations Children's Fund (UNICEF), "The national budget framework FY 2020/21", Budget brief no. 2020/2 (Source: National BFP FY 2020/21 -2021/25), Investing in health, 2020, available at www.unicef.org/esa/media/5961/file/UNICEF-Uganda-2020-2021-Health-Budget-Brief.pdf

¹⁴ ESCR-Net, Center for Health, Human Rights and Development (CEHURD), *Prof. Ben Twinomugisha, Rhoda Kukiriza, Inziku Valente v. Attorney General - Constitutional Petition No. 16 (Maternal Health Care)*, 19 August 2020, escr-net.org/caselaw/2021/center-health-human-rights-and-development-cehurd-prof-ben-twinomugisha-rhoda-kukiriza

¹⁵ A/HRC/34/10, Recommendations 115.19 (Sweden).

¹⁶ The police used this law to prohibit and brutally disperse rallies organized by opposition politician Kizza Besigye in the lead up to the 2016 elections, and in the lead up to the 2021 elections, to block meetings and concerts organized by Robert Kyagulanyi.

¹⁷ Published in Government Gazette no. 22 on 31 March 2020. Commenced on 31 March 2020.

¹⁸ Amnesty International, "Uganda: Stop killings and human rights violations ahead of election day", 14 December 2020, [amnesty.org/en/latest/news/2020/12/uganda-stop-killings-and-human-rights-violations-ahead-of-election-day](https://www.amnesty.org/en/latest/news/2020/12/uganda-stop-killings-and-human-rights-violations-ahead-of-election-day)

On 25 January 2019, Uganda's High Court found that there are no adequate procedures governing evictions. The lack of adequate procedures governing evictions violates the rights to life, dignity, and property under articles 22, 24, and 26 of the Constitution of Uganda.¹⁹

Uganda retains the death penalty in law.

THE HUMAN RIGHTS SITUATION ON THE GROUND

On 16 January 2021, Uganda's Electoral Commission declared incumbent President Yoweri Museveni the winner in the presidential election that happened on 14 January with 58.6% of the vote, ahead of Robert Kyagulanyi, also known as Bobi Wine, who was declared runner-up with 34.8%. Robert Kyagulanyi and his National Unity Platform party alleged fraud and vowed to challenge the results in court. On 12 May 2021, President Yoweri Museveni started his sixth term in office. It has been 35 years since he came into power.

In the run up to the January 2021 election, campaigning was marred by killings, arrests, beatings, disappearances by security forces, as well as harassment and intimidation of journalists and a five-day internet shutdown.²⁰ Civic space closed as HRDs and organizations working on electoral accountability were particularly targeted for their work.

RIGHT TO FREEDOM OF EXPRESSION, ASSOCIATION AND PEACEFUL ASSEMBLY

In January 2020, police arrested and charged five protesters, including Robert Kyagulanyi for violating the POMA during a political rally to protest the introduction, in 2018, of a social media tax. They were all released on police bond the same day.²¹

On 20 February 2020 the Kampala High Court ordered the release of university professor, feminist and activist, Stella Nyanzi ruling that she had been unfairly convicted. Stella Nyanzi was arrested on 2 November 2018 at a police station where she had gone to notify authorities of a protest, she was planning to hold at Makerere University. She was later charged with "cyber harassment" and "offensive communication" over a Facebook post in which she was accused of insulting President Yoweri Museveni and his mother. This was the second time she had been charged with insulting the President and violating his right to privacy.²²

¹⁹ *Muhindo & 3 Ors vs. the Attorney General (Miscellaneous Cause No.127 of 2016) [2019] UGHCCD 2.*

²⁰ Amnesty International, "Uganda: Authorities must lift social media block amid crackdown ahead of election", 13 January 2021, [amnesty.org/en/latest/news/2021/01/uganda-authorities-must-lift-social-media-block-amid-crackdown-ahead-of-election](https://www.amnesty.org/en/latest/news/2021/01/uganda-authorities-must-lift-social-media-block-amid-crackdown-ahead-of-election)

²¹ Amnesty International, *Amnesty International Report 2020/12: The state of the world's human rights*, 7 April 2021, [amnesty.org/en/documents/pol10/3202/2021/en](https://www.amnesty.org/en/documents/pol10/3202/2021/en), p. 370, para. 4.

²² Amnesty International, "Ugandan authorities must ensure adequate compensation for Stella Nyanzi over wrongful conviction and travesty of justice", 21 February 2020, [amnesty.org/en/documents/afr59/1850/2020/en/](https://www.amnesty.org/en/documents/afr59/1850/2020/en/)

Others arbitrarily arrested and released later in connection with their expression include activist, Kakwenza Rukirabashaija²³, on 13 April 2020²⁴ and Bwaddene Basajjamivule²⁵, on 27 July 2020.²⁶

In June 2021, human rights lawyer, Nicholas Opiyo, continued to fight charges of money laundering after he was arbitrarily arrested with four other persons, among them three lawyers, at the peak of the campaign period in December 2020.²⁷

In June 2020, the Electoral Commission of Uganda launched a revised Covid-19 election road map for the 2021 general elections, requiring that all political campaigning be conducted exclusively online, thereby banning public political gatherings. These regulations were applied more stringently against opposition candidates. On 26 December 2020, the Commission further suspended political gatherings in more than 10 districts citing Covid-19 prevention but without providing sufficient details to justify why these localities should be subject to restrictions.²⁸

The state also still limits human rights online, including using an internet shutdown in the run up to the January 2021 elections,²⁹ and other restrictions. On 1 July 2018, the Ugandan authorities introduced a tax on social media use in Uganda to raise revenue from what they described as “gossip” on social media platforms such as WhatsApp, Facebook, Twitter, Skype, and Viber. The social media tax³⁰ reduced internet users that use social media users from 47% to 38%.³¹ In September 2020, the Uganda Communications Commission (UCC) ordered all online data communication and broadcast service providers to obtain licenses before posting information on the internet.³²

On 10 December 2020 the Media Council of Uganda (MCU) cancelled the accreditation of all foreign journalists.³³ It issued a directive to all practicing journalists in the country to register with the authority afresh or be barred from covering the electoral process and other events.³⁴ MCU reversed its decision on 10 January 2021, saying that accreditation would not be required to cover polls.³⁵

TORTURE AND EXCESSIVE USE OF FORCE BY SECURITY FORCES

Security forces unlawfully killed at least 66 people in the period from March 2020, when Covid-19 lockdown measures were introduced in Uganda, and the end of 2020. Further, since electoral campaigns for the 14 January 2021 elections began on 9 November 2020, dozens of people were killed in the context of riots or protests, most of them shot dead by police and other security forces, including armed individuals in plain clothes, and dozens more were injured. Indiscriminate and unnecessary use of force further led to killing of

²³ The Ugandan activist was arrested by military police at his home in Iganga, eastern Uganda. He was charged with trumped-up charges of defamation and cyber-related crimes and detained in Mbuya military barracks, in the capital Kampala

²⁴ Amnesty International, “Uganda: Activist arrested for criticising the President: Kakwenza Rukirabashaija”, 20 April 2020, [amnesty.org/en/documents/afr59/2158/2020/en](https://www.amnesty.org/en/documents/afr59/2158/2020/en)

²⁵ Bwaddene Basajjamivule, a broadcast journalist was arrested and charged with promoting violence and sectarianism. The charges were connected to comments he made in a video posted on Facebook in which he alleged that people from ethnic groups in western Uganda were favoured in appointments to the military and the government. He was released on police bond on 29 July.

²⁶ Amnesty International, *Amnesty International Report 2020/21: The state of the world's human rights*, 7 April 2021, [amnesty.org/en/documents/pol10/3202/2021/en](https://www.amnesty.org/en/documents/pol10/3202/2021/en), p. 371, para. 1.

²⁷ Amnesty International, “Uganda: Museveni’s latest government must reverse decline on human rights”, 12 May 2021, [amnesty.org/en/latest/news/2021/05/uganda-museveni-latest-government-must-reverse-decline-on-human-rights/](https://www.amnesty.org/en/latest/news/2021/05/uganda-museveni-latest-government-must-reverse-decline-on-human-rights/)

²⁸ Amnesty International, *Amnesty International Report 2020/2: The state of the world's human rights*, 7 April 2021, [amnesty.org/en/documents/pol10/3202/2021/en](https://www.amnesty.org/en/documents/pol10/3202/2021/en), p. 371, para. 1.

²⁹ In January 2021, the UCC shut down access to social media services including Twitter, Facebook and WhatsApp and restricted people’s right to freedom of expression and access to information in the run up to the elections. They remained shut for several days after the elections.

³⁰ The Uganda Revenue Authority admitted in January 2020 that the tax had dismally failed to raise the revenue anticipated.

³¹ Amnesty International, “Uganda: Scrap social media tax curtailing freedom of expression”, 2 July 2018, [amnesty.org/en/latest/news/2018/07/uganda-scrap-social-media-tax-curtailing-freedom-of-expression/](https://www.amnesty.org/en/latest/news/2018/07/uganda-scrap-social-media-tax-curtailing-freedom-of-expression/)

³² Amnesty International, *Amnesty International Report 2020/21: The state of the world's human rights*, 7 April 2021, <https://www.amnesty.org/en/documents/pol10/3202/2021/en>, p. 370, para. 4.

³³ Amnesty International, *Amnesty International Report 2020/21: The state of the world's human rights*, 7 April 2021, [amnesty.org/en/documents/pol10/3202/2021/en](https://www.amnesty.org/en/documents/pol10/3202/2021/en), p. 371, para. 1.

³⁴ Amnesty International, “Uganda: Museveni’s latest government must reverse decline on human rights”, 12 May 2021, [amnesty.org/en/latest/news/2021/05/uganda-museveni-latest-government-must-reverse-decline-on-human-rights/](https://www.amnesty.org/en/latest/news/2021/05/uganda-museveni-latest-government-must-reverse-decline-on-human-rights/)

³⁵ International Press Institute (IPI), “Uganda must let journalists freely cover elections”, 12 January 2021, [ipi.media/uganda-must-let-journalists-freely-cover-elections/](https://www.ipi.media/uganda-must-let-journalists-freely-cover-elections/)

many people who were not engaging in protests or riots. By the Ugandan government's own admission, before, security forces shot dead at least 54 people in just two days in November 2020 in response to widespread protests over the arrest of opposition leader, Robert Kyagulanyi, on the campaign trail.³⁶

On 14 August 2018, Robert Kyagulanyi, also known as Bobi Wine, a Ugandan singer turned politician, was arrested, and later charged with unlawful possession of firearms and ammunition on 16 August 2018. While being arrested, he was physically assaulted, resulting in visible injuries and swelling on his face and body.³⁷

On 19 April 2020, the authorities arrested Francis Zaake, an opposition politician. He was released on police bond 10 days later after being charged with disobeying Covid-19 presidential directives by distributing food to needy families during lockdown. In May 2020, he appeared in a video from Lubaga Hospital in Kampala with a swollen face and said he had been tortured over several days in various detention facilities.³⁸ He was also reportedly arrested and tortured in August 2018.³⁹

RIGHT TO HEALTH

To contain the spread of Covid-19, the government imposed a blanket restriction on public transport from March to May 2020. The restriction covered everyone except for health workers and those working directly in the fight against Covid-19. This negatively affected patients with health emergencies such as high-risk patients and expectant mothers as they could not access health services. This was a direct violation of the right to health. Furthermore, the government has been slow in rolling out the National Deployment Vaccination Plan, putting individuals in Uganda at more risk as more virulent strains of Covid-19 emerge.⁴⁰

RIGHT TO ADEQUATE HOUSING

The government has failed to enact adequate safeguards against forced evictions.

Tens of thousands of communities have been forcibly evicted by government authorities, including Uganda Wildlife Authority (UWA), National Forestry Authority (NFA), Uganda Police Force, Kampala City Council Authority and UPDF between 2016 and 2021. Forced evictions have happened in Apaa, northern Uganda; Lusanja village in Wakiso, Kampala; Hoima, western Uganda; Mubende, central Uganda; Kiryandongo, western Uganda; among other areas. Between February and August 2020, Ugandan authorities forcibly evicted over 35,000 Maragoli Indigenous Peoples from their homes in Kiryandongo district in the west to pave way for industrial farming.⁴¹

Benet Indigenous Peoples of Mount Elgon, eastern Uganda, continue to live in temporary settlement camps at the time of writing following multiple forced evictions between 1983 and 2008 by different authorities, including the NFA and UWA backed by the UPDF. This has further exposed them to marginalization and discrimination in fair and equitable access to water and sanitation, healthcare, and education.⁴²

THE DEATH PENALTY

On 19 January 2018, President Yoweri Museveni threatened to resume executions and to “hang” death row prisoners to deter crime after more than a decade without an execution in the country.

³⁶ Amnesty International, *Amnesty International Report 2020/2: The state of the world's human rights*, 7 April 2021, [amnesty.org/download/Documents/POL1032022021ENGLISH.PDF](https://www.amnesty.org/download/Documents/POL1032022021ENGLISH.PDF), p. 370, para. 3.

³⁷ Amnesty International, *Uganda: Opposition politician detained; signs of torture*, 17 August 2018, [amnesty.org/en/documents/afr59/8963/2018/en/](https://www.amnesty.org/en/documents/afr59/8963/2018/en/)

³⁸ Human Rights Watch (HRW), “Uganda: Opposition Leader Reported Tortured by Police, Pandemic Restrictions No Excuse for Abuse”, 28 April 2020, [hrw.org/news/2020/04/28/uganda-opposition-leader-reported-tortured-police](https://www.hrw.org/news/2020/04/28/uganda-opposition-leader-reported-tortured-police)

³⁹ Amnesty International, *Urgent Action: Opposition politician detained; signs of torture*, 17 August 2018, [amnesty.org/en/documents/AFR59/8963/2018/en](https://www.amnesty.org/en/documents/AFR59/8963/2018/en)

⁴⁰ World Bank, *Assessing country readiness for COVID-19 vaccines: First insight from the assessment rollout*, p.14, March 2021, documents1.worldbank.org/curated/en/467291615997445437/pdf/Assessing-Country-Readiness-for-COVID-19-Vaccines-First-Insights-from-the-Assessment-Rollout.pdf

⁴¹ Amnesty International, *Amnesty International Report 2020/21: The state of the world's human rights*, 7 April 2021, [amnesty.org/en/documents/pol10/3202/2021/en_p.371](https://www.amnesty.org/en/documents/pol10/3202/2021/en_p.371), para. 2.

⁴² Amnesty International conducted a research missions in Mount Elgon, Uganda in December 2019 and March 2020. Amnesty International further conducted follow up interviews with key informants between March 2020 and June 2021.

President Museveni tweeted that “being lenient is causing people to think they can cause harm and get away with it”. He was also quoted as saying, “Criminals think they have a right to kill people and keep their heads... I think I am going to revise [my position] a bit and hang a few... If you see how they kill people, they deserve to be killed.”⁴³

LESBIAN, GAY, BISEXUAL, TRANSGENDER, AND INTERSEX PEOPLE

The government has a long history of anti-LGBTI statements. On 11 October 2019, the Ethics and Integrity Minister Simon Lokodo announced that the government was planning to introduce the death penalty for consensual same-sex sexual acts.⁴⁴

Violence against LGBTI communities remained high. According to Sexual Minorities Uganda (SMUG), an LGBTI organization, between July and October 2019, four LGBTI persons were killed in the wake of heightened anti-LGBTI sentiments from political leaders. On 5 October 2019, Brian Wassa, a gay paralegal, succumbed to brain haemorrhage after being hacked in the head by unknown persons the previous day at his home in Kampala.⁴⁵

Security forces used directives to control Covid-19 infection as a pretext to arbitrarily arrest and detain dozens of LGBTI people. On 23 March 2020, 23 young LGBTI people living in a shelter were arrested. Four were released on medical grounds during the first three days after their arrest, and the remaining 19 were charged with “negligent acts likely to spread infectious diseases” and “disobeying legal orders”. They were detained without access to their lawyers or to medical treatment. Some were denied access to antiretroviral medications. They were released on 18 May 2020, and in June the High Court awarded each of them compensation of UGX 5 million (US\$1,360) for being arbitrarily detained by the police for 50 days.⁴⁶

REFUGEES AND ASYLUM SEEKERS

The refugee population in Uganda is estimated to reach 1,484,356 by the end of 2021.⁴⁷ Uganda’s refugee hosting model is considered one of the most progressive in the world. Its legal and policy framework provides refugees with relative freedom of movement, access to basic services such as healthcare and education on par with nationals, and the right to work and own a business.⁴⁸

However, from 20 March to 19 September 2020, the government closed the country’s borders in response to the Covid-19 pandemic, as conflict in eastern Democratic Republic of the Congo (DRC) drove over 10,000 refugees to seek entry to Uganda. This has meant basic needs including access to food, water, sanitation, health care and shelter are not being met.⁴⁹

⁴³ Amnesty International, “Uganda: President’s misguided death penalty vow threatens a decade of progress”, 19 January 2018, [amnesty.org/en/latest/news/2018/01/uganda-presidents-misguided-death-penalty-vow-threatens-a-decade-of-progress/](https://www.amnesty.org/en/latest/news/2018/01/uganda-presidents-misguided-death-penalty-vow-threatens-a-decade-of-progress/)

⁴⁴ Amnesty International, “Uganda: Parliament must reject bill imposing death penalty for gay sex”, 11 October 2019, [amnesty.org/en/latest/news/2019/10/uganda-parliament-must-reject-bill-imposing-death-penalty-for-gay-sex/](https://www.amnesty.org/en/latest/news/2019/10/uganda-parliament-must-reject-bill-imposing-death-penalty-for-gay-sex/)

⁴⁵ Amnesty International, “Uganda: Parliament must reject bill imposing death penalty for gay sex”, 11 October 2019, www.amnesty.org/en/latest/news/2019/10/uganda-parliament-must-reject-bill-imposing-death-penalty-for-gay-sex/

⁴⁶ Amnesty International, *Amnesty International Report 2020/21: The state of the world’s human rights*, 7 April 2021, [amnesty.org/en/documents/pol10/3202/2021/en](https://www.amnesty.org/en/documents/pol10/3202/2021/en), p. 372, para. 2.

⁴⁷ United Nations High Commissioner for Refugees (UNHCR), *2021 Planning summary, “Operation: Uganda”*, 7 January 2021, reporting.unhcr.org/sites/default/files/pdfsummaries/GA2021-Uganda-eng.pdf

⁴⁸ The World Bank, “Uganda’s Progressive Approach to Refugee Management”, 31 August 2016, worldbank.org/en/topic/fragilityconflictviolence/brief/ugandas-progressive-approach-refugee-management

⁴⁹ Amnesty International, *Amnesty International Report 2020/21: The state of the world’s human rights*, 7 April 2021, [amnesty.org/en/documents/pol10/3202/2021/en](https://www.amnesty.org/en/documents/pol10/3202/2021/en), p. 372, para. 3.

RECOMMENDATIONS FOR ACTION BY THE STATE UNDER REVIEW

Amnesty International calls on the Government of the Government of Uganda to:

RIGHT TO HEALTH

- Ensure that Covid-19 prevention measures comply with the government's obligations to the right to health under various international human rights treaties.
- Ensure that through the National Deployment Vaccination Plan (NDVP), Uganda's Covid-19 response prioritizes priority groups and that Covid-19 vaccines are available, accessible, affordable and of good quality for all persons, free from discrimination.
- Provide access to quality maternal healthcare services in public health facilities.

LESBIAN, GAY, TRANSGENDER AND INTERSEX PEOPLE

- Protect LGBTI people and uphold their human rights without discrimination, including by not putting in place laws or using government agencies to deny LGBTI people their rights.
- Amend the Sexual Offences Act 2021 to ensure that it is compliant with international human rights standards.

RIGHT TO LIFE, LIBERTY AND SECURITY OF PERSON

- Carry out prompt, impartial, thorough, and effective investigations into these and all other allegations of extrajudicial killings, excessive use of force, torture and other ill-treatment by the security forces and ensure that suspected perpetrators are brought to justice in fair trials.
- Ensure full reparation, including fair and adequate compensation in cases of torture, extrajudicial executions, and other unlawful killings by the police, for the relatives of the victims.

FREEDOM OF EXPRESSION, ASSOCIATION AND PEACEFUL ASSEMBLY

- Thoroughly, transparently, and effectively investigate the allegations of attacks against HRDs, civil society actors, bloggers, journalists, and others before, during and after the last presidential elections and hold those suspected to be responsible to account.
- End the intimidation and harassment HRDs, civil society actors, bloggers, journalists and others and ensure that they operate freely and independently, and do their work without fear of reprisals, including through removing all obstacles to the right to freedom of expression and media freedom.

RIGHT TO ADEQUATE HOUSING

- End forced evictions and put in place procedures that ensure that there are guarantees against forced evictions and that the right to adequate housing is met in law and practice.
- Ensure that all victims of forced evictions have access to effective remedies and reparations, which includes restitution, rehabilitation, compensation, satisfaction and guarantees of non-repetition.
- Enact legislation and provide the infrastructure to ensure Indigenous Peoples can access their ancestral lands to enjoy their rights to land, food, education, health and freedom from violence and poverty.

REFUGEES AND ASYLUM SEEKERS

- Publicly commit to ensure that the authorities will allow HRDs and other real or perceived government opponents and critics to freely exercise their human rights including the rights to freedom of expression, association, and peaceful assembly without fear of reprisals.

FREEDOM OF ASSOCIATION

- Continue to seek international cooperation and support for funds, humanitarian aid, and peaceful resolution to conflicts in neighbouring countries to ensure that refugees and their host communities are provided with shelter and protection among other urgent needs.

THE DEATH PENALTY

- Commute all death sentences, with a view to abolishing the death penalty.

ANNEX

AMNESTY INTERNATIONAL DOCUMENTS FOR FURTHER REFERENCE

Uganda: “Constitutional Court nullifies law used to prohibit protests”, 27 March 2020, [amnesty.org/en/latest/news/2020/03/uganda-constitutional-court-nullifies-law-used-to-prohibit-protests/](https://www.amnesty.org/en/latest/news/2020/03/uganda-constitutional-court-nullifies-law-used-to-prohibit-protests/)

“Help has not reached me here” - Donors must step up support for South Sudanese refugees in Uganda, 18 June 2017, [amnesty.org/en/documents/AFR59/6422/2017/en/](https://www.amnesty.org/en/documents/AFR59/6422/2017/en/)

Uganda: “Arrest of dozens for attending peaceful meetings is absurd”, 21 July 2017, [amnesty.org/en/latest/news/2017/07/uganda-arrest-of-dozens-for-attending-peaceful-meetings-is-absurd/](https://www.amnesty.org/en/latest/news/2017/07/uganda-arrest-of-dozens-for-attending-peaceful-meetings-is-absurd/)

Uganda: “Opposition MPs must not be tried in military court”, 16 August 2018, [amnesty.org/en/latest/news/2018/08/uganda-opposition-mps-must-not-be-tried-in-military-court/](https://www.amnesty.org/en/latest/news/2018/08/uganda-opposition-mps-must-not-be-tried-in-military-court/)

Uganda: *Opposition politician detained; signs of torture*, 17 August 2018, [amnesty.org/en/documents/afr59/8963/2018/en/](https://www.amnesty.org/en/documents/afr59/8963/2018/en/)

Uganda: “President’s misguided death penalty vow threatens a decade of progress”, 19 January 2018, [amnesty.org/en/latest/news/2018/01/uganda-presidents-misguided-death-penalty-vow-threatens-a-decade-of-progress/](https://www.amnesty.org/en/latest/news/2018/01/uganda-presidents-misguided-death-penalty-vow-threatens-a-decade-of-progress/)

Uganda: *Hundreds left homeless by forced evictions*, 15 May 2018, [amnesty.org/en/documents/afr59/8409/2018/en/](https://www.amnesty.org/en/documents/afr59/8409/2018/en/)

Uganda: “Scrap social media tax curtailing freedom of expression”, 2 July 2018, [amnesty.org/en/latest/news/2018/07/uganda-scrap-social-media-tax-curtailing-freedom-of-expression/](https://www.amnesty.org/en/latest/news/2018/07/uganda-scrap-social-media-tax-curtailing-freedom-of-expression/)

Uganda: Further information: Apaa communities attacked, forcibly evicted, 30 April 2019, [amnesty.org/en/documents/AFR59/0262/2019/en/](https://www.amnesty.org/en/documents/AFR59/0262/2019/en/)

Uganda: “Parliament must reject bill imposing death penalty for gay sex”, 11 October 2019, [amnesty.org/en/latest/news/2019/10/uganda-parliament-must-reject-bill-imposing-death-penalty-for-gay-sex/](https://www.amnesty.org/en/latest/news/2019/10/uganda-parliament-must-reject-bill-imposing-death-penalty-for-gay-sex/)

Uganda: *Activist arrested for criticising the President: Kakwenza Rukirabashaija*, 20 April 2020, [amnesty.org/en/documents/afr59/2158/2020/en/](https://www.amnesty.org/en/documents/afr59/2158/2020/en/)

Ugandan authorities must ensure adequate compensation for Stella Nyanzi over wrongful conviction and travesty of justice, 21 February 2020, [amnesty.org/en/documents/afr59/1850/2020/en/](https://www.amnesty.org/en/documents/afr59/1850/2020/en/)

Amnesty International Report 2020/2: The state of the world's human rights, 7 April 2021, [amnesty.org/en/documents/pol10/3202/2021/en/](https://www.amnesty.org/en/documents/pol10/3202/2021/en/)

Uganda: “Stop killings and human rights violations ahead of election day”, 14 December 2020, [amnesty.org/en/latest/news/2020/12/uganda-stop-killings-and-human-rights-violations-ahead-of-election-day/](https://www.amnesty.org/en/latest/news/2020/12/uganda-stop-killings-and-human-rights-violations-ahead-of-election-day/)

Uganda: “Authorities must lift social media block amid crackdown ahead of election”, 13 January 2021, [amnesty.org/en/latest/news/2021/01/uganda-authorities-must-lift-social-media-block-amid-crackdown-ahead-of-election/](https://www.amnesty.org/en/latest/news/2021/01/uganda-authorities-must-lift-social-media-block-amid-crackdown-ahead-of-election/)

Uganda: “Museveni’s latest government must reverse decline on human rights”, 12 May 2021, [amnesty.org/en/latest/news/2021/05/uganda-musevenis-latest-government-must-reverse-decline-on-human-rights/](https://www.amnesty.org/en/latest/news/2021/05/uganda-musevenis-latest-government-must-reverse-decline-on-human-rights/)

**AMNESTY INTERNATIONAL
IS A GLOBAL MOVEMENT
FOR HUMAN RIGHTS.
WHEN INJUSTICE HAPPENS
TO ONE PERSON, IT
MATTERS TO US ALL.**

CONTACT US



info@amnesty.org



+44 (0)20 7413 5500

JOIN THE CONVERSATION



www.facebook.com/AmnestyGlobal



[@AmnestyOnline](https://twitter.com/AmnestyOnline)