

WE CONDEMN THE BRUTALITY BY KCCA LAW ENFORCEMENT OFFICERS

For immediate release

9th AUGUST, 2017

We, the civil society and citizens of Uganda recognize the efforts of KCCA in trying to keep the city clean and appreciate the value of a clean and organized city. However, the principles of human rights, and the rule of law requires that process through which this is achieved respect human dignity, the right to livelihood and sanctity of life of every inhabitant of Kampala city. This should be regardless whether they are poor or rich, female or male, a professional or a vendor, or your ethnicity, disability, religion, race or political affiliation. It is unfortunate that the neo-liberal approach and policies of the Government of Uganda introduced in the late 1980s have undermined the rights of vulnerable citizens, due to emphasis on macro-economic growth and not inclusive, sustainable development.

The right to equal treatment, non discrimination and equality before and under the law and the right to equal protection of the law, are enshrined in Article 21 of the 1995 Constitution of Uganda.

As citizens and human rights practitioners we take serious exception to the inhumane and degrading treatment by Kampala Capital City Authority's (KCCA) Law Enforcement Officers meted upon roadside vendors, taxi drivers, commercial motorcyclists (*boda boda*) and the general public which witnesses these incessant outrages on an increasingly frequent basis.

It has become common place for taxi drivers to be hounded out of taxis, motorcyclists and road-side vendors bludgeoned during arrest, to say nothing about the manner in which merchandise is confiscated from hapless roadside traders. Buyers from these vendors are not exempt of such degrading and humiliating treatment in the hands of KCCA Officers whose remuneration they contribute to through taxes.

On Friday 4th August 2017 it was reported that a female vendor Olivia Basemera, 38, a resident of Mengo in Kampala vending handkerchiefs was confronted by KCCA enforcement officers and as a result jumped into the Nakivubo Channel in a desperate attempt to escape and died instantly.

In 2014, the toddler of a vendor arrested by KCCA law enforcement officers was crushed by a KCCA truck in their premises most recently, in another incident a taxi driver's head was bloodied in the course of an exercise to stop the use of un-demarcated bus-stops; on a daily basis, hawkers are battered and their wares taken away (and in some cases resold) by the menacing and often baton-wielding officers.

Efforts made to meet KCCA top management from 2014 by several women's organizations and women leaders from civil society to discuss and address law enforcement malpractices, lack of gender responsiveness in KCCA "keep Kampala clean campaign" were futile.

We are therefore deeply concerned that today women (and their children) largely continue to pay the price due to their gender role of caring for the family and women have not been well represented in the negotiations and corridors of power. Disadvantaged men and the youth equally face the wrath of the Authority, an institution of government, which government should have and should be enabling them to get out of their disadvantaged position. The end result can easily pass for criminalisation of poverty.

We therefore demand the following;

- That KCCA should expeditiously compensate the family of Olivia Basemera, in recognition of the vicarious liability principle.
- KCCA supports the justice actors currently pursuing the case against their law enforcement staff until its logical conclusion;
- That KCCA should conduct a gender and human rights audit of its policies and implementation and ensure that its actions do not amount to discrimination and marginalization;
- That affordable alternative trade zones in the city be provided for street vendors at affordable rates;
- That city residents be sensitized about bye laws affecting their work and livelihoods;
- That all Law Enforcement Officers under-go training and tests in observance of human rights and respect of the person;
- That respect of human rights and dignity be observed by the Law Enforcement Officers when conducting lawful arrest and that security of vendors property be respected;
- That involvement of local leaders, the affected citizens and related institutions be a pre-requisite to carrying out demolitions exercises in order to have participatory process and maintain people's security and dignity;
- That courts of law should adopt mechanisms to expeditiously handle cases relating to women/mothers and or prescribe sentences that enable mothers to be in position to look after their children, for example community service.

We also call upon our partner organizations and citizens of this country to join this effort and put a stop to the reprehensible circumstances in which several citizens find themselves on a daily basis. Transformation of Kampala City calls for strategic planning by its leadership through comprehensive micro and macro-economic policies established through participation of all its inhabitants. Signed:

Mohammed Ndifuna

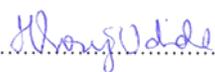
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