



For Immediate Release

June 2018

THE PRESIDENT MISSED THE CRITICAL ISSUES ON THE STATE OF HUMAN RIGHTS, PUBLIC SAFETY AND SECURITY IN UGANDA

Uganda continues to face numerous challenges that are of great concern. Among the numerous concerns is the increased sense of insecurity across the country and the failure of the state to guarantee safety to the citizens. There is increased levels of human rights violations emanating from unprofessional conduct by security agencies, increased cases of criminality particularly violent crime, emergency of criminal gangs that wantonly terrorize communities with less effort by state security agencies particularly the Uganda Police Force (UPF) to investigate and bring perpetrators to justice.

We welcome the president's 9 recommendations to curb crime which include electronic number plates, finger printing all guns in Uganda, installation of cameras unmanned aerial vehicles (UAVS) among others. These are good efforts but can only possibly be achieved in the long term and Ugandans want security today and tomorrow and the current insecurity trends require immediate intervention. In any case, these measures must first pass the human rights test to avoid a claw back on the basic freedoms and fundamental human rights.

The most eminent concerns underlying the current state of insecurity in the country are;

The Police involvement in criminality with no accountability;

Elements within the UPF have been cited in cases involving covering up for criminal suspects, hiring guns to criminal groups or working with dubious groups which has compromised the safety and security of members of the public.

This fact is well documented and has been raised by the Head of State, members of the public and even apprehended crime suspects.

“On 19th March 2017 while attending the vigil of late AIGP. Andrew Felix Kawesi, the President attested that, the UPF had been infiltrated by criminals who the Inspector General of Police (IGP) need to weed out”

“Since October 2017 to date, close to 26 senior Police Officers including the former IGP Gen. Kale Kayihura have been arrested by CMI on allegations of involvement and abating crime.

“On 30th April 2017, JumaMuyirwa a suspect of Masaka murders while at a press conference organized by the former IGP. Gen. Kale Kayihura, revealed that the activities of thugs who carried out killings in Masaka, Kampala and Wakiso had been coordinated and guarded by police¹. This gang in Masaka and surrounding areas had killed over 20 people in a period of just a few months”

Reports by Police indicate that more than 50 personnel of the UPF have either been arrested or implicated in thefts and robberies in less than six months². In a space of less than a month alone- at least 11 police officers and men were caught in a string of armed robberies, extortions and thefts³. The findings give credence to allegations that the men and women in uniform mandated with enforcing the law, protecting and securing the public, are partly behind the surging wave of robberies, thefts and also general crime in the country.

The police investigations departments cannot equitably handle matters unless those involved have resources to part with. In some instances, complainants suddenly become suspects or suspects suddenly become witnesses at different investigation levels following spurious petitions filed with the connivance of police officers.

“During the 2017 Christmas festive season, Paddy Sserunjoji alias SobiShafiqKisozi and Tim Twaha while on NBS TV publicly confessed their involvement in criminal activities in and around Kampala and that they had a hand in almost 90% of the murders that had previously occurred. They also told the public how they were working with some Police officers to commit crimes”.

What is surprising is that, shortly after the suspects were arrested, they were released on claims of helping ISO in investigating some cases and up to date the trio are free and instead given protection by the military!

The other issue of concern is that; Police stations, Criminal Investigations Divisions and Police operations offices have become business centers and collection points for rendering returns from all kinds of squads and teams set up for the benefit of superior officers. For example, the recently disbanded Flying Squad had become synonymous with torture and human rights violations. The police involvement in criminal activities or association to criminal groups has undermined the public trust and confidence in the institution of police and hence citizens cannot cooperate to provide information relating to crime which still allows crime to flourish in most parts of the country.

The unresolved murders and kidnaps

Recently, murder by use of guns by unknown assailants has become a common phenomenon in Uganda. This started by targeting Muslim clerics (12 in number in the last 3 years), a Senior State prosecutor (the late Joan Kagezi), a senior police Officer (the late AIGP. Felix Kawesi) and recently the Member of Parliament for Arua Municipality (the late Col. Ibrahim Abiriga). This wave of violent crime has also been characterized by murder of women and kidnaps as well as a spate of panga/machete wielding gangs that terrorized various parts of the country such as Greater Masaka, Nansana and parts of Entebbe that claimed

¹ Chimp Reports. Criminal Gang Suspect Tells Kayihura: We are Commanded by Police, 24th April, 2017

² The Daily Monitor: 8 police officers commit crime every month, Saturday January 27 2018

³ Ibid

scores of lives. To date there has been contradictory reports about the cause of these murders and kidnaps yet police has neither made a clear statement of progress of their investigations.

The continued occurrence of these murders and kidnaps has created a deep sense of insecurity across most communities of Uganda and has put a greater test to the credibility and capacity of the state to secure Ugandans. The president in his brief to the Nation should have addressed this matter and assured Ugandans of the measures being taken to address this insecurity trend.

The prevalence of fire arms in public domain

According to a recent report from the Ministry of Internal Affairs, Up to 19,000 guns are in the hands of Ugandan civilians or private security firms⁴. Of these, between 2,400 and 3,000 are in the hands of civilians, majority of them politicians and businesspeople, while another 16,000 guns are held by private security firms.

Whereas there are indications that the government of Uganda to some level tries to restrict gun ownership, majority of individuals holding guns are not trained appropriately on gun use. There are also hundreds of guns in the public domain without the knowledge of the state; some of these guns have been illegally obtained either by persons connected to individuals working with state security agencies or from previously war affected communities such as Karamoja, the Rwenzori region, parts of Northern Uganda but also from war affected communities in the neighbouring countries. The high presence of guns in the public domain has accounted for the death of several Ugandans in the recent past.

Unintegrated Voluntary Policing Groups/militia groups

Of recent, Uganda has witnessed a surge in the emergency of militia groups such as Kifeesi, BodaBodagroups, and crime preventers—a development that has created security challenges. Composed of questionable members of the community, these groups have been used as a substitute to existing state security agencies to do police work. However, all of these groups are untrained and more prone to engage in abuse or use excessive force while carrying out their executions.

Some of these militia groups have become a law unto themselves and have become criminal syndicates in their own right—extorting payments from community members or using their coercive capacity to take control of certain licit or illicit economic activities in major towns (for the case of BodaBodagroups). The presence of non-state security actors reflects a governance deficit—as does the state's inability to effectively guarantee security to members of the public.

Unregulated private security firms

In the last three years, Uganda has witnessed a rapid increase in the number of private security firms. Today Uganda has 60 registered private security firms;-The major issue of concern however, has been the laxity by the state regulatory mechanisms against the operations of private security firms to scrutinize their recruitment procedures, their level of effectiveness and efficiency in delivering security services among others.

⁴ The Daily Monitor: 19,000 guns in private hands, Sunday December 18 2016

The lack of appropriate regulatory and supervisory mechanisms by concerned authorities has created a situation where personnel of private security firms get involved in criminal activities which in itself becomes a source of insecurity to their clients and members of the public. In regard to this, a section of personnel of security firms have on a number of occasions been found to be involved in robbery while others shot dead the persons they are supposed to secure including members of the public.

Unanswered break-in into CSOs' offices

The safety and security of Human Rights Defenders and human rights activists continues to be an issue of concern in Uganda. In the last three years, a total of 29 NGOs have been broken into and what is surprising is that only information gadgets such as computers and servers are targeted and stolen. Security guards on duty are usually also killed or grossly tortured. The continued occurrence of these developments with no clear answers or reports from investigations made by police is a clear indication of a breakdown of public security apparatus.

The increased move by the military to assume law enforcement role

Law enforcement is a preserve of the Uganda Police Force. Much as the law allows the police to work with other sister agencies in the law enforcement, this is only allowed when the situation calls for it and the police has to take the lead role. The current situation however is that, the military has aggressively taken on this responsibility with the UPF playing peripheral role; suspects detained in military facilities, tried by military courts and denied their constitutional rights such as bond or bail.

The involvement of the military in law enforcement is unconstitutional and accounts for the increased abuse of rights of the citizenry (suspects) and to a large extent has eroded public trust in the capacity of Uganda Police Force to execute its constitutional mandate.

Interfering with the independence of judicial system

Article 128 (1) of the Ugandan Constitution states that the judiciary shall be independent and shall not be subjected to control of any person or authority. However, the question of the independence of the Judiciary has been a subject of public debate; there has been a number of developments in the country some of which have to some extent undermined this constitutional provision; the re-arrest of suspects released by court on bail and issuance of statements by the head of state with intent to undermine operations of the judiciary such as giving instructions not to issue bail to murder suspects.

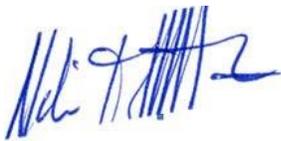
In regard to the above concerns that have greatly impacted on public safety and security, Human Rights Network Uganda recommends that;

1. A Commission of Inquiry into the human rights violations in the UPF to help investigate allegations of police officers involved in criminal activities be constituted;
2. The UPF improves the community policing programme to make it community driven as opposed to being police interest centered;
3. Government designs programmes to sensitize members of the public on matters of security and how communities can be involved in securing their communities and scene of crime;

4. The state disbands all militia groups that have been reported to be agents of crime in the country and stop using them opportunistically.
5. The UPF pronounces progress made in investigating the various murders that occurred recently including the Entebbe and Nansana women murders to instill confidence in the public about the police institutional capacity to protect them and facilitate justice;
6. The UPF re-investigates and/or produces reports on cases of civil society office break ins that occurred in the recent past;
7. The state establishes a national security framework with a purpose of involving diverse stakeholders in security matters and crime prevention;
8. The UPDF should as a matter of urgency produce the arrested people before the competent courts of law and stop abusing their constitutional rights of the 48 hour rule. The Former IGP Kale Kayihura and those arrested with him be produced before courts of law.

Dated this 21st Day of June, 2018.

Signed:



.....
Mohammed Ndifuna
Executive Director,

Human Rights Network Uganda.

For more information, please contact;

Human Rights Network Uganda

Plot 94, Old Kiira Road, Ntinda

P.O.BOX 21265 Kampala Uganda.

Tel: +256 414 286 923

Email: info@hurinet.or.ug

Website: www.hurinet.or.ug

~FOR GOD AND MY COUNTRY~