

## **PRESS RELEASE**

**Friday, September 22, 2017**

### **URGENT: NEWS DESKS AND EDITORS**

#### **ON THE IMMORAL ATTACKS AGAINST UGANDAN CIVIL SOCIETY ORGANIZATIONS AND CITIZENS WHO ARE AGAINST THE REMOVAL OF THE CONSTITUTIONAL PRESIDENTIAL AGE LIMIT**

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The Kenyan Section of International Commission of Jurists (ICJ Kenya) is a non-governmental, non-profit and member based organization which promotes human rights, the rule of law and democracy in Kenya and around Africa since 1959. ICJ Kenya works towards a just, free and equitable society.

ICJ Kenya is deeply concerned about the reprisals against Civil Society Organizations (CSOs) in Uganda which have significantly increased over the last couple of years. The most recent attacks in Uganda following the decision by the ruling Party National Resistance Movement (NRM) to amend the Constitution to remove the presidential age limit of 75 years and the subsequent tabling of the proposed amendment to the Constitution in parliament is unfortunate. This amendment if passed will allow the incumbent President Yoweri Museveni, who is 73 years, to run for presidency again in 2021 when he will be 77 years.

As would be expected, the proposal to amend the Constitution has been greatly resisted by citizens, including civil society organizations who have been vocal against the intentions to remove the constitutional presidential age limit. Unfortunately, the Government has not taken criticism to this proposal lightly.

ICJ Kenya notes with further concern that the actions by the Government of Uganda to continue to misuse security forces, who it continues to deploy with impunity to crack down on those who have dared to call out the Government for its disregard for fundamental democratic tenets.

The attacks on organizations and individuals who have openly condemned this move by the legislature ahead of the debate in Parliament, were cemented by the police raid on Action Aid, a Non-Governmental Organization (NGO) that seeks to advance human rights and end poverty in Uganda on 20 September 2017. We understand that the raid was conducted by over 20 police officers, who were under instructions to search and carry with them all computers, mobile phones and financial records of the organization, based on false allegations of the organization's engagement in illicit transfer of funds for illegal activities.

Another NGO, the Great Lakes Institute for Strategic Studies (GLISS) was also subjected to the same treatment when the police detained its Executive Director and conducted a search of the offices, to conduct a thorough search based on frivolous allegations that the organization has been carrying out suspicious financial transactions.

The Mayor of Kampala, Mr. Elias Lukwago, together with five university students were also arrested for suspicion of their involvement in planned protests against the proposed amendment to the Constitution.

This culture of State fueled impunity is not new in Uganda, raids, break-ins on civil society premises and stealing of information and collection of records, the freezing of bank accounts, capping of donor funding are some of the tactics the Government of Uganda continues to use to clamp down on the operations of civil society.

This attack is also not unique to Uganda, but is in line with a global trend that has been actively undermining the citizens' voice and their ability to effectively advance human rights and hold

Governments accountable for their actions. The International Centre for Not-for-Profit Law (ICNL) have recorded a total of 64 laws which have been enacted by Governments seeking to restrict NGOs ability to operate in their respective countries since 2015.<sup>1</sup>

Further, the allegations against CSOs on their involvement in illegal financial transactions is an excuse that is all too familiar that States continue to use to diminish efforts by CSOs who are keen to hold their governments accountable for their actions. In East Africa similar attacks have also been witnessed against CSOs in Kenya and Tanzania. In Tanzania, registration of NGOs is currently suspended until end of November 2017, with already existing NGOs forced to go through a ‘vetting and verification process’.

It is clear that the attacks witnessed this week in Uganda against CSOs and citizens are intended to intimidate and silence those involved in the countrywide campaign against the proposal to amend the Constitutional presidential age limit. The Constitutional amendment debate which was postponed by Parliament on 22 September, after MPs objected and demanded that the house be adjourned due to the heavy presence of the police and military agents, has seen the Government take illegal measures such as banning of all planned peaceful demonstrations and deployment of heavy military agents in Kampala.

ICJ Kenya reminds the President Museveni that freedom of speech and expression as well as the freedom to assemble and peacefully demonstrate are rights embedded under Article 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR), which he is obligated to respect. Similarly, Article 29 of the Constitution of Uganda gives citizens of Uganda the right and freedom of speech and expression and the freedom to assemble and to demonstrate together with others peacefully without any form of intimidation. Curtailing these rights is not only illegal and in contravention of the Constitution of Uganda, but also goes against international law and standards which promote citizen involvement and participation in matters of great public interest through these rights and freedoms.

In view of the foregoing, ICJ Kenya strongly condemns the reprisals against Ugandan Citizens and CSOs and calls on the Government of Uganda to:

1. Refrain from any intimidation, obstruction, threats and harassment of members of Civil Society Organizations and to accord them the freedom they rightfully deserve to continue advancing their missions as institutions.
2. To respect Article 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR) and Article 29 of the Constitution of Uganda which gives the citizens of Uganda the right and freedom of speech and expression and the freedom to assemble and to demonstrate together with others peacefully without any form of intimidation.
3. To refrain from intimidating ordinary citizens and members of the opposition who wish to participate and express their views on matters that are of great public interest, such as the current motion in parliament seeking to abolish the Constitutional presidential age limit.

Signed



**SAMWEL MOHOCHI**  
**EXECUTIVE DIRECTOR**

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<sup>1</sup> International Center for Not-For-Profit Law, “Survey of Trends Affecting Civic Space: 2015-16”, *Global Trends in NGO Law*, Vol 7, Issue 4, September 2016.