



## **UGANDA LAW SOCIETY (ULS) CALL TO REVERSE HUMAN RIGHTS VIOLATIONS ARISING FROM THE AGE LIMIT DEBATE**

The Uganda Law Society (ULS) has been invited to share her views on the Constitution Amendment (No. 2) Bill, 2017 by the Legal and Parliamentary Affairs Committee. ULS has scheduled an Extra-Ordinary General Meeting on the 9<sup>th</sup> November 2017 to put the matter to her members to generate a position which will be communicated to the Legal and Parliamentary Affairs Committee. We must however restate that matters of amendment of the Constitution are very serious matters which require consultation with and input from as broad a spectrum of stakeholders as possible. While the process may not follow the exact one which led to the Constitution, it must mirror as much as possible the level of national consultations that led to the promulgation of the Constitution. We should also not forget the fact that this country is pluralistic and that the people are sovereign. Although the people delegate their sovereignty to elected leaders, those leaders must be mindful of Uganda's political history and in turn be subject to national values and fidelity to the law.

We are however deeply concerned about how the process of handling the amendments is evolving. We have seen in the few days since the bill was tabled the following events unfolding; –

- Directives by the police limiting consultations by MPs to only their constituencies;
- Discrimination in regulating public order where clearly those in support of the amendment are given all the necessary support while those against the amendment are brutally arrested and jailed;

- The use of excessive and unlawful force by the police in dispersing rallies and gatherings leading to loss of life and injuries as witnessed in the last few days;
- The unlawful arrests by the police and the unnecessary detention of opposition politicians like Dr. Kiiza Besigye beyond the Constitutionally mandated period, and several others who have expressed opposition to the amendment like the 77 year old man whose acts in opposition to the Bill revolved around peacefully collecting signatures to recall MP Raphael Magyezi;
- Arresting people for choosing to wear particular colors.

As the Uganda Law Society, we consider these violations a reversal of constitutional gains by an institution mandated to preserve law and order.

We equally condemn the acts of violence under the pretext of intimidating those who have not expressed their views on the Bill. Reports for example about attempts to set the residence of Hon. Nabeta Igeme in Jinja on fire and the attacks on young children wearing red by Boda Boda cyclists represent a level of degeneration that is most unfortunate and unacceptable. The fact that little or nothing has been done to bring to book those engaged in such acts is telling.

Being fully cognizant of our Vision, ***"to be a proficient Bar Association in fostering Access to Justice, the Rule of Law and Good Governance in Uganda,"*** and our general thematic focus on the promotion of the Rule of Law in Uganda, our appeal is:

- 1) That all sides to this debate must exercise restraint, have a spirit of compromise and promote peaceful debates to avoid further human rights violations. We implore all persons in Uganda to work towards national harmony, peace and true nationalism and act with restraint at all times. Let us each consciously replace the voices and armies of violence with voices of reason and armies of peace, exhibiting tolerance and respect for all, especially those with differing views and positions.

- 2) We call upon the Uganda Police Force to appreciate their legal mandate which entails protecting life and property, preserving law and order, permitting all suspects to enjoy their rights including the presumption of innocence, acting politely, respectfully and professionally at all times. The Uganda Police Force must refrain from use of unnecessary and or brutal force, arbitrary arrests or detention; and instead allow Ugandans to fully and freely express themselves.
  
- 3) That individual police officers exercise their mandate in accordance with the law and refrain from use of excessive and unlawful force to avoid being pursued in their individual capacity. Cognizant of its mandate to protect and assist members of the public on all matters affecting the rule of law, the Uganda Law Society has established a team of formidable lawyers to help all torture victims of the age limit campaign. **This intervention will see suits filed against individual police officers for violations caused by them. All victims are thus urged to register with the ULS Secretariat or with our various Legal Aid Project branches around the country, for the necessary legal support.**

ULS will continue to be at the forefront of the protection of rights and freedoms of all as a means to guarantee Constitutionalism, Good Governance and, the Rule of Law in Uganda. All persons of good will should stand up against systematic attempts to roll back civil liberties and rights provided for in our Constitution.

A handwritten signature in black ink, appearing to read 'Gimara Francis', with a stylized flourish above the name.

Gimara Francis  
**President, Uganda Law Society**