



5th August, 2024

PERSISTENT UNLAWFUL INTERFERENCE BY THE UGANDA POLICE WITH CITIZENS' RIGHTS TO PEACEFULLY ASSEMBLE AND DEMONSTRATE

Freedom of Assembly and Peaceful Demonstration are guaranteed fundamental rights of all persons under the Constitution of the Republic of Uganda 1995 (as amended) and essential tools for building a vibrant free and democratic society. They however, remain under sustained attack by the Uganda Police who as a matter of *de facto policy* bar and interfere with the vast majority of civic or political gatherings and demonstrations in the country.

We refer to a number of interferences. On 2nd August, 2024 medical interns who had gone to Ministry of Health Headquarters chanting '**deploy us**' were blocked by security officials seeking the Ministry's intervention in multiple issues regarding their deployment at training facilities.

Secondly, FDC members of the Katonga Faction were arrested by the Uganda Police Force as they marched to the Kenya High Commission to deliver a protest note concerning the arrest of their 36 members in Kenya. Journalists who were covering the event were also manhandled by the Uganda Police Force.

The aforementioned incidents are but a few of the regular and now habitual interferences by Uganda Police Force in all manner of civic gatherings and protests or demonstrations.

UIS advises the general public as well as the Uganda Police Force that the Constitution of the Republic of Uganda 1995 guarantees to all persons the right to 'assemble and demonstrate together with others peacefully and unarmed' as well as the right to freedom of speech and expression as per Article 29(1) (d) and (a) respectively. These fundamental rights are essential to every free and democratic society and have been upheld in various decisions by the Constitutional and Supreme Courts of Uganda. As with all fundamental rights and freedoms of the individual,

these rights are inherent and are not granted or merely permitted by the State or the Police. The Police therefore does not have the authority to question or determine whether a peaceful demonstration is called for or not. The Police on the other hand has a duty to ensure that protests or demonstrations are held peacefully.

ULS further cautions the Police against its continuous reliance on various provisions of the Public Order Management Act, 2013 that have since been held by the Courts of Law to be unconstitutional, unlawful, null and void for unreasonably limiting the people's right to assemble and demonstrate.

In light of this, ULS;

- a) condemns the continuous arbitrary interference of the Police with peaceful and unarmed demonstrations;
- b) urges the Government and Police to respect and protect the rights of all persons to assemble and peacefully demonstrate;
- c) calls upon the Uganda Police to investigate and hold accountable all officers who continue to arbitrarily curtail the rights of all persons to assemble and peacefully demonstrate;
- d) advises the public that the right of all persons to assemble and peacefully demonstrate is guaranteed by the Constitution of Uganda;
- e) appeals to the general public to desist from violent demonstrations and attacks on law enforcement officers and
- f) hereby gives Police Officers fair warning that the ULS will take legal action against them in their personal capacities if they are found to have deliberately violated the fundamental rights and freedoms of citizens and other persons.

ULS remains steadfast in its commitment to promoting the rule of law, human rights, and good governance in Uganda.



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