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Uganda, arrest of parliamentarians from the opposition**European Parliament resolution of 13 September 2018 on Uganda, arrest of parliamentarians from the opposition (2018/2840(RSP))**

(2019/C 433/13)

The European Parliament,

- having regard to its previous resolutions on Uganda,
 - having regard to the joint local statement of 17 August 2018 by the European Union Delegation, the Heads of Mission of Austria, Belgium, Denmark, France, Germany, Ireland, Italy, the Netherlands, Sweden and the UK and the Heads of Mission of Norway and Iceland on the by-election held in the municipality of Arua,
 - having regard to the Universal Declaration of Human Rights of 10 December 1948, to which Uganda is a signatory,
 - having regard to the 1966 International Covenant on Civil and Political Rights, ratified by Uganda on 21 June 1995,
 - having regard to the 1984 United Nations Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment,
 - having regard to the African Charter on Democracy, Elections and Governance (ACDEG),
 - having regard to the statement from the Ugandan Human Rights Commission on emerging human rights issues in the country following the by-election held in the municipality of Arua on 15 August 2018,
 - having regard to the report on Uganda of the Working Group on the Universal Periodic Review of the Human Rights Council,
 - having regard to the ACP-EU Partnership Agreement (the Cotonou Agreement) and in particular to Article 8(4) thereof on non-discrimination,
 - having regard to the Constitution of the Republic of Uganda of 1995, amended in 2005,
 - having regard to Rules 135(5) and 123(4) of its Rules of Procedure,
- A. whereas the by-election held on 15 August 2018 in the municipality of Arua in north-west Uganda, which resulted in the election of independent opposition candidate Kassiano Wadri, was marked by violence;
- B. whereas the President of Uganda, Yoweri Museveni, and independent MP Robert Kyagulanyi Ssentamu, also known as Bobi Wine, together with several other politicians, campaigned in Arua on 13 August 2018 in the framework of a highly charged by-election, triggered by the assassination of a parliamentarian in June;
- C. whereas Bobi Wine, a popular musician, has emerged as an influential critic of President Museveni after winning a seat in the Ugandan Parliament in 2017;
- D. whereas on 13 August 2018 at the end of the day Bobi Wine's driver, Yasin Kawuma, was shot dead in unclear circumstances, and as President Museveni left Arua supporters of Kassiano Wadri allegedly attacked the presidential car with stones;
- E. whereas police arrested two journalists from the NTV Uganda television channel, Herbert Zziwa and Ronald Muwanga, as they were reporting live from the area where Mr Kawuma was killed;

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- F. whereas both Mr Wine and Mr Wadri, together with several others, were arrested shortly after; whereas Mr Wine was accused of possession of firearms;
- G. whereas 33 people, including Mr Wadri and four members of parliament (Robert Kyagulanyi, Francis Zaake, Gerald Karuhanga and Paul Mwiru), were charged with treason the day after the election and Mr Wine was charged by a military court with possession of illegal firearms;
- H. whereas the protests triggered in Arua, Kampala and Mityana by these arrests have been violently quashed by the Ugandan security forces; whereas use of tear gas and live ammunition has been reported;
- I. whereas on 20 August 2018 James Akena, a photographer working for Reuters who was covering the #freeBobiWine political protests in Kampala, was beaten by soldiers, arrested and detained for several hours;
- J. whereas there are reports that Mr Wine and other persons detained were tortured while in custody; whereas, after initially denying these allegations, the authorities have vowed to investigate them;
- K. whereas Mr Wine was later charged with treason in a civilian court, following the decision of the military court not to proceed with the charges of illegal possession of firearms;
- L. whereas Mr Wine was subsequently released on bail, and has left Uganda to seek treatment in the US;
- M. whereas the former UN High Commissioner for Human Rights, Zeid Ra' ad al-Hussein, has urged the Government of Uganda to conduct a thorough, independent and impartial investigation into the serious allegations of human rights violations, including extrajudicial killings, excessive use of force and torture and other forms of ill-treatment, and to bring those responsible to justice;
- N. whereas Kizza Besigye, the leader of Forum for Democratic Change (FDC) and four times a presidential candidate, was detained on multiple occasions by the police or the military between 2001 and 2017, the most recent occasion being on 25 September 2017;
- O. whereas arrests and intimidation of opposition political figures happen routinely in Uganda;
1. Expresses its deep concern at the arrest of opposition parliamentarians in connection with the Arua by-election;
 2. Stresses that it is vital for Ugandan democracy that the President and Government of Uganda respect the independence of the country's Parliament as an institution and the independence of the mandate of its members and ensure that all members of parliament can freely pursue their elected mandates;
 3. Calls on the Ugandan authorities to drop what appear to be trumped-up charges against Bobi Wine and to stop the crackdown against opposition politicians and supporters;
 4. Urges the Ugandan authorities to immediately launch an effective, impartial and independent investigation into the killing of Yasin Kawuma and the reports of deaths and excessive use of force during the protests; expects a swift and independent investigation into the allegations of torture and mistreatment of those arrested in Arua; stresses the need to bring those responsible to justice;
 5. Reiterates its commitment to freedom of expression, and reaffirms the key role played by the media in a democratic society; notes with concern that journalists covering the demonstrations and the riots that broke out have been beaten along with participants, and that two journalists were arrested; calls on the Ugandan authorities to create an environment where journalists can carry out without hindrance their work of informing about political developments in the country;

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6. Reminds the Ugandan authorities of their obligation to guarantee, protect and promote fundamental rights, including the civil and political rights of the country's citizens, among them freedom of speech and freedom of assembly;
 7. Reminds the Government of Uganda of its international obligations, in particular concerning respect for fundamental freedoms and the rule of law and the handling of court cases, especially with regard to the right to a fair and impartial trial;
 8. Urges the law enforcement bodies to protect basic freedoms without any form of intimidation, thereby complying with Article 24 of the Ugandan Constitution, which stipulates that 'no person shall be subject to any form of torture or cruel, inhuman or degrading treatment or punishment';
 9. Calls on the Ugandan security forces to show restraint when policing protests, to desist from using live bullets, to act lawfully and with full respect for human rights law, and to allow journalists to freely carry out their work of information;
 10. Appeals at the same time to protesters to act in a law-abiding way and to exercise their rights and freedoms within the law;
 11. Calls on the EU to take advantage of the political leverage provided by development aid programmes, especially budget support programmes, with a view to enhancing the defence and promotion of human rights in Uganda;
 12. Commends the work accomplished by the Ugandan Human Rights Commission following the arrests, killings and torture arising from the Arua by-election, including reporting, visits to detention centres, investigating the whereabouts of missing persons, and interventions to guarantee the rights of prisoners, medical treatment and family visits;
 13. Calls on the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy to closely monitor the situation in Uganda; stresses that the European Parliament should be informed of any further signs that opposition members of the Ugandan Parliament are being hindered or obstructed in their work as legislators;
 14. Instructs its President to forward this resolution to the Council, the Commission, the Vice-President of the Commission / High Representative of the Union for Foreign Affairs and Security Policy, the President of the Republic of Uganda, the Speaker of the Ugandan Parliament, and the African Union and its institutions.
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