



CALL FOR RESPECT OF HUMAN RIGHTS AT MAKERERE UNIVERSITY

KAMPALA, UGANDA / October 29, 2019 – The ongoing happenings at Makerere University involving student protests against a 15% cumulative tuition increment by the University and resultant reactions by security forces have shocked the entire country. We have watched in disbelief what was intended as a peaceful protest led by female students degenerate into violence including raids on student residences under the cover of darkness. Consequently, students have been hurt and their property maliciously damaged. It is also regrettable to note that there have also been reports of sexual assault on female students. Such actions violate fundamental rights and freedoms enshrined in Uganda’s Constitution.

Whilst the student body has made its reasons clear for engaging in the protest, and the University administration on the other hand has the duty to counter the situation, as the human rights fraternity we have a duty to remind all stakeholders involved of the responsibility to work within the law and uphold human rights for all concerned.

The refusal by security forces for student leadership to air out their concerns to the press and the deliberate barring of the media from accessing such information is a breach of the freedom of information and expression. Several journalists have reported being blocked or attacked by security forces during their attempts to cover the protests. Of particular concern are the excesses and brutality meted out on the students by the security forces, including the use of live bullets. These occurrences disregard the principles of proportionality and necessity which mandate law enforcement officers to exercise restraint and avoid using force including lethal force, where the harm that their actions would inflict outweighs the gains to be obtained from using it.

Under the recommended standards, law enforcement officers must determine in advance, the seriousness of the offence they are responding to and the objective they seek to achieve by using force. This objective must be lawful. Targeting students in their halls of residence or those peacefully protesting with the aim of subduing their freedom of expression and right to assemble are not lawful objectives. Additionally, police or law enforcement officers must always use nonviolent means first as far as possible before resorting to force. Firearms should only be used to avert a threat to life, or serious injury and only where such threat is, “imminent.”

Criminalization of peaceful protests is never a solution. Managing divergent views should be inclusive, participatory and accountable. We condemn in the strongest terms the implicated security forces’ acts of impunity. We further observe with dismay that Uganda’s current statutory

laws on the use of force grant unlimited power to security agencies with little to no frameworks of accountability.

We therefore call upon:

- Makerere University to continue to civilly engage students and protect them from unlawful attacks by rejecting the illegal and unnecessary deployment of military forces in the university;
- The Parliament of Uganda to enact legislation to regulate use of force by security agencies;
- The Uganda Police Force to maintain law and order professionally at the university and to conduct its role in accordance with Uganda's laws, including upholding the principles of proportionality and necessity in use of force as provided in the United Nations Basic Principles on the Use of force and Firearms for Law Enforcement Officers and the African Union Guidelines for Policing of Assemblies by Law Enforcement Officials in Africa;
- The Uganda People's Defence Forces (UPDF) to investigate the impugned acts in relation to these protests, and to bring individual perpetrators to account in addition to providing adequate compensation to the victims of this violence; and
- The Makerere University student body to continue to peacefully engage with management and respect the rights of others.



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