



Plenary sitting

B9-0137/2021

9.2.2021

MOTION FOR A RESOLUTION

with request for inclusion in the agenda for a debate on cases of breaches of human rights, democracy and the rule of law

pursuant to Rule 144 of the Rules of Procedure

on the political situation in Uganda
(2021/2545(RSP))

Miguel Urbán Crespo
on behalf of The Left Group

B9-0137/2021

**European Parliament resolution on the political situation in Uganda
(2021/2545(RSP))**

The European Parliament,

- having regard to its previous resolutions on Uganda,
 - having regard to the Statement by High Representative Josep Borrell on the upcoming general elections, of 12 January 2021,
 - having regard to the Universal Declaration of Human Rights of 10 December 1948, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights and the United Nations Declaration on Human Rights Defenders of 1998,
 - having regard to the Statement by UN High Commissioner for Human Rights on Uganda, of 8 January 2021,
 - having regard to the African Charter on Human and Peoples' Rights which was adopted on 27 June 1981 and entered into force on 21 October 1986,
 - having regard to Rule 144 of its Rules of Procedure,
- A. whereas on January 14, 2021 elections were held in Uganda; whereas on January 16, the Electoral Commission declared President Yoweri Museveni, the winner for his sixth term and said that the vote was peaceful, but United Nations and local NGOs raised concerns; whereas the main opposition leader Robert Kyagulanyi popularly known as Bobi Wine, rejected the results alleging there was widespread fraud and on February 1, filed a legal challenge in the Supreme Court asking to nullify the elections; whereas the Supreme Court must now rule on the petition within 45 days;
- B. whereas Kyagulanyi and his wife were held under house arrest for 11 days from polling day until the High Court ordered security forces to leave his home; whereas Robert Kyagulanyi is not the first Ugandan opposition leader to be kept under home confinement as well Kizza Besigye was also kept under house arrest for more than two months after the 2016 election;
- C. whereas elections were preceded by weeks of widespread use of violence and the systematic crackdown on the political opposition, civil society actors, human rights defenders and journalists; whereas human rights abuses including dozens of people killings by security forces and unidentified armed individuals, arrests and beatings, disruption of opposition rallies, and a shutdown of the internet; whereas during the campaigns, security forces fired teargas and live bullets to disperse crowds during opposition rallies, citing government Covid-19 regulations; whereas despite that, rallies and processions for the ruling National Resistance Movement (NRM) party were allowed;

- D. whereas security forces violently arresting scores of people, including presidential candidates Patrick Amuriat of the Forum for Democratic Change and Robert Kyagulanyi, of the National Unity Platform; whereas on November 18 and 19, security forces clamped down on protesters demanding the release of then detained Kyagulanyi, resulting in at least 54 deaths and 200 arrested; whereas there have been disappearances which Security Forces have admitted to and the whereabouts of those disappeared remain unknown and their access to justice obstructed;
- E. whereas the authorities restricted the media from covering opposition party members, and beat and shot at journalists; whereas Human Rights Network for Journalists (HNRJ) Uganda has reported over 100 cases of human rights violations against journalists, including cases of police violence; whereas two days before the authorities ordered internet service providers to block access to social media and this was followed by a complete internet shut-down implemented on January 13, which lasted until January 18;
- F. whereas the authorities have restricted the work of activists and civil society groups; whereas in November 2020, the National Bureau of the Non-Government Organization (NGO-Bureau) halted the activities of the National Election Watch Uganda (NEW-U), a citizen-led CSO to observe elections; whereas the Financial Intelligence Authority (FIA) ordered the freezing of bank accounts of several NGOs, involved in good governance and election observation in the country, including Uganda National NGO Forum and Uganda Women's Network (UWONET), accusing them of financing terrorism; whereas on January 14, police arrested over 26 civil society actors and election observer team and, although they were released on bond, they're still facing charges; whereas civil society leaders engaged in elections monitoring, reporting or any work related to the electoral process are being summoned by police;
- G. whereas members of NGO Chapter Four, Dakasi Herbert, Odur Anthony and Esomu Obure, and Tenywa Hamid, and human rights lawyer Nicholas Opiyo were arrested and detained on allegations of "money laundering and related malicious acts"; whereas they were released on bail but they are still awaiting a trial;
- H. whereas President Museveni has been accused several times of using security forces to stifle opposition; whereas in 2017, authorities harshly repressed opposition to the government's removal of presidential age limits from the constitution, allowing President Museveni, to run again in 2021; whereas in February 2016, local observers said that the presidential elections were not free and fair, and international observers - including the EU- argued the process failed to meet international standards;
- I. whereas Uganda's penal code punishes "carnal knowledge" among people of the same sex with up to life in prison; whereas Police continued beating and arresting LGBTI people, and charged them with a negligent act likely to spread COVID-19 and disobedience of lawful orders;
- J. whereas Museveni has enjoyed Western support for having contributed to the fight against jihadism, particularly through the Ugandan role in the African peacekeeping force in Somalia; whereas this support is now reinforced due to the role Uganda is playing in EU policy of externalization of its borders and migration flows control;

- K. whereas weak economic system, huge inequalities and poverty remain factors of big concern in Uganda; whereas 41,7% of the Ugandan population lives below the extreme poverty threshold;
- L. whereas the EU together with its Member States, is Uganda's main development partner; whereas the relations between the EU and Uganda in terms of cooperation for development has been guided by the 11th European Development Fund (EDF) National Indicative Programme (NIP) 2014-2020 which provides €558 million for the above mentioned period; whereas through the EDF, the EU is providing Uganda support in the form of non-repayable grants for two thematic areas: Good Governance and Inclusive Green Economy; whereas in the wake of COVID-19 pandemic, the EU has pledged to provide additional development funds of €58 million; whereas Uganda also receives €112,2 million from the EU Trust Fund for Africa; whereas this Trust Fund uses official development aid for security and migration flows control proposes;
- M. whereas Uganda's president has ordered the suspension of The Democratic Governance Facility (DGF) funded by seven donors, including the EU and Member States; whereas Its suspension could have a dramatic impact as it funds 70% of NGOs in Uganda
1. Strongly condemns the increasing violations of political rights which form part of a pattern of attempts by Ugandan authorities to silence dissent;
 2. Is deeply worried about the generalised deterioration of human rights in Uganda, including freedom of expression, association and assembly;
 3. Deplores in the strongest possible terms the continued harassment of opposition supporters, and leaders, members of the civil society and journalists, the incendiary and abusive comments made by the authorities intensifying crackdown on peaceful dissent and on freedom of expression, peaceful protest and association in the country;
 4. Urges the authorities to immediately and unconditionally release or drop all charges of all those arrested and detained solely for participating in peaceful political assembly or defending human rights including Dakasi Herbert, Odur Anthony, Esomu Obure, and Tenywa Hamid, Nicholas Opiyo; asks to guarantee an independent and impartial process and fair and just investigations and trials for everyone;
 5. Reminds that Ugandan security forces should abide by the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials, which requires them to apply nonviolent means and to use force only when strictly unavoidable to protect life; highlights that the principles also require governments to ensure that arbitrary or abusive use of force and firearms is punished as a criminal offense under national law;
 6. Asks Ugandan authorities to ensure justice and accountability for all victims by carrying out impartial, thorough and independent investigations into the shootings and violence perpetrated by security forces; especially asks the authorities to ensure investigation and prosecution of those responsible of killings on 18 and 19 November 2020;
 7. Denounce the ongoing crackdown on civil society conducted by freezing accounts, deregistering groups, and detaining individuals under the guise of addressing terrorism financing; rejects the harassment and over-regulation against civil society organisations,

including the backlash against their efforts to monitor the elections process; urges the Ugandan authorities to guarantee the safety of human rights defenders, to unfreeze the bank accounts of non-government organisations and enable them to carry out their work free of threats and impediments;

8. Insist that independent civil society and free and plural media are a vital component of any democracy;
9. Calls on the authorities to stop weaponizing and using the COVID-19 pandemic as a pretext to introduce laws and policies that violate international law and roll back human rights guarantees, including unduly restricting the rights to freedom of peaceful assembly and freedom of expression;
10. Deplores the role the EU is playing in Uganda turning its view away from this abuses and just focusing on boosting EUs geostrategic interest; urges the EU and its member states to publicly and privately raise concerns on the seriously deteriorating human rights situation and to intensify pressure on Ugandan authorities to end their crackdown, release all unjustly jailed activists, journalists, lawyers and human rights defenders;
11. Urge for a systematic review of the EU's ongoing sector budget support programmes, which risk being used to commit human rights abuses and target activists;
12. Regrets the suspension of the DGF as the mechanism supports the work of local groups focusing on democracy and good governance;
13. Strongly condemns the Khartoum Process which legitimates governments who are themselves the source of forced migration; condemns the financial support of the EU for policies whose aim it is to externalise border controls under the pretext of the fight against trafficking and to create 'information campaign' which in reality legitimates authoritarian regimes and dictatorships without changing the current situation of the people in need in those countries; Calls for ensuring rights and a safe passage to both migrants and displaced; rejects any attempt to use ODA for security or migration flows control proposes;
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.