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
(021/2545(RSP))

Kati Piri, Carlos Zorrinho
on behalf of the S&D Group
The European Parliament,

– having regard to its previous resolutions on Uganda,
– having regard to the declaration by the High Representative on behalf of the European Union on the elections in Uganda of 20 January 2021;
– having regard to the remarks by EU Ambassador Attilio Pacifici on NGOs bank account freezes of 12 January 2021;
– having regard to the joint local statement by the Delegations of the European Union to Uganda, together with the diplomatic missions to Uganda of Austria, Belgium, Denmark, France, Germany, Ireland, Italy, the Netherlands, Sweden, Iceland and Norway on the recent election-related violence in Uganda of 26 November 2020;
– 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 ACP-EU Partnership Agreement (the Cotonou Agreement) and in particular to Article 8(4) thereof on non-discrimination;
– having regard to the EU Election Observation Mission to Uganda Final Report of 18 February 2016;
– having regard to the EU/EEA joint local statement on election related violence of 26 November 2020;
– having regard to the statement of the Joint local statement of Partners for Democracy and Governance Group (PDG) on the arrest of Human Rights Activists in Uganda of 23 December 2020;
– having regard to the statement of the Spokesperson for the UN High Commissioner for Human Rights of 8 January 2021;
– having regard to the Statement by EU High Representative/Vice President on the
upcoming elections in Uganda of 12 January 2021;


A. Whereas the run-up to the 2020 Ugandan Presidential elections was marred by violence, with opposition candidates, civil society organisations, human rights defenders, electoral experts and journalists facing systematic oppression and intimidation in exercising their legitimate rights; Whereas the excessive use of force by law enforcement and security agencies seriously tarnished the electoral process;

B. Whereas on 16 January 2021, the Electoral Commission declared President Yoweri Museveni the winner for his sixth term as president, with 59% of the vote; Whereas the results of the election were hard to verify because the Elections Commission did not follow the prescribed tallying process;

C. Whereas security forces routinely clamped down on opposition members and detained scores of people throughout the campaign, in particular targeting the presidential candidates Patrick Amuriat of the Forum for Democratic Change and Robert Kyagulanyi, also known as Bobi Wine, of the National Unity Platform;

D. Whereas following the election, security officials surrounded the home of Wine preventing access to visitors including the US Ambassador and Franci Zaake MP, who was physically assaulted: Whereas security forces subsequently blocked access to the National Unity Platform’s head office in Kampala;

E. Whereas police had fired teargas during several of Wines’ rallies, including in Kasese on 24 November 2020, where up to six people were also reported injured after police fired live bullets; Whereas security forces detained Wine and arrested a number of his supporters during a rally in Kalangala on December 30;

F. Whereas, immediately after submitting his nomination papers to the election body, Bobi Wine was arrested on 3 November 2020; whereas, on 18 November 2020 police again arrested and detained Wine for allegedly breaching Covid-19 restrictions; Whereas police responded to those protesting Kyagulanyi’s detention with tear gas and live bullets which resulted in at least 54 deaths;

G. Whereas on 1 February 2021 Wine filed a petition at Uganda’s High Court to challenge the election results, alleging widespread fraud including involvement of the military in stuffing ballot boxes, casting ballots for people and deterring voters from polling stations; Whereas President Musevini has faced High Court challenges following the last four elections;

H. Whereas the Forum for Democratic Change (FDC) party presidential candidate, Patrick Oboi Amuriat, was arrested numerous times prior to the election, with his campaign dispersed by tear gas on 9 November 2020 and his convoy being shot at by Police on 6 January 2021;

I. Whereas on 22 December 2020, police arrested human rights lawyer and founder of the rights organisation Chapter Four, Nicholas Opiyo, alongside three other lawyers - Herbert Dakasi, Anthony Odur, and Esomu Obure and Hamid Tenywa, charging him
with money laundering; Whereas Opiyo fiercely denies the accusations in stating that monies were legally used to support Chapter Four’s human rights work;

J. Whereas on 12 January 2021 the Uganda Communications Commission ordered internet service providers to block access to social media following which, internet access was interrupted across the country for five days; whereas, access to some social media sites remains restricted;

K. Whereas, on 2 January 2020, in a letter to the Ministry of Finance, President Musevini ordered the suspension of the Democratic Governance Facility (DGF); Whereas, the DGF funds the majority of NGOs in Uganda and is supported by numerous EU Member States including Austria, Norway, The Netherlands, Sweden, Denmark, and Ireland and whose purpose is to strengthen democratisation, protect human rights, improve access to justice and enhance accountability;

L. Whereas in November 2020, the National Bureau of the Non-Government Organisation (NGO-Bureau) arbitrarily halted the activities of a newly formed National Election Watch Uganda (NEW-U), a citizen-led civil society organisation (CSO) to observe elections; Whereas the Financial Intelligence Authority (FIA) froze the bank accounts of several CSOs, including the Uganda National NGO Forum and Uganda Women’s Network (UWONET), citing uncorroborated charges of financing terrorism;

M. Whereas the 2016 EU Election Observation Mission final report made some 30 recommendations including the need for a more independent electoral body and the elimination of the excessive use of force by security services, none of which were implemented by Ugandan authorities; Whereas, despite having observed previous elections, the EU’s offer to deploy a team of electoral experts was not accepted by the government of Uganda for the 2021 election;

N. Whereas, Uganda has reported approximately 40,000 cases of COVID-19; Whereas, the UN High Commissioner for Human Rights has expressed concern that COVID-19 measures were used to restrict political freedoms and political participation during the election process; whereas, on 26 December 2020, Uganda suspended campaigning in areas where the opposition enjoyed particular popularity, including Mbarara, Kabarole, Luwero, Kasese, Masaka, Wakiso, Jinja, Kalungo, Kazo, Kampala City and Tororo, citing COVID-19 precautions;

O. Whereas through the 11th European Development Fund, the EU is providing Uganda with €578 million namely in support the promotion of good governance, Infrastructure, Food Security and Agriculture;

P. Whereas Uganda has one of the youngest and most rapidly growing populations in the world many of whom exercised their right to vote in a peaceful manner;

Q. Whereas the UN Human Development Index ranks Uganda ranks 159 out of 189 and whereas according to transparency international, Uganda ranks 137 out of 180 countries in the corruption perception index.

1. Denounces the manner in which the 2021 Ugandan Presidential election was conducted; Emphasises that in order to be credible, elections must be held in line with international
norms with candidates and their supporters able to express their views in a peaceful atmosphere free from intimidation and violence. Regrets that independent, local and international election observers were prevented from overseeing the Presidential election, preventing its assessment against internationally recognised standards;

2. Expresses its grave concern about the continued harassment of opposition political figures and civil society representatives in the post election period. Reminds the government of Uganda that in accordance with its laws, international commitments and obligations it must ensure that security services continually act with restraint and that any violations or abuses are impartially investigated, and that those responsible are held to account. Calls for the immediate and unconditional release of all those arrested and detained solely for participating in peaceful political assembly or exercising their right to freedom of expression and association, and for all charges against them, including those brought against Nicholas Opiyo, to be dropped;

3. Calls on Ugandan authorities to launch an immediate independent investigation into the tragic events of 18 and 19 November 2020, were at least 54 people needlessly lost their life to police fire following the arrest of Bobi Wine and hundreds more were injured, in an event which President Musevini himself has acknowledged;

4. 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; Expects the Ugandan government to put an immediate end to the practice of arbitrarily detaining opposition leaders without charge and resist from using COVID-19 restrictions as a pretext for law enforcement agencies to infringe on human rights and fundamental freedoms;

5. Underlines that appeals and challenges to election results are a fundamental feature of a credible electoral process. Expects election challenges and complaints to be addressed in an independent and transparent manner through the available constitutional and legal remedies. Calls on all parties to refrain from any form of violence as well as from statements and actions that may incite violence in the post-election period;

6. Underlines that independent civil society are a vital component in protecting human rights and strengthening democracy. Demands therefore that Ugandan authorities immediately halt targeting civil society organisations through smear campaigns and threats to their staff and operations. Calls for seized CSO bank accounts to be unfrozen in order for them to resume their legitimate activities and for Ugandan authorities to put an end to the practice of deregistering groups and detaining individuals under the guise of addressing terrorism financing;

7. Reminds the government of Uganda of the importance of freedom of expression and the role of free, pluralistic media in a democratic society. Notes with concern that journalists covering the elections were routinely subjected to intimidation and violence. Expects Ugandan authorities to create an environment where journalists can carry out their work without hindrance;

8. Urges the Commission and External Action Service to continue conducting systematic reviews of EU budget support programmes where there is a risk of funds being diverted for use by Ugandan authorities in activities which may abet human rights abuses and
target activists;

9. 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 EU Special Representative for Human Rights, the President of the Republic of Uganda, the Speaker of the Ugandan Parliament, and the African Union and its institutions.