



HUMAN  
RIGHTS  
WATCH

## “I Only Need Justice”

Unlawful Detention and Abuse in Unauthorized Places  
of Detention in Uganda



# **“I Only Need Justice”**

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of Detention in Uganda**

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## Unlawful Detention and Abuse in Unauthorized Places of Detention in Uganda

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## Glossary of Terms

- CMI: Chieftaincy of Military Intelligence is a military intelligence agency
- FDC: Forum for Democratic Change (FDC) is the main opposition party in Uganda
- ISO: Internal Security Organization is Uganda's domestic intelligence body responsible for internal security
- JATT: Joint-Anti Terrorism Task Force is an ad hoc agency created after the enactment of the Anti-Terrorism Act in 2002. It draws its personnel from the armed forces, the police, and internal and external intelligence organizations.
- NRM: National Resistance Movement is Uganda's ruling political party
- NUP: National Unity Platform formerly the National Unity, Reconciliation and Development Party (NURP), is a political party in Uganda led by Robert Kyagulanyi
- UHRC: Uganda Human Rights Commission was established under the Constitution of the Republic of Uganda to monitor the human rights situation in the country
- UPDF: Uganda People's Defense Force is the armed forces of Uganda



## Summary

Many things were done to our lives, but we never got anything. They removed our nails. They beat us. Even our bones. We need to see those people who were doing those things to us taken to court. [We need them] to tell us why they are doing those bad things to our lives.

— A victim of abduction, detention and torture, March 2021

Since at least 2018, Ugandan security forces have unlawfully detained and tortured many people, including government critics and opposition supporters, often in unsanctioned or unauthorized places of detention. Some of these locations, somewhat ironically termed “safehouses,” are residential buildings converted by the authorities to be used for witness protection. In fact, they operate as makeshift detention centers under the authority of the Internal Security Organization (ISO), Uganda’s domestic intelligence body.

In August 2019, the Parliament’s House Committee on Human Rights opened an investigation into allegations that ISO officials had abducted and illegally detained more than 400 people in these safehouses and on an island in Lake Victoria, south of Kampala. On February 5, 2020, the committee released its report, concluding that the authorities, including ISO and other government agencies, were torturing, and abusing detainees in unsanctioned places of detention, notably safehouses, as well as in some legal detention centers. The committee called on the government and relevant agencies to conduct further investigations, but as of the time of this report no such investigations have taken place.

Unlawful detention, torture, and abuses continued with impunity, despite Uganda’s Constitution and other domestic laws prohibiting and criminalizing such acts, despite those acts being a violation of Uganda’s binding obligations under international human rights law, and despite the committee’s report and recommendations. During the two months leading up to and after Uganda’s January 14, 2021, general elections, less than a year after the parliamentary report was released, government security forces unlawfully detained, and forcibly disappeared government critics, opposition members, and peaceful protestors. While the authorities have released some detainees, the fate and whereabouts of many others is still unknown, leaving their families to continue to search for answers.



Based on in person and telephone interviews with 51 people, including 34 former detainees and witnesses, this report documents enforced disappearances, abductions, arbitrary arrests, unlawful detentions, torture, and ill-treatment by the Ugandan police, army, military intelligence, and ISO officials, mostly in unsanctioned places of detention. It covers detentions by ISO in 2018, 2019, as well as arbitrary arrests and detentions by security forces around the January 2021 general elections. It explains the enduring challenges victims and their families face, before and upon release, concerning their physical, mental, and economic well-being, and the obstacles they face in obtaining justice.

Human Rights Watch interviewed men and women who had been detained in a variety of locations, such as vehicles, an underground room in the parliament building, military barracks, residential houses converted into ISO-labelled safehouses, located on the outskirts of Kampala, and Lwamayuba island in Lake Victoria. Security forces forced the detainees held on Lwamayuba island to perform labor on a farm.

Victims told Human Rights Watch security officials flouted criminal procedure requirements and sometimes used deceptive means to arrest them, such as luring victims by pretending to be business partners or friends over the phone. Some civilians were held in military detention facilities and tried before military courts. In many of the cases documented in this report, armed men including police, soldiers, and men in plainclothes, accosted victims at their workplaces, homes, or on the streets and forced them, sometimes at gunpoint, into unmarked vehicles, usually Toyota Hiace vans, locally known as “Drones.”

Detainees were not allowed access to lawyers nor granted family visits and described undergoing torture or cruel, inhuman, or degrading treatment including beatings, shackling, injections with unknown substances, and the application of live electric currents to their bodies. Some former detainees, both men and women, survived rape and sexual violence, a form of torture, during their detention.

The police, military intelligence and internal security officials willfully ignored and disobeyed court orders to release detainees, including on some occasions by immediately rearresting persons released by court order, outside the courthouse or detention facilities.

Security officials accused detainees of politically motivated crimes, including high-profile killings, spying, and colluding with rivals of President Yoweri Museveni to oust him from office. In nearly all cases of unlawful detention documented by Human Rights Watch, officials stole and extorted money from the victims or their families during arrests or as a condition of their release. Several former safehouse detainees said that the then director of ISO, Frank “Kaka” Bagyenda, who was fired by President Yoweri Museveni in October 2020, played a central role in their abduction and detention, often personally interacted with detainees.

Ugandan law, as well as regional and international human rights and criminal law instruments, prohibit arbitrary arrest, unlawful detention, and torture. Uganda’s 1995 Constitution guarantees personal liberty and provides that an arrested or detained person should be held in a place authorized by law. Locations designated by law as places of detention are required to be published in the Uganda Gazette, where the government publishes official notices, so they are also known as a gazetted place of detention. The constitution further requires that detainees be brought to court within 48 hours of their arrest, are allowed to have their next-of-kin informed of their detention, and are allowed reasonable access to their next-of-kin, lawyers, and medical treatment. Detainees facing criminal charges have the right to bail.

In Uganda, torture is criminalized under the Prevention and Prohibition of Torture Act of 2012, and the Human Rights (Enforcement) Act of 2019 which provide that public officers who commit human rights violations will be held personally liable. To date, no individual has been convicted under either legislation.

Finally, other domestic laws dictate which entities are empowered to make arrests. Under criminal procedure, only police officers are authorized to conduct arrests without an order from a magistrate or a warrant. In addition, under the Security Organisations Act, it is a criminal offense for an ISO employee to arrest or detain anyone. Private persons may also transfer a person to a police officer for them to be arrested.

In March 2018, John Martin Okoth Ochola was appointed Inspector General of Police. Three months later, the military arrested his predecessor, Kale Kayihura, brought him before a military court, and charged him with failing to secure weapons issued to security forces, failing to supervise police officers, and abetting the kidnapping and forced repatriation of

Rwandan refugees. In April, Okoth Ochola ordered that the Nalufenya detention facility be changed from a Special Forces Operations base to a regular police station as part of his reform of the police force following Kayihura's sacking. This is significant because Nalufenya had a reputation as a place of torture and prolonged detention without trial. In May, Okoth Ochola temporarily disbanded the Flying Squad Unit, an elite unit of the police established in 2013 to counter armed robberies, but subsequently, implicated in multiple serious allegations of extortion and torture.

On January 17, 2022, Human Rights Watch sent a summary of the findings of this report to the office of the president, the director of public prosecutions, the Uganda Human Rights Commission (UHRC), the inspector general of police, the house committee on human rights, the ministries for defence and security, and Frank Bagyenda, requesting a response. Copies of the letters are accessible as annexes to this report.

Human Rights Watch calls on the government of Uganda to immediately close all so-called safehouses and other unauthorized detention centers. The authorities should immediately release all detainees held in such places of detention or bring them promptly before a court to be charged with a cognizable offense. The court should release detainees on bail or if there are legal grounds and it is justified in the circumstances could remand a prisoner to the custody of the Uganda Prisons Service. The ISO, UPDF and other security agencies should immediately disclose the whereabouts of all those subjected to enforced disappearances.

The Office of the Director of Public Prosecutions and the UHRC should investigate all credible allegations including enforced disappearances, unlawful detention, and torture, as well as rape and other sexual violence. Those identified as responsible should be prosecuted in fair trials. The government should also ensure victims have access to remedies including compensation as well as medical and psychological care.

Regional and international partners of Uganda should urge the government to adhere to its human rights obligations, and close safehouses and other unauthorized places of detention, end unlawful detentions, and provide justice and remedies to victims and their families.

# Recommendations

## To the President of the Republic of Uganda

- Issue public orders that all unauthorized places of detention be closed immediately.
- Prohibit the Internal Security Organisation (ISO) from maintaining and operating unauthorized detention centers and the Uganda People's Defense Force (UPDF) from arresting anyone or detaining people in such facilities.
- Ensure the ISO and UPDF immediately release all detainees in their custody or immediately bring those held without charge before an independent court to be charged with a cognizable crime.
- Instruct the directors of the ISO and UPDF to publish the names of all those in their respective custody, including their date or dates, location or locations, and grounds for detention.
- Issue public orders to the ISO and UPDF to immediately stop carrying out detentions for which they have no legal basis.
- Ensure all allegations of torture, ill-treatment, and other abuses by ISO and UPDF officials are promptly, transparently, and impartially investigated, and ensure all personnel involved in abuses are appropriately disciplined or prosecuted.
- Ensure the findings of investigations into ISO and UPDF abuses are made public.
- Ensure victims have access to remedies and reparations, including compensation, health and medical care, psychosocial support, and legal services.
- Ensure free and confidential health and psychosocial services to survivors of sexual violence, including comprehensive post-rape medical care.
- Pending the closure of all unauthorized detention centers, ensure independent human rights monitors have full access to detention centers, including those mentioned in this report, and allow them to visit without prior notification and to communicate privately with detainees.
- Ensure the steps are taken to finalize Uganda's ratification of the International Convention for the Protection of All Persons from Enforced Disappearance and the Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

## **To the Director of the Internal Security Organisation and the Minister for Security**

- Immediately cease carrying out arrests or detentions as prohibited under the Security Organisations Act.
- Close all ISO-run places of detention, and immediately and unconditionally release any detainees.
- Ensure ISO personnel and members of ISO oversight mechanisms receive appropriate training in accordance with international human rights standards.
- Grant independent human rights monitors and humanitarian agencies full access to all ISO places of detention and detainees, including without prior notification.

## **To the Uganda People's Defense Force**

- Release civilian detainees who are held in unauthorized military detention centers.
- Immediately cease the unlawful arrests, detention, rape, and torture of people in military detention centers.
- Ensure no one is held in unauthorized detention centers.
- Ensure all detainees enjoy full due process rights, including access to legal counsel, and are promptly brought before a prosecutor and a judge within the legally defined period of 48 hours.
- Ensure all detainees have regular access to family, legal counsel, and medical care.
- Suspend, pending investigations, members of the UPDF credibly implicated in serious human rights violations.
- Discipline and ensure the prosecution of all UPDF personnel and commanders responsible for serious violations.
- Grant access to independent human rights monitors and humanitarian agencies to all UPDF places of detention, gazetted or ungazetted, ensuring they have access to all detainees, including without prior notification.

## **To the Uganda Human Rights Commission**

- Publicly and privately advocate with the relevant authorities for the closure of ISO detention facilities and the release of all detainees.

- Publicly and privately advocate for UPDF detainees to be afforded full due process rights, including access to legal counsel, and to be brought before a prosecutor and a judge within the legally defined period of 48 hours.
- Undertake regular visits to ISO, UPDF, and any reported unauthorized detention facilities to monitor detention conditions; order the release of detainees held in unauthorized detention facilities; or ensure they are handed over to the police to be promptly brought before a judge to face charges.
- Investigate allegations of enforced disappearances, unlawful detention, rape, and torture in ISO and UPDF facilities, including by undertaking visits to those places and confidentially interviewing detainees and former detainees.
- Make publicly available, in a timely manner, the findings and targeted recommendations regarding allegations of enforced disappearances, unlawful detention, and torture.
- Urgently hold tribunal sessions to consider complaints of arbitrary arrest, unlawful detention, and torture.

### **To the Office of the Director of Public Prosecutions**

- Direct the police to investigate all allegations of enforced disappearances, unlawful arrests and detentions, rape, sexual exploitation, and torture, even without an official complaint by victims or their families and prosecute those identified as responsible.

### **To the African Commission on Human and Peoples' Rights**

- Call on the Ugandan authorities through an urgent letter of appeal to immediately implement the recommendations in this report, namely to urgently close ISO and UPDF places of detention; direct security forces to stop unlawful arrests, unlawful detentions, and torture and ill-treatment of detainees; and investigate and prosecute all allegations of abuse of detainees.
- Request an invitation from the Ugandan government for the ACHPR Special Rapporteur on Uganda and the ACHPR Chairperson of the Working Group of the Committee for the Prevention of Torture in Africa to carry out a fact-finding visit to investigate torture, rape, and arbitrary detentions in ISO and UPDF custody.

- Prepare and make available the mission’s report with findings and recommendations regarding torture and arbitrary detentions in ISO and UPDF custody.
- Call on the Ugandan authorities to conduct credible, effective, and impartial investigations into ISO abuses, including those documented in this report, make findings publicly available, and ensure all security forces responsible for abuses are held accountable.

### **To Uganda’s other International Partners, including the EU and its Members States, the United States, and the United Kingdom**

- Issue further, strong, coordinated messages, including at local and headquarter levels and at the UN Human Rights Council, urging the Ugandan government to ensure accountability for the human rights abuses documented in this report, implement the recommendations listed herein, and spell out consequences for bilateral relations in case of persistent failure to comply.
- Consider the coordinated adoption of targeted sanctions against Frank “Kaka” Bagyenda.

## Methodology

This report focuses on the detention of individuals by government security officials in unauthorized locations, including private buildings converted into places of detention called “safehouses,” and without being charged or brought before a court of law within the prescribed time, which is in violation of both Ugandan and international law.

The report is based on research undertaken between April 2019 and November 2021, during which Human Rights Watch interviewed 34 former detainees and witnesses of abductions in Uganda and Kenya. Researchers also interviewed 17 others, including government officials, members of parliament, opposition party members, diplomats, human rights activists, journalists, and representatives of non-governmental organizations (NGOs).

Interviews were conducted over the phone, and using secure messaging applications, as well as in person in Kampala, Uganda, in locations deemed private and secure by researchers and interviewees. Interviews were conducted in English and Luganda with the aid of interpreters as needed. Researchers explained to each interviewee the purpose of the interview, its voluntary nature, the way in which the information would be used, and the fact that no compensation would be provided.

Interviewees sometimes seemed distressed and emotional as they recounted their experiences. Researchers took care to avoid retraumatizing them, including by explaining the extent and line of questioning involved before the interview commenced and their right to stop at any point. Researchers also avoided interviewing, where possible, detainees immediately after their release, and those who may have been interviewed multiple times by other organizations, researchers, or journalists. Human Rights Watch referred interviewees to organizations providing psychosocial and healthcare support to victims of torture.

Many of the victims and witnesses who spoke to Human Rights Watch expressed fear of reprisals and retaliation by the state. Their names and other identifying information are therefore not included in the report. Details in some testimonies have been withheld to protect the identity of interviewees.



On January 17, 2022, Human Rights Watch sent a summary of the findings of this report to the office of the president; Jane Abodo, the director of public prosecutions; Mariam Wangadya, the chairperson of the Uganda Human Rights Commission (UHRC); Martin Okoth Ochola, the inspector general of police; Fox Odoi, the chairperson of the house committee on human rights; the spokesperson for the ministry of defense; Jim Muhwezi, the minister for security; as well as former ISO director Frank Bagyenda, requesting a response. Copies of the letters are available as annexes to this report.

# I. Background

## Political Context

Shortly after President Yoweri Museveni came to power through a military coup in 1986, he suspended all political party activities and established an interim government that lasted nine years. General elections were then held in 1996 and 2001 under a one-party system, and Museveni won both elections.<sup>1</sup>

In June 2005, parliamentarians voted to remove the two-term presidential term limits set in Uganda's 1995 Constitution, allowing Museveni to run for president again.<sup>2</sup> The next month, following a referendum in which Ugandans voted to restore a multiparty political system, political parties, including Museveni's National Resistance Movement (NRM) as well as opposition parties, were able to participate in the 2006 elections.<sup>3</sup> Museveni won that and subsequent presidential elections, defeating his closest rival, Kizza Besigye of the Forum for Democratic Change (FDC), in 2006, 2011, and 2015.<sup>4</sup>

In 2017, the Ugandan Parliament also voted to remove the constitutional 75-year age limit for presidential candidates. This allowed Museveni, 73 at the time, to run for office yet again in 2021 and in all future elections. The constitutional amendment process was marred by allegations of widespread repression and intimidation of the opposition, including then independent parliamentarian Robert Kyagulanyi, who opposed the constitutional amendment during the debates.<sup>5</sup>

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<sup>1</sup> Human Rights Watch, *Keep the People Uninformed: Pre-election Threats to Free Expression and Association in Uganda*, January 2016, <https://www.hrw.org/report/2016/01/11/keep-people-uninformed/pre-election-threats-free-expression-and-association#2303>.

<sup>2</sup> "Ugandan MPs remove presidential term limit," *The Irish Times*, June 29, 2005, <https://www.irishtimes.com/news/ugandan-mps-remove-presidential-term-limit-1.461707> (accessed April 28, 2019).

<sup>3</sup> "Uganda: Referendum ends 20-year ban on political parties," *The New Humanitarian*, August 1, 2005, <https://reliefweb.int/report/uganda/uganda-referendum-ends-20-year-ban-political-parties> (accessed June 2, 2019).

<sup>4</sup> Denis Campbell, "Uganda hit by violence as opposition claims election fraud," *The Guardian*, February 26, 2006, <https://www.theguardian.com/world/2006/feb/26/uganda.deniscampbell>; Barry Malone, Elias Biryabarema, "Uganda's Yoweri Museveni wins disputed presidential election," *Reuters*, February 20, 2011, <https://www.reuters.com/article/us-uganda-election-idUSTRE71JoEV20110220>; Ismail Akwei, "Uganda Decides: Museveni 60.8% - 35.4% Besigye (Electoral Commission)," *Africanews*, February 20, 2016, <https://www.africanews.com/2016/02/20/uganda-decides-live-highlights-of-the-presidential-election/>.

<sup>5</sup> Human Rights Watch, *Uganda: Events of 2018*, January 13, 2019, <https://www.hrw.org/world-report/2019/country-chapters/uganda#>; "Age limit: Mayor Lukwago, MP Bobi Wine arrested," *The Observer*, October 3, 2017, <https://observer.ug/news/headlines/55233-age-limit-mayor-lukwago-mp-bobi-wine-arrested>.

The two months leading up to and after Uganda's January 14, 2021, general elections were similarly characterized by widespread violence and human rights abuses, including the enforced disappearances and unlawful detentions of government critics, opposition members, and protestors.<sup>6</sup> After election campaigns began in November 2020, security forces arrested opposition supporters and leaders, including two presidential candidates, Patrick Amuriat of the FDC and Kyagulanyi, now of the National Unity Platform (NUP), and at least 177 people, according to the government.<sup>7</sup> On November 18 and 19, security forces used deadly force to clamp down on protesters demanding Kyagulanyi's release, resulting in at least 54 deaths.<sup>8</sup> Human Rights Watch found that some of the people currently reported missing by their family members had been arrested in relation to these protests.

On December 30, police and military personnel again arrested Kyagulanyi and at least 126 others ahead of a rally in Kalangala district, Central Uganda. Although Kyagulanyi was released later that day, the 126 remained in police and military detention until between January and June 2021, when they were released by a court order.<sup>9</sup>

On January 16, 2021, the Ugandan Electoral Commission declared Museveni, 76, the winner for his sixth term as president. His political party, the NRM, won 336 of the 529 seats in Parliament.<sup>10</sup>

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<sup>6</sup> "Uganda: Elections Marred by Violence," Human Rights Watch news release, January 21, 2021, <https://www.hrw.org/news/2021/01/21/uganda-elections-marred-violence>; "Uganda: End Enforced Disappearances of Opponents," Human Rights Watch news release, March 11, 2021, <https://www.hrw.org/news/2021/03/11/uganda-end-enforced-disappearances-opponents>.

<sup>7</sup> Job Bwire, "Minister Odongo tables before Parliament list of 177 missing Ugandans," *Monitor*, March 4, 2021, <https://www.monitor.co.ug/uganda/news/national/minister-odongo-tables-before-parliament-list-of-177-missing-ugandans-3311826>; "Uganda: Elections Marred by Violence," Human Rights Watch news release, January 21, 2021.

<sup>8</sup> <https://www.hrw.org/news/2021/01/21/uganda-elections-marred-violence>.

<sup>9</sup> "Uganda's police chief: beating of reporters for their own good," *Reuters*, January 8, 2021, <https://www.reuters.com/article/uk-uganda-election/ugandas-police-chief-beating-of-reporters-for-their-own-good-idUSKBN29D1A7>; Juliet Kigongo, "Nubian Li, Eddie Mutwe, several other Bobi supporters finally granted bail," *Monitor*, June 14, 2021, <https://www.monitor.co.ug/uganda/news/national/nubian-li-eddie-mutwe-several-other-bobi-supporters-finally-granted-bail-3436776>; Jonah Kirabo, "Eddy Mutwe, Nubian Li and 16 others granted bail by the General Court Martial," *Nile Post*, June 14, 2021, <http://nilepost.co.ug/2021/06/14/eddy-mutwe-nubian-li-and-16-others-granted-bail-by-the-general-court-martial/>.

<sup>10</sup> "Uganda: Elections Marred by Violence," Human Rights Watch news release, January 21, 2021; "Full List of Elected MPs in Uganda 2021," *Daily Express*, January 19, 2021, <https://dailyexpress.co.ug/2021/01/19/full-list-mps-elected-in-uganda-2021/>.

## Parliamentary Investigation into Safehouses and Related Abuses

On July 31, 2019, armed men abducted lawyer Patrick Mugisha outside his office in Kampala, the Ugandan capital. Mugisha's abduction and subsequent detention sparked increased interest by parliamentarians in the issue of unlawful detentions and safehouses.

On August 15, approximately two weeks after Mugisha's abduction, parliamentarian Abdulatif Sebagala, representing Kampala's Kawempe North division, told Parliament that a former detainee had informed him that the ISO was illegally detaining more than 400 people on Lwamayuba island in Lake Victoria in Kalangala district, Central region, also known as the Ssesse islands.<sup>11</sup> Kalangala is an archipelago of 84 islands in the northwestern part of Lake Victoria. Another parliamentarian, Kassiano Wadri, also said one of his constituents in Arua town, Jamilla Asha Atim, and four others had been illegally detained and tortured at an ISO-run safehouse in Kyengera on the outskirts of Kampala. The speaker of parliament, Rebecca Kadaga, then directed the House Committee on Human Rights Committee to investigate these allegations.<sup>12</sup>

The committee interviewed 11 former detainees who had been detained by security officials in ISO-operated places of detention in residential areas in Kabowa, Kawempe, Kireka, Kololo, Makindye, Nakasero, and Nalukolongo neighborhoods of Kampala, and in other towns across the country including Kyengera, Goma Mukono, Mityana, Nalufenya police detention facility in Jinja town; and on Lwamayuba island in Kalangala district.<sup>13</sup>

Ten other witnesses also told the committee that in 2018, armed men in plainclothes had arrested their relatives, who remain unaccounted for. Parliament also received reports from the Uganda Human Rights Commission (UHRC) about the existence of safehouses.<sup>14</sup>

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<sup>11</sup> Human Rights Watch interview with Michael H., 27 April 2021; "Gangster Sobi runs safe house," Observer, August 12, 2020, <https://observer.ug/news/headlines/66091-gangster-sobi-runs-safe-house>.

<sup>12</sup> "Parliament to probe claims of detention in 'safe houses'," Parliament of the Republic of Uganda press release, August 16, 2019, <https://www.parliament.go.ug/news/3645/parliament-probe-claims-detention-%E2%80%99safe-houses%E2%80%99>; Parliament of Uganda Hansard 15 August 2019, on file with Human Rights Watch.

<sup>13</sup> Human Rights Watch interviews with Michael H., April 27, 2021; Boris D., Kampala, May 18, 2021; and Matthew K., Kampala, May 18, 2021.

<sup>14</sup> Parliament of Uganda, "Report of The Committee on Human Rights on Alleged Torture in Ungazetted Detention Centres in The Country," Kampala, November 2019, <https://www.parliament.go.ug/cmris/browser?id=49986867-2ebf-4550-afod-55155ff20dab%3B1.o>.

However, the committee faced challenges in gathering information about safehouses and security forces' practices. When then-Minister of Security, Elly Tumwine, testified before the committee, he acknowledged that the government was operating safehouses, but he said they were being used to coordinate intelligence gathering, protect witnesses, and to surveil "hardcore criminals." He also blocked the committee from accessing any safehouse or interviewing detainees, and withheld information about the locations of other suspected safehouses. Frank Bagyenda, then the head of the ISO, failed to appear despite being summoned by the committee.<sup>15</sup>

The pressure mounted nonetheless, and apparently in response to the committee hearing, on September 9, 2019, security forces dropped off at different locations across Kampala, 90 of the people who had been detained on Lwamayuba Island in Kalangala district. Former Kalangala detainees told Human Rights Watch they believed they were released due to the increased public attention to the issue of safehouses and arbitrary detentions.<sup>16</sup>

On February 5, 2020, the parliamentary committee released its findings, concluding that the authorities were operating safehouses and torturing and abusing detainees with impunity and called on the UHRC to conduct further investigations and submit a report to Parliament.<sup>17</sup>

On December 14, 2021, the UHRC published its 2019 and 2020 annual reports, reporting its findings and recommendations on safehouses and enforced disappearances during the 2021 elections, detailed in section V below.<sup>18</sup>

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<sup>15</sup> "MPs fault Human Rights Commission on torture, inhumane arrests," Parliament of the Republic of Uganda press release, September 12, 2019, <https://www.parliament.go.ug/news/3735/mps-fault-human-rights-commission-torture-inhumane-arrests>.

<sup>16</sup> Human Rights Watch interviews with Michael H., April 27, 2021; Boris D., Kampala, May 18, 2021; and, Matthew K., Kampala, May 18, 2021.

<sup>17</sup> Parliament of Uganda, "Report of The Committee on Human Rights on Alleged Torture in Ungazetted Detention Centres in The Country," Kampala, November 2019, <https://www.parliament.go.ug/cmris/browser?id=49986867-2ebf-4550-afod-55155ff20dab%3B1.o>.

<sup>18</sup> Muhamadi Byemboijana, "Human Rights Tribunal to Resume Operations Next Year," *Soft Power*, December 14, 2021, <https://softpower.ug/human-rights-tribunal-to-resume-operations-next-year/>.

## Timeline of Key Events

**March 17, 2017:** Unknown assailants on motorcycles shoot and kill police spokesman, Andrew Felix Kaweesi, as well as two policemen, Erau Kenneth and Mambewa Godfrey, in Kampala.<sup>19</sup>

**April 27, 2018:** As part of police reform efforts, Inspector General of Police, Martin Okoth Ochola, redesignates the Special Forces Operations base detention facility in Nalufenya, Jinja, as a standard police station.<sup>20</sup>

**September 8, 2018:** Unknown gunmen shoot and kill a policeman, Muhammad Kirumira, and his friend, Resty Mbabazi Nnalinya, in Bulenga village, Wakiso district.<sup>21</sup>

**July 31, 2019:** Gunmen abduct lawyer, Patrick Mugisha, outside his law chambers in Kabalagala neighborhood, Kampala.<sup>22</sup>

**August 2, 2019:** A High Court judge orders the government and security forces to produce Mugisha following a habeas corpus application filed by his colleagues.<sup>23</sup>

**August 5, 2019:** Mugisha resurfaces in Kampala and tells the media that the ISO arrested and detained him in a safehouse.<sup>24</sup>

**August 15, 2019:** Speaker of Parliament Rebecca Kadaga directs the House Committee on Human Rights to investigate allegations that the government is operating safehouses in

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<sup>19</sup> <https://twitter.com/PoliceUg/status/842717455378235392>; Ismail Akwei, "Uganda police spokesperson, two others shot dead in moving vehicle," *Africanews*, March 17, 2017, <https://www.africanews.com/2017/03/17/uganda-police-spokesperson-two-others-shot-dead-in-moving-vehicle/>.

<sup>20</sup> "Ochola designates Nalufenya to police station," *The Observer*, April 28, 2018, <https://observer.ug/news/headlines/57574-ochola-designates-nalufenya-to-police-station.html>; "NALUFENYA CLOSED: Detention facility to revert to police station," NTVUganda, April 28, 2018, [https://www.youtube.com/watch?v=39VYU3RegVE&ab\\_channel=NTVUganda](https://www.youtube.com/watch?v=39VYU3RegVE&ab_channel=NTVUganda).

<sup>21</sup> "Kirumira death: Videos emerge," *The Observer*, October 4, 2018, <https://observer.ug/news/headlines/58842-kirumira-death-videos-emerge>; "Muhammad Kirumira shot dead near his home," *New Vision*, [https://www.newvision.co.ug/new\\_vision/news/1485389/muhammad-kirumira-shot-bulenga](https://www.newvision.co.ug/new_vision/news/1485389/muhammad-kirumira-shot-bulenga).

<sup>22</sup> Human Rights Watch phone interview with Patrick Mugisha, January 30, 2020.

<sup>23</sup> "Missing city lawyer resurfaces," *The Independent*, August 5, 2019, <https://www.independent.co.ug/missing-city-lawyer-resurfaces/>; Human Rights Watch phone interview with Patrick Mugisha, January 30, 2020.

<sup>24</sup> Muhamadi Matovu, "Lawyer arrested and freed by ISO, narrates ordeal," *Nile Post*, August 6, 2019, <https://nilepost.co.ug/2019/08/06/lawyer-arrested-and-freed-by-iso-narrates-ordeal/>; Human Rights Watch phone interview with Patrick Mugisha, January 30, 2020.

Kalangala district and Kyengera town, based on submissions by parliamentarians Abdulatif Sebaggala and Kassiano Wadri containing allegations of abductions, torture and detention by ISO officials in safehouses across the country.<sup>25</sup>

**August 28, 2019:** Minister of Security Elly Tumwine appears before the House Committee but declines to reveal to the committee the locations of safehouses used by the government.<sup>26</sup>

**September 9, 2019:** ISO releases, on Entebbe Road in Kampala, 90 detainees, who had been held on an island in Kalangala district.<sup>27</sup>

**February 5, 2020:** Parliament’s House Committee on Human Rights releases its findings from the August 2019 investigation, concluding that the authorities were still operating safehouses as well as torturing and abusing detainees.<sup>28</sup>

**July 9, 2020:** Local media reports that military intelligence operatives raided two ISO safehouses in Kyengera town and Kisaasi neighborhood, Kampala, and arrested the soldiers guarding them.<sup>29</sup>

**October 8, 2020:** President Museveni fires Frank “Kaka” Bagyenda head of ISO, but days later, asks Parliament to approve Bagyenda as Uganda’s ambassador to Angola.<sup>30</sup> In

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<sup>25</sup> “Parliament to probe claims of detention in ‘safe houses’,” Parliament of the Republic of Uganda press release, August 16, 2019, <https://www.parliament.go.ug/news/3645/parliament-probe-claims-detention-%E2%80%98safe-houses%E2%80%99>.

<sup>26</sup> “Gov’t operates safe houses, Tumwine tells MPs,” Parliament of the Republic of Uganda press release, August 29, 2019, <https://www.parliament.go.ug/news/3675/gov%E2%80%99t-operates-safe-houses-tumwine-tells-mps>.

<sup>27</sup> Human Rights Watch interviews with Michael H., April 27, 2021; Boris D., Kampala, May 18, 2021; and Matthew K., Kampala, May 18, 2021.

<sup>28</sup> Parliament of Uganda, “Report of The Committee on Human Rights on Alleged Torture in Ungazetted Detention Centres in The Country,” Kampala, November 2019, <https://www.parliament.go.ug/cmisis/browser?id=49986867-2ebf-4550-afod-55155ff20dab%3B1.0>.

<sup>29</sup> “CMI raids ISO safe houses,” *Monitor*, July 19, 2020, <https://www.monitor.co.ug/uganda/news/national/cmi-raids-iso-safe-houses-1899220>; Risdal Kasasira, “Uganda: Why Museveni Ordered Raid On Iso Safe Houses,” *All Africa*, October 26, 2020, <https://allafrica.com/stories/202010260405.html>; “Security raids ISO safe houses, arrest operatives, detainees,” *Eagle Online*, July 10, 2020, <https://eagle.co.ug/2020/07/10/breaking-security-raids-iso-safe-houses-arrests-operatives-detainees.html>.

<sup>30</sup> Risdal Kasasira, “Sacked ISO boss Bagyenda appointed ambassador,” *Monitor*, October 19, 2020, <https://www.monitor.co.ug/uganda/news/national/sacked-iso-boss-bagyenda-appointed-ambassador-2484748>; “Kaka Bagyenda Appointed Uganda’s Ambassador to Angola,” *Chimp Reports*, October 19, 2020, <https://chimpreports.com/kaka-bagyenda-appointed-ugandas-ambasador-to-angola/>.

November, Parliament does not approve Bagyenda's appointment after he fails to appear before its appointments' committee.<sup>31</sup>

**November 18, 2020:** Security forces arrest opposition presidential candidate Robert Kyagulanyi, popularly known as Bobi Wine, in Luuka district, Eastern region, before a planned campaign rally.<sup>32</sup>

**November 18 to 19, 2020:** The authorities use teargas and live bullets to respond to protests against Kyagulanyi's arrest in Kampala and elsewhere, killing at least 54 people.<sup>33</sup>

**December 30, 2020:** Police arrest Kyagulanyi and at least 126 people, including his supporters, ahead of a campaign rally on an island in Kalangala district.<sup>34</sup>

**January 14, 2021:** Uganda holds general elections following weeks of widespread violence and human rights abuses, largely by state agents, and the government's total shutdown of the internet.<sup>35</sup>

**January 16, 2021:** Uganda's Electoral Commission declares the incumbent Museveni the winner for his sixth term as president.<sup>36</sup>

**February 24, 2021:** Speaker of Parliament Kadaga tasks Minister of Internal Affairs Jeje Odongo to present a list of Ugandans kidnapped by security forces to Parliament.<sup>37</sup>

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<sup>31</sup> "Ex-ISO boss Kaka no show as parliament vets appointees," *The Independent*, November 5, 2020, <https://www.independent.co.ug/ex-iso-boss-kaka-no-show-as-parliament-vets-appointees/>.

<sup>32</sup> "Uganda: Authorities Weaponize Covid-19 for Repression," Human Rights Watch news release, November 20, 2020, <https://www.hrw.org/news/2020/11/20/uganda-authorities-weaponize-covid-19-repression>.

<sup>33</sup> "Uganda: Elections Marred by Violence," Human Rights Watch news release, January 21, 2021, <https://www.hrw.org/news/2021/01/21/uganda-elections-marred-violence>.

<sup>34</sup> David Vosh Ajuna, "National Police Airlifts Bobi Wine from Kalangala to Kampala," *Monitor*, December 30, 2020, <https://www.monitor.co.ug/uganda/news/national/police-airlifts-bobi-wine-from-kalangala-to-kampala-3243112>; Human Rights Watch phone interview with Stanley Kabir S., 15 June 2021.

<sup>35</sup> "Uganda: Elections Marred by Violence," Human Rights Watch news release, January 21, 2021, <https://www.hrw.org/news/2021/01/21/uganda-elections-marred-violence>.

<sup>36</sup> *Ibid.*

<sup>37</sup> Prossy Kisakye, "National Minister Odongo Tasked to Present List of Kidnapped Ugandans to Parliament," *Monitor*, February 25, 2021, <https://www.monitor.co.ug/uganda/news/national/minister-odongo-tasked-to-present-list-of-kidnapped-ugandans-to-parliament-3303574>; Dickens Okello, "Kadaga Orders Gen. Jeje Odongo to Release List of Detained People Today," *Chimp Reports*, February 25, 2021, <https://chimpreports.com/kadaga-orders-gen-jeje-odongo-to-release-list-of-detained-people-today/>.



**March 4, 2021:** Minister Odongo presents Parliament with the names of 177 Ugandans who were arrested during or after the January elections and have been in detention since then.<sup>38</sup>

**March 7, 2021:** Amid public outcry about the election-related disappearances, President Museveni sends a letter to the *Daily Monitor* stating that the Special Forces Command, a unit of the Ugandan army, are holding 51 people for “reasonable acts of elements of the opposition.”<sup>39</sup>

**March 24, 2021:** Security forces release across the country, 61 victims of enforced disappearances, who had been disappeared for over two months.<sup>40</sup>

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<sup>38</sup> Job Bwire, “National Minister Odongo Tables Before Parliament List of 177 Missing Ugandans,” *Monitor*, March 4, 2021, <https://www.monitor.co.ug/uganda/news/national/minister-odongo-tables-before-parliament-list-of-177-missing-ugandans-3311826>; “Gen. Jeje Odongo presents 177 names of missing persons before parliament,” NTV Uganda video on YouTube, March 4, 2021, [https://www.youtube.com/watch?v=nN2mmQnmecA&ab\\_channel=NTVUganda](https://www.youtube.com/watch?v=nN2mmQnmecA&ab_channel=NTVUganda).

<sup>39</sup> Fredric Musisi, “Museveni Guards Holding 50 Missing Persons,” *Monitor*, March 8, 2021, <https://www.monitor.co.ug/uganda/news/national/museveni-guards-holding-50-missing-persons-3315436>.

<sup>40</sup> Derick Wandera, Ambrose Musasizi, “60 Missing Persons Re-surface,” *Monitor*, March 24, 2021, <https://www.monitor.co.ug/uganda/news/national/60-missing-persons-re-surface-3334758>; “Some previously abducted people resurface,” NTVUganda video on YouTube, March 13, 2021, [https://www.youtube.com/watch?v=X\\_EHgOqREoo&t=1s&ab\\_channel=NTVUganda](https://www.youtube.com/watch?v=X_EHgOqREoo&t=1s&ab_channel=NTVUganda).

## II. Unlawful Arrests, Detention and Abuses in ISO Safehouses

We heard of 16, 17, 18 and 24-year-olds [being detained]. So the safe house is not a good place. They don't spare a woman or a man. All people were tortured. Life has not been easy from day one I was in the safe house till I was getting out. My health is still not okay. Sometimes I pray to God. I need to get back my job.

— A woman detained in a safehouse by ISO in 2019<sup>41</sup>

### Abductions by ISO

Victims told Human Rights Watch that security officials flouted criminal procedure requirements and sometimes used deceptive means to arrest them. In most cases, men dressed in plain clothes confronted victims at their workplaces or homes and forced them at gunpoint into waiting unmarked vehicles.

James Mulira, a lawyer based in Mukono town, 10 kilometers outside Kampala, told Human Rights Watch that he received a call in July 2019, from a man who identified himself as a former client and so he agreed to meet the caller at his office. That July morning, Mulira met the man, who arrived with three others, to his office's boardroom. Then the men pulled out guns and dragged him to a waiting white pickup truck. He saw more guns and army uniforms on the car seats. They drove off in a convoy of at least two other cars to an ISO safehouse in Kyengera where he was detained for six days.<sup>42</sup>

Like Mulira, lawyer Patrick Mugisha said he received a call from someone he thought was a prospective client, whom he agreed to meet at his Kampala office on July 31, 2019. Three people came, and as soon as the meeting began, one of them accused Mugisha of representing “fraudsters” and demanded he goes with them to the State House in Kampala's Nakasero neighborhood to resolve the issue. Mugisha said, “I told them I would not participate. I should be given the agenda of the meeting and given a choice of when

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<sup>41</sup> Human Rights Watch interview with Rachel N., Kampala, April 22, 2021.

<sup>42</sup> Human Rights Watch interview with James Mulira, 18 March 2020.

and what time.” When he escorted the men outside, they seized and bundled him into a waiting car with two other men armed with guns inside. The men then made Mugisha speak on the phone to a man they said was the ISO director general before driving him through Kampala to a safehouse in Kyengera.<sup>43</sup>

In other instances, men in military uniforms carried out the arrests. On December 5, 2018, 30 uniformed men, including the village chairman, arrived at the home of Matthew K. in Lusanja village, on the outskirts of Kampala. They demanded his national ID card before beating him with batons. The men accused Mukunzi of receiving money from the Rwandan government to deploy spies in Uganda. They blindfolded and put him in a vehicle before driving him to a safehouse in Kyengera.<sup>44</sup>

## Description of Safehouses

Human Rights Watch interviewed 10 people who had been detained between 2018 and 2019 in makeshift detention centers operated by the ISO, notoriously known as safehouses, and later, on an island in Lake Victoria guarded by ISO officials. The former detainees recounted frequent physical abuses, including beatings, shackling, rapes, injections with unknown substances, and electrocutions, as well as a lack of access to lawyers or family.

According to several witnesses, Bagyenda, a former military officer, who was the ISO director general between January 2017 and October 2020, played a central role in the abduction and detention of several victims, often personally interacting with detainees, meeting with them in his office and where they were being held, and speaking to them on the phone.<sup>45</sup>

Eight of the former detainees told Human Rights Watch that they were detained in one of two safehouses operated by the ISO on Masaka Road in Kyengera town known as “Base One.”

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<sup>43</sup> Human Rights Watch interview with Matthew K., Kampala, May 18, 2021.

<sup>44</sup> Ibid.

<sup>45</sup> Human Rights Watch interviews with James Mulira, 18 March 2020, and Patrick Mugisha, January 30, 2020.

Victims detained in “Base One” described being driven to a “very nice house” in a large compound, surrounded by a tall wall that prevented people inside from seeing outside and with barbed wire at the top.<sup>46</sup> At the gate, guards sometimes asked the arresting officials to present documentation about the arrestee.<sup>47</sup>

Inside the compound, victims observed parked vehicles, green military tents, and patrolling soldiers, resembling military barracks.<sup>48</sup>

I saw this military tent and a pickup, which had the same number plate as those for State House [the president’s office]. It was just three tents and two State House pickups and three other vehicles, [full of] of victims just like me, but I didn’t know that when I was entering there. I thought it was someone’s home.<sup>49</sup>

On entering the compound, the officials led the detainees to a reception area, in what appeared to be the living room, where an officer sat at a table.<sup>50</sup> Multiple victims reported that they were given a form which had the words “Safehouse,” and “Base One” on it as well as “Special Guest,” with sections for personal details which the officer or the detainee filled out.<sup>51</sup> “I filled my name and next of kin, my kids’ names, and where they can bury me when I die,” said one former detainee.<sup>52</sup> The officers then made the victims hand over their personal effects and undress to their underwear before assigning them areas to sleep. <sup>53</sup>

Many Kyengera detainees interviewed by Human Rights Watch said that on separate occasions during their detention, they were chained, blindfolded, and transferred without being told where they were going. At first, they were taken from the safehouse by bus, and then later, by a boat to an island on Kalangala district, which they later learned was called Lwamayuba.<sup>54</sup>

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<sup>46</sup> Human Rights Watch interview with Michael H., April 27, 2021.

<sup>47</sup> Human Rights Watch interview with Boris D., Kampala, May 18, 2021.

<sup>48</sup> Human Rights Watch interview with Patrick Mugisha, January 30, 2020.

<sup>49</sup> Human Rights Watch interview with Boris D., Kampala, May 18, 2021.

<sup>50</sup> Ibid.

<sup>51</sup> Human Rights Watch interviews with James Mulira, 18 March 2020, and Matthew K., Kampala, May 18, 2021.

<sup>52</sup> Human Rights Watch interview with Matthew K., Kampala, May 18, 2021.

<sup>53</sup> Human Rights Watch interviews with James Mulira, 18 March 2020, and Matthew K., Kampala, May 18, 2021.

<sup>54</sup> Human Rights Watch interview with Michael H., April 27, 2021.

## Accusations Against Victims

Most of the detainees told Human Rights Watch that security officials accused them of politically motivated crimes, including allegedly spying for Rwanda and involvement in the high-profile assassinations of policemen, Andrew Felix Kaweesi in March 2017 and Muhammad Kirumira in September 2018.<sup>55</sup> A former safehouse detainee accused of the latter said, “When they took me, they started beating me to [make me] accept that I am working with [Rwandan President Paul] Kagame and [former Inspector General of Police Kale] Kayihura to remove Museveni.”<sup>56</sup>

Other former detainees informed Human Rights Watch that they were accused of ordinary crimes. One detainee said that his abductors accused him of burning down a school.<sup>57</sup> Another detainee said some people told him that they had been arrested for stealing *boda bodas* (motorcycle taxis) or refusing to sell land that a “big man” wants. The same detainee said he met foreigners in detention who had been accused of crimes too. These included Somali students accused of wanting to bomb Kampala; an Italian of Belgian origin; and a Tanzanian. He said:

The Somalis were arrested on 3rd June, but when I spoke to them, they said they were students in Kampala University... they were just walking around [Kampala]. They had nothing on them. [The ISO officials accused them of] wanting to bomb [Kampala]. [Another] One was an Italian of Belgian origin. He was a supervisor on a certain project and his boss disappeared with money. And he was arrested and detained there. There were some Tanzanians who came to shop, he was arrested [and accused] that he stole a laptop.<sup>58</sup>

## Torture and Ill-Treatment

Most of the victims interviewed by Human Rights Watch said they had experienced torture, cruel, inhuman, or degrading treatment, including incidents of sexual violence during their

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<sup>55</sup> Human Rights Watch interviews with Michael H., April 27, 2021; Matthew K., Kampala, May 18, 2021; and Malcolm S., Kampala, May 18, 2021.

<sup>56</sup> Human Rights Watch interview with Malcolm S., Kampala, May 18, 2021.

<sup>57</sup> Human Rights Watch interview with Simon F., May 18, 2021.

<sup>58</sup> Human Rights Watch interview with James Mulira, 18 March 2020.

detention. ISO officers and guards used several methods to torture victims, including shackling, beating, electrocuting, and injecting unknown substances, often as a means of making detainees confess to the accusations leveled against them.

Detainees said they were frequently shackled. All the former safehouse detainees who spoke to Human Rights Watch described a torture technique called “Rambo,” which one of them noted was a welcome ritual of sorts to safehouses for most detainees.<sup>59</sup> The technique consists of detainees being handcuffed and hung from the ceiling for 12-hour intervals, with chains around their necks, waists, and knees. At 6 a.m. and 6 p.m. daily, the guards would remove hung victims and replace them with new detainees.<sup>60</sup>

Detainees were also shackled in other ways. According to one former detainee:

I saw people kept chained [together] day and night.... They have slightly long chains, and they lock it on a leg and lock it on another person, so they can only move with each other. I saw once, when a foreigner became violent, they handcuffed him to the door, both arms on the door, for some hours.<sup>61</sup>

Another victim said guards applied electric currents to him. “There is a chamber, a place of torture,” he said. “Something of electricity, they started putting it on my nipples.” He said he still has headaches as a result of the shocks.<sup>62</sup>

Prince Africa Evans Bright Gabula told Human Rights Watch he was injected with an unknown substance in 2019 during his detention at ISO’s Base One, which he believes has since affected his ability to walk. “Right now, I cannot even walk,” he said. “They were giving me a slow killing poison. I am now limp. I feel a lot of pain in my limbs on my right side.”<sup>63</sup>

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<sup>59</sup> Human Rights Watch interview with Boris D., Kampala, May 18, 2021.

<sup>60</sup> Human Rights Watch interview with Matthew K., Kampala, May 18, 2021.

<sup>61</sup> Human Rights Watch interview with Patrick Mugisha, January 30, 2020.

<sup>62</sup> Human Rights Watch interview with Matthew K., Kampala, May 18, 2021.

<sup>63</sup> Human Rights Watch interview with Gabula Bright Africa, December 12, 2019.

In addition to the physical violence, victims were detained in poor conditions. One victim said there were only buckets to urinate and defecate in.<sup>64</sup> Former detainees told Human Rights Watch about two victims who had to sleep on the floor and another in a plastic chair.<sup>65</sup> While in the living room, detainees could hear the voices of people in other parts of the house and sometimes the sound of crying.<sup>66</sup>

## Sexual Violence

Some formerly detained men and women told Human Rights Watch they had been sexually assaulted or tortured by guards while detained in a safehouse.

Rachel N. told Human Rights Watch that three men and one woman abducted her in 2019, while she was in the early stages of pregnancy. Her captors drove her to Base One in Kyengera where they detained her for six months. At Base One, she told Human Rights Watch that an officer called Charles Opoka raped her twice and beat her with shoes, causing her to miscarry and bleed severely. While she was detained, Rachel N. kept the pregnancy tissue (fetus, placenta, and pregnancy membranes) in a black plastic bag and was given painkillers only when the officers noticed she was still bleeding and had begun to smell. They took her to a hospital in Kitante, Kampala, three weeks later. She said that due to the severity of her condition, the doctors at the hospital had to remove her uterus (hysterectomy), and now she is no longer able to get pregnant.<sup>67</sup> After the officers returned her to the safehouse they subjected her to further torture:

They gave me a lot of drugs to take, but things were not improved. My mind was tortured. I was tied up—they called it “Rambo”—I was crucified. I was in pain. They poured water on me, and they tied me on my belly. I started crying. I stayed there for 12 hours. I was removed at 1am in the night. [My body] was swelling before I was taken inside.<sup>68</sup>

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<sup>64</sup> Human Rights Watch interview with Rachel N., Kampala, April 22, 2021.

<sup>65</sup> Human Rights Watch interviews with James Mulira, 18 March 2020, Michael H., April 27, 2021, and Boris D., Kampala, May 18, 2021.

<sup>66</sup> Human Rights Watch phone interviews with James Mulira, 18 March 2020, and Michael H., April 27, 2021.

<sup>67</sup> Human Rights Watch interview with Rachel N., Kampala, April 22, 2021.

<sup>68</sup> Ibid.

Prince Gabula told Human Rights Watch that he observed the sexual exploitation of detained women by the guards while he was detained in Base One:

Those women who want to bathe are forced into sex without condoms. You see it when a man takes a woman and takes her into a toilet. If a guard takes her into a private place, what do you expect to take place?<sup>69</sup>

ISO officials at Base One also tied bricks to the genitals of male detainees. A male former detainee said ISO officials chained him and hung a brick from his testicles in December 2018.<sup>70</sup> Another detainee witnessed another man being subjected to similar torture:

They brought in one man and tied bricks to his penis because he had refused to give them the PIN to his ATM [bank card]. I pleaded with them because the man was in a lot of pain, and I told him to do as they had ordered him. When he complied, they removed the bricks from his penis.<sup>71</sup>

## Theft and Extortion

In almost all the cases of ISO safehouse detentions documented by Human Rights Watch, officials stole and extorted money from the victims or their families, either during the arrests or as a condition of their release.

An officer asked the wife of one detainee to send 6.5 million Ugandan shillings (\$1,480) to help secure his release. Her husband, now released, said:

The person who defrauded my wife was an officer in the system who seemed to have information.... All the pictures they sent to her were of me arriving at the ISO. [This means] they were inside ISO. Afterward, when they released me, I tried to follow up on the telephone number they used to call her, but the number was not registered. We tried to call it, but it was off [disconnected].<sup>72</sup>

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<sup>69</sup> Human Rights Watch interview with Gabula Bright Africa, December 12, 2019.

<sup>70</sup> Human Rights Watch interview with Simon F., Kampala, May 18, 2021.

<sup>71</sup> Human Rights Watch interview with Michael H., Kampala, April 27, 2021.

<sup>72</sup> Human Rights Watch interview with James Mulira, 18 March 2020.



Michael H. told Human Rights Watch that officers began extorting money from him while he was detained in Base One. They demanded his ATM card and PIN number, which they used to withdraw 1 million Ugandan shillings (\$284) from his bank account. On a second occasion, when his ATM card failed to work, the officers took him from the safehouse to a bank branch in Kyengera where, according to Michael H, a bank official spoke to the uniformed officers—not to Michael H—and illegally gave them access to his money without his consent, which is prohibited by Uganda’s central bank.<sup>73</sup>

Former ISO detainee Matthew K. said when armed men abducted him from his home in 2018, they searched his house, took \$20,000 and 3 million Ugandan shillings (about \$853) of business funds he had at home, and destroyed his furniture.<sup>74</sup>

## Forced Labor

Former detainees on Lwamayuba Island, Lake Victoria, told Human Rights Watch that the ISO guards routinely beat detainees, accused them of various crimes, demanded they confess, and forced them to sleep outdoors with limited shelter.<sup>75</sup> The detainees were forced to wear yellow prison uniforms and work on farms. If they refused to do the work, they were beaten.

Around July 2019, the detainees began protesting their detention, refusing to eat or enter the sleeping area.<sup>76</sup>

The situation was bad all over, [so we started] striking. We said no, if you want to kill us, kill us. There is some small boat we used to drive [paddle] with our hands. We said we are going to start jumping into the lake. Anyone who will survive will reach the nearest place and will raise the complaint. People will come and get our bodies.<sup>77</sup>

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<sup>73</sup> Human Rights Watch interview with Michael H., April 27, 2021; Bank Of Uganda Financial Consumer Protection Guidelines, 2011, paragraph 7 (3), <https://bou.or.ug/bou/bouwebsite/bouwebsitecontent/FinancialInclusion/Financial-Consumer-Protection-Guidelines-2011.pdf>.

<sup>74</sup> Human Rights Watch interview with Matthew K., Kampala, May 18, 2021.

<sup>75</sup> Human Rights Watch interviews with Michael H., April 27, 2021, and Matthew K., Kampala, May 18, 2021.

<sup>76</sup> Human Rights Watch interview with Michael H., April 27, 2021.

<sup>77</sup> Ibid.

After their strike failed, the detainees, using a phone smuggled through fishermen working on the island contacted journalist Tamale Mirundi, parliamentarian Sebaggala, and others to alert them about their detention. Subsequently, Sebaggala addressed Parliament about their plight.<sup>78</sup> When the guards learned about this media coverage, they severely beat the detainees in a bid to identify who leaked the information.<sup>79</sup>

After this incident, two high-ranking ISO officials went to the island to appease the detainees. Bagyenda personally visited the island, spoke to the detainees, and promised they would receive medical treatment and be released in groups.<sup>80</sup>

On September 9, 2019, as the House Committee on Human Rights conducted its investigation into ISO safehouses, the guards ferried 90 people to the mainland and then bussed and dumped them on Entebbe Road in Kampala. Two former detainees told Human Rights Watch that the guards gave each released detainees a small sum—between 10,000 to 20,000 Ugandan shillings (US\$2.84 to US\$5.68)—to return home from Entebbe Road.<sup>81</sup>

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<sup>78</sup> Ibid.

<sup>79</sup> Ibid.

<sup>80</sup> Human Rights Watch interviews with Michael H., April 27, 2021, and with Boris D., Kampala, May 18, 2021.

<sup>81</sup> Human Rights Watch interviews with Matthew K., Kampala, May 18, 2021, and Boris D., Kampala, May 18, 2021.

### III. Unlawful Detentions during the 2021 Election Campaigns

We cannot get justice in Uganda. Exposing what people are passing through is a red card to prison. A red card of being tortured. For example, when you are covering opposition side, then you are bad. But those covering the government side, the government gives them protection.

— Journalist and former detainee, October 25, 2021<sup>82</sup>

Just before noon on November 18, 2020, two months ahead of Uganda’s general elections, security forces arrested NUP’s presidential candidate Robert Kyagulanyi and several of his supporters and journalists in Luuka district, Eastern Uganda, and detained them at the Nalufenya police station in Jinja. Later that day, the police said Kyagulanyi had been arrested for breaching Covid-19 regulations by mobilizing large crowds for a planned campaign rally.<sup>83</sup>

As news spread about Kyagulanyi’s arrest, widespread and violent protests occurred on November 18 and 19 in Kampala and across the country. The authorities responded with teargas and live bullets, killing at least 54 people, according to the government, as well as numerous injuries.<sup>84</sup>

Human Rights Watch found that for several weeks following these protests, security forces carried out a spate of abductions and arrests of opposition supporters, government critics, and others for allegedly participating in the protests. Armed men, including police, soldiers, and men in plainclothes, took people from the streets, their homes, or their workplaces and transported them in unmarked Toyota Hiace vans, locally known as “Drones.”<sup>85</sup> Family members of missing abductees told Human Rights Watch that they have

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<sup>82</sup> Human Rights Watch interview with Kenneth A., Kampala, March 21, 2021.

<sup>83</sup> “Nalufenya now,” National Unity Platform video post on Facebook, November 18, 2020, <https://www.facebook.com/NUPUgandaOfficial/videos/859434988146625>; “Uganda: Authorities Weaponize Covid-19 for Repression,” Human Rights Watch news release, November 20, 2020, <https://www.hrw.org/news/2020/11/20/uganda-authorities-weaponize-covid-19-repression>.

<sup>84</sup> “Uganda: Elections Marred by Violence,” Human Rights Watch news release, January 21, 2021, <https://www.hrw.org/news/2021/01/21/uganda-elections-marred-violence>.

<sup>85</sup> Kakwenza Rukirabashaija, “Uganda: Horror Inside a Kidnap Drone,” *All Africa*, February 10, 2021, <https://allafrica.com/stories/202102100669.html>.

received little to no information about the whereabouts of their loved ones. During this period, the Ugandan military also arbitrarily arrested and detained opposition supporters in military facilities.

Following media reports of ongoing abductions of opposition members and government critics by suspected state agents, on February 24, 2021, Speaker of Parliament, Kadaga, directed Minister of Internal Affairs, Odongo, to present to Parliament a list of people in detention.<sup>86</sup> On March 4, 2021, Odongo presented a list to Parliament of 177 people in military detention who had been arrested between November 18, 2020 and February 8, 2021, for allegedly participating in the November 18 and 19 “riots,” “possession of military stores,” and “planning post-election violence.”<sup>87</sup>

The number of detainees may be much higher, however. According to the NUP, 423 of its members and supporters were still missing, although 41 had been released as of March 5. Amid the public outcry, on March 7, in a public letter to the media, President Museveni said 51 people were being held by the Ugandan army’s Special Forces Command for “treasonable acts of elements of the opposition.”<sup>88</sup>

## Abductions and Torture by Unidentified Men in ‘Drones’ Vehicles

Human Rights Watch documented two cases of people who were abducted for participating in the protests or for supporting the opposition, but they were later released. Former detainees told Human Rights Watch that their captors tortured them using sadistic methods, described below.

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<sup>86</sup> “Speaker Kadaga directs Internal Affairs minister to release list of missing people,” NTVUganda video on YouTube, February 24, 2021, [https://www.youtube.com/watch?v=CjNLbdlyBsU&ab\\_channel=NTVUganda](https://www.youtube.com/watch?v=CjNLbdlyBsU&ab_channel=NTVUganda); “Uganda: End Enforced Disappearances of Opponents,” Human Rights Watch news release, March 11, 2021, <https://www.hrw.org/news/2021/03/11/uganda-end-enforced-disappearances-opponents>.

<sup>87</sup> Job Bwire, “Minister Odongo Tables Before Parliament List of 177 Missing Ugandans,” *Monitor*, March 4, 2021, <https://www.monitor.co.ug/uganda/news/national/minister-odongo-tables-before-parliament-list-of-177-missing-ugandans-3311826>; “Gen. Jeje Odongo presents 177 names of missing persons before parliament,” NTVUganda video on YouTube, March 4, 2021, [https://www.youtube.com/watch?v=nN2mmQnmecA&ab\\_channel=NTVUganda](https://www.youtube.com/watch?v=nN2mmQnmecA&ab_channel=NTVUganda).

<sup>88</sup> Fredric Musisi, “Museveni Guards Holding 50 Missing Persons,” *Monitor*, March 8, 2021, <https://www.monitor.co.ug/uganda/news/national/museveni-guards-holding-50-missing-persons-3315436>.

## **Abduction and Torture of Ronald Segawa**

About a week after the January 14, 2021, elections, three armed men in plainclothes grabbed and forced Ronald Segawa into a white “Drone” in Kawempe, a neighborhood on the outskirts of Kampala. Inside the vehicle, the men chained Segawa to a metal bar and showed him a video that he had made weeks before encouraging people to vote for Kyagulanyi. The men then drove Segawa to an unknown location while beating him with the gun butts inside the vehicle. Eventually, they took him to a large hall-like building where approximately seven other people were detained. He witnessed visible signs of abuse on the bodies of the other detainees:

“It looked to me that they had spent some time there. Their appearance was so devastating,” said Segawa, “Their nails had been plucked out. They had been burned with flat irons. They looked very terrible. My only prayer by then was for me to survive and go back uninjured.”

In the room, the men removed two of Segawa’s fingernails, broke one of his fingers, burned him with an iron, and pulled on his tongue. He lost consciousness at some point and woke up days later in Mulago hospital in Kampala.

Segawa’s relatives reported him missing on January 29. According to the media, Segawa was found unconscious but alive on February 8 at Mulago hospital. The next day, Kyagulanyi tweeted pictures of Segawa’s scars, taken when he visited Segawa at Mulago hospital, saying that Segawa had been burned, electrocuted, and had his fingernails pulled out, allegedly for campaigning for Kyagulanyi.

### *i. Mukono District Arrests*

Between December 21 and 23, 2020, men from a “commando unit” rounded up at least 17 people in Mukono district, which neighbors Kampala, allegedly for supporting Abdallah Kiwanuka, an opposition parliamentary candidate, and detained them for at least three weeks in a building at an unknown location. The commando unit released the detainees in a sporadic manner, dropping them off across the country, over the course of a few weeks.

On January 11, 2021, Kiwanuka filed a habeas corpus application on behalf of four of the 17 abducted men: Musa Kagimu, Muhamad Kanata, Julius Kiberu, and Musa Male, Kiwanuka's brother. On February 4, the High Court directed the Inspector General of Police to produce the four men.<sup>89</sup> On the same day, Odongo acknowledged to Parliament that the four had been kidnapped.<sup>90</sup> However, the men were not produced in court.<sup>91</sup>

On January 27, then Minister of Internal Affairs, Odongo, told the media that police were investigating allegations that Ronald Kibuule, the incumbent Member of Parliament for Mukono North county and Minister for Water Resources at that time, was involved in the enforced disappearances. Odongo also said the police had arrested suspects.<sup>92</sup>

During a televised speech on February 13, President Museveni listed the names of 17 people, including two of the four men, whom he said had been arrested by a "commando" unit of the UPDF in Mukono but then released. He dismissed allegations that the men had been forcibly disappeared, saying that "it can't happen" under the ruling party (the NRM).<sup>93</sup> While Kagimu, Kiberu, and Male resurfaced, Muhammad and Yuda Ssempijja, who was also abducted during the Mukono arrests, remain unaccounted for at time of writing.<sup>94</sup>

Keith S. and Musa Male described to Human Rights Watch similar experiences of being abducted by these soldiers, who accused them of being NUP supporters, took them to an unmarked house, interrogated, tortured, transferred, and then released them.

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<sup>89</sup> Liam Taylor, "They came in plainclothes with guns: 'Abducted' by Uganda's army," *Aljazeera*, March 3, 2021, <https://www.aljazeera.com/features/2021/3/3/they-came-in-plainclothes-with-guns-abducted-by-ugandas-army>.

<sup>90</sup> "Govt investigating alleged kidnap of 44 people -Gen Jeje Odongo," Parliament of the Republic of Uganda press release, February 5, 2021, <https://www.parliament.go.ug/news/4965/govt-investigating-alleged-kidnap-44-people-gen-jeje-odongo>.

<sup>91</sup> Human Rights Watch interview with Musa Male, 23 March 2021.

<sup>92</sup> Arafat Nzito, "IGP Ochola Orders Probe into Minister Kibuule Over Missing Persons," *Chimp Reports*, January 27, 2021, <https://chimpreports.com/igp-ochola-orders-probe-into-minister-kibuule-over-missing-persons/>; Liam Taylor, "They came in plainclothes with guns: 'Abducted' by Uganda's army," *Aljazeera*, March 3 2021, <https://www.aljazeera.com/features/2021/3/3/they-came-in-plainclothes-with-guns-abducted-by-ugandas-army>.

<sup>93</sup> Patience Ahimbisibwe, Benson Tumusiime, Security Quiet on Abductees Despite Museveni Order," *Monitor*, February 15, 2021, <https://www.monitor.co.ug/uganda/news/national/security-quiet-on-abductees-despite-museveni-order--3292234>; "Opposition Anger as Uganda's Museveni Rejects Abduction Reports," *All Africa*, <https://allafrica.com/view/group/main/main/id/00076804.html>.

<sup>94</sup> "11 NUP supporters return home 2 months after alleged abduction," *The Independent*, February 13, 2021, <https://www.independent.co.ug/11-nup-supporters-return-home-2-months-after-alleged-abduction/>; Human Rights Watch interview with Abdallah Kiwanuka, November, 18, 2021.

Keith S. described how on December 21, 2020, as he sat down to eat his evening meal at a trading center in Mukono, two men in plainclothes approached him and forced him at gunpoint toward a waiting “Drone” in which there were already several other detainees. When Keith S. resisted, one of the men hit him in the ribs with a gun. Once inside the vehicle, the men blindfolded him with his own shirt. “After the blindfolding, they started beating us seriously without telling us why,” he said. The men then accused those they had detained of removing parliamentarian Kibuule’s campaign posters and replacing them with posters of Kiwanuka.<sup>95</sup>

The day after Keith S. abduction, about 20 masked soldiers in black uniforms, who arrived in two white “Drones” without license plates, approached Musa Male’s home in Mukono, at about 7 p.m. First, the soldiers used a gun to break the window of a car outside the house in which his brother, Abdallah Kiwanuka was sitting. The soldiers dragged Kiwanuka from the vehicle and started beating him.<sup>96</sup> When they located Male inside his home, they beat and dragged him outside to the two waiting vehicles. Once inside the vehicle, they beat him with a hammer, kicked and punched him, and blindfolded him with his shirt. The officers refused to let Male sit on the seat; instead, they restrained him on the floor while driving around for about six hours. Throughout the drive, the soldiers beat and stepped on Male, and also picked up other people in the area. Male believes he was abducted because of his WhatsApp and Facebook posts supporting opposition candidates.<sup>97</sup>

Both Keith S. and Male were finally taken to a building where still blindfolded, they were further tortured. When they arrived, the armed officers made Keith S. and Male sit shirtless in the rain and beat them with wires and batons. Then, they took them inside a building where the beatings continued.<sup>98</sup>

Keith S. was handcuffed overnight. The next day, his handcuffs were removed, and he was tied with a rope, and continued to be beaten as he was being accused of removing Kibuule’s posters.<sup>99</sup>

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<sup>95</sup> Human Rights Watch interview with Keith S., February 25, 2021.

<sup>96</sup> Human Rights Watch interview with Abdallah Kiwanuka, November 18, 2021.

<sup>97</sup> Human Rights Watch interview with Musa Male, March 23, 2021.

<sup>98</sup> Human Rights Watch interviews with Keith S., February 25, 2021, and Musa Male, March 23, 2021.

<sup>99</sup> Human Rights Watch interview with Keith S., February 25, 2021.

The soldiers interrogated the detainees about candidates they were supporting in the upcoming parliamentary and presidential elections. The soldiers tortured the detainees by beating them with batons and hammers and using pliers to pinch their skin.<sup>100</sup>

Keith S. lied about his and Kyagulanyi's ethnicity to avoid further abuse having heard the soldiers beat ethnic Ganda people.<sup>101</sup>

While Male was detained, the men interrogating him about Kyagulanyi, accused him of being paid to protest and "burn roads" during the election period to undermine the government. Male and the other detainees were held in complete darkness, leaving them unable to see. During his detention, Male said his abductors beat him severely, and at one point they removed two of his toenails. "They kick you; they beat you," he said. "They tell you to lie down, put [your legs] straight in front, then someone just comes and starts stepping on your leg."<sup>102</sup>

Male described the response of the men guarding them when he asked why he and the others had not been taken to court:

They said, "You have no human rights." If there are orders like "you have to be killed," then we have to kill you." They told us that they are the ones who are the lawyers and the policemen and the judges. "You don't have any rights here—that's why you weren't taken to the court."<sup>103</sup>

Some days later, the detainees were separated into different rooms. Some of the detainees were taken to a large room in the same building, where up to 200 people, including women, were detained together.<sup>104</sup> In the larger room, where Keith S. was taken, the torture intensified around January 9, and the detainees were forced to spend the night awake and standing.<sup>105</sup>

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<sup>100</sup> Ibid.

<sup>101</sup> Ibid.

<sup>102</sup> Human Rights Watch interview with Musa Male, March 23, 2021.

<sup>103</sup> Ibid.

<sup>104</sup> Human Rights Watch interview with Keith S., February 25, 2021.

<sup>105</sup> Ibid.



They told us we shouldn't sleep because the Americans are coming to attack Uganda, so we should stand to protect the country. When they saw that someone was about to collapse, they brought bedbugs and poured them on the floor in the room so we would not sleep.<sup>106</sup>

On January 12, Keith S. and Male said they were transferred to different locations, possibly in a different house.<sup>107</sup> At Keith S.'s new destination, the detaining authorities provided medical care and doctors tended to detainees' wounds.<sup>108</sup>

Over several weeks, the men would call out names of detainees from a book, then take them to a separate room.<sup>109</sup>

On the night of February 7, an officer called out five names, including Keith S.'s, took those people, and drove them blindfolded to a sugarcane plantation on the outskirts of Kampala. They were dumped in different locations on the plantation.<sup>110</sup>

On February 12, some men drove Male and six others around for several hours before dropping them on another sugarcane plantation in Nama subcounty, Mukono district, about 18 kilometers from Kampala.<sup>111</sup>

## Enforced Disappearances

Under international law, an enforced disappearance occurs when a person is deprived of their liberty by state actors or by persons acting with the authorization, support, or acquiescence of the state, followed by a refusal to acknowledge the act or the whereabouts or fate of the detained person.<sup>112</sup> Human Rights Watch interviewed family members of and witnesses to the abductions and enforced disappearances of eight people during the election period. Their whereabouts remain unknown at time of writing.

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<sup>106</sup> Ibid.

<sup>107</sup> Human Rights Watch interviews with Keith S., February 25, 2021, and Musa Male, March 23, 2021.

<sup>108</sup> Human Rights Watch interview with Keith S., February 25, 2021.

<sup>109</sup> Ibid.

<sup>110</sup> Ibid.

<sup>111</sup> Human Rights Watch interview with Musa Male, March 23, 2021.

<sup>112</sup> International Convention for the Protection of All Persons from Enforced Disappearance, adopted January 12, 2007, G.A. Res 61/177, U.N. Doc. A/72/280, entered into force December 23, 2010, art 2, <https://www.ohchr.org/EN/HRBodies/CED/Pages/ConventionCED.aspx>.

At about noon on November 21, 2020, six armed men in plainclothes in a white “Drone” approached John Ddamulira’s spare parts shop at Kisekka Market, Kampala, to take Ddamulira, whose shop was located in the area where the protests happened, into custody. When they noticed his son, Alvin, who worked at the shop, and three customers watching, they handcuffed the four witnesses and began beating them with sticks and guns. The men blindfolded and then drove all five around in a “Drone” for several hours while beating them. Eventually, that night, the men stopped at an unmarked building where they beat John Ddamulira some more.<sup>113</sup>

Later, while they were still blindfolded, one of their captors told them: “You people from Kisekka Market—stop rioting. The president is not happy about what you are doing.” At about 1 a.m. the following day, the abductors dumped Alvin and the three customers in Bweyogerere, 12 kilometers from Kisekka market. However, Ddamulira has neither been released, charged in court, nor heard from since.<sup>114</sup>

On November 22, 2020, Kampala metropolitan police spokesman, Patrick Onyango, confirmed that police had arrested Ddamulira, but he did not disclose his location. He told the *Daily Monitor*: “It is true, [John Ddamulira] is one of the people we arrested, but I cannot tell you where he and others are detained now. We did not torture any person. As an institution, torture is prohibited as a form of interrogation.”<sup>115</sup>

On November 20, 2020, at about 4 a.m., men in black police uniforms broke into the home of Shadia Nakaweesi and her husband, Hassan Mubiru, in Kawaala neighborhood, Kampala. According to her, they were looking for her husband:

Instead of knocking, they just broke in and entered. They found him, started beating him, and took him outside. After that, they entered and asked me, “Where is his gun? Where did he take it?” We just replied, “He has no gun.” But they didn’t listen.<sup>116</sup>

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<sup>113</sup> Human Rights Watch interview with Alvin Ddamulira, 20-year-old man, abducted by security forces with his father John Ddamulira, March 1, 2021.

<sup>114</sup> Ibid.

<sup>115</sup> Andrew Bagala, “Protest suspects accuse security agencies of torture,” *Monitor*, November 23, 2020, <https://www.monitor.co.ug/uganda/news/national/protest-suspects-accuse-security-agencies-of-torture-3207106>.

<sup>116</sup> Human Rights Watch interview with Shadia Nakaweesi, March 1, 2021.

The police demanded that she close the door and that they hand over their phones, so Nakaweesi gave the police Mubiro’s phone. Then, they took Mubiro and drove him away in a black “Drone.” Nakaweesi explained that when she tried to report her husband missing at a nearby police station, the officers refused to accept the complaint. Mubiro’s whereabouts remain unknown at time of writing.<sup>117</sup>

On November 24, 2020, Rose Nakayiza heard from a friend that men in black uniforms had taken her husband, Rashid Kalunda, 32, and two others—Fred Jingo and Sunday Mwange—in a “Drone” from Owino market in Kampala, where all three worked. Nakayiza did not know why he was taken and has since then been unable to locate her husband in several police stations or the military intelligence office.<sup>118</sup>

## **Unlawful Arrests and Detention of Opposition Supporters, Journalists**

During the elections period, police and soldiers from the Ugandan army arrested and detained opposition members with little regard for due process. Human Rights Watch interviewed seven persons previously detained by the military, who recounted having little access to family members or lawyers. Instead, authorities ignored the constitutional right to bail and held people in detention even after court decisions granting bail.

On December 30, 2020, police and soldiers arrested presidential candidate, Kyagulanyi, and at least 126 people, including journalists, passersby and supporters who had accompanied him to a rally on Bugala island, Kalangala.

Around 1 p.m. the same day, the security forces set up a roadblock in anticipation of a convoy of NUP vehicles. When the convoy stopped at the roadblock, the officials blocked the convoy by approaching from behind and began to arrest passengers, beat them with wire sticks and gun butts, and confiscate their possessions, including phones, money, and cameras.<sup>119</sup> According to one NUP supporter:

Many of us were left bleeding. [The police] would just order us to get out of the cars without an explanation. We were put in handcuffs and told to squat

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<sup>117</sup> Ibid.

<sup>118</sup> Human Rights Watch interview with Rose Nakayiza, February 25, 2021.

<sup>119</sup> Human Rights Watch interview with Kabir S., June 15, 2021,

aside as they continued making arrests. They would use copper wire to beat. I sustained an injury on the head. Then, [there were] the punches I received. One was lucky not to be beaten.<sup>120</sup>

The security forces targeted people holding cameras and forced them to hand over the cameras' memory cards. A journalist who was covering Kyagulanyi's campaign said:

I had an identity card from the Uganda journalist's association, and when I tried to show them my card and that I am working, the [security forces] guy grabbed the card from me. I had a camera. When they grab the camera from you and they check and don't see the card in it, they would beat you because not having the card was a big crime.<sup>121</sup>

Another journalist who was arrested on the same day described how a man in a black uniform, presumably a soldier, searched him:

After handcuffing me, he opened my trousers, he started checking everywhere, pulling my manhood [penis]. Then, he told me to open my jaws. He pointed a gun in my jaws, as if he is checking for something there. After, he told me "You sit down." I [obeyed] and started watching what was going on.<sup>122</sup>

The police later tweeted that CCTV (Closed Circuit Television) cameras captured some of Kyagulanyi's campaign team deflating police motor vehicle tires, inciting violence, obstructing police officers on duty, violating Covid-19 health and safety protocols, and committing various traffic offences. The police also stated that those people had been arrested.<sup>123</sup> Later that day, they transferred Kyagulanyi to his home in Magere, on the outskirts of Kampala, where he was placed under house arrest.<sup>124</sup>

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<sup>120</sup> Ibid.

<sup>121</sup> Human Rights Watch interview with Michael G., October 25, 2021.

<sup>122</sup> Human Rights Watch interview with Richard Kalema, October 25, 2021

<sup>123</sup> <https://twitter.com/policeug/status/1344270528845131782?lang=en>.

<sup>124</sup> David Ajuna, "Police Airlifts Bobi Wine from Kalangala to Kampala," *Monitor*, December 30, 2020, <https://www.monitor.co.ug/uganda/news/national/police-airlifts-bobi-wine-from-kalangala-to-kampala-3243112>; "Uganda police arrest Bobi Wine, tear gas supporters," *Aljazeera*, December 30, 2020, <https://www.aljazeera.com/news/2020/12/30/uganda-police-arrest-bobi-wine-tear-gas-supporters>.

The other people were detained for several hours in the Kalangala police station until nighttime, when the police separated 10 members from the rest of the group. The police drove the whole group in a military truck to a ferry, ferried them to the mainland while handcuffed and without life vests, and then drove them to Masaka town, about 36 kilometers inland from Lake Victoria.<sup>125</sup> One former detainee recounted the journey:

They [kept everyone] handcuffed till night came. Then they gathered us again and started bundling us in vehicles. I was lucky in that they were not so brutal to me, but they were brutal to the other fellows. They would kick them, forcing them to get into the truck. Already many of them were wounded.<sup>126</sup>

In Masaka, the larger group was taken to a police station while the previously separated 10 people were transferred to the Kissajjagirwa military barracks.

At the police station, police and soldiers beat them with sticks and batons as they led them into the station, where at least up to 100 of them, including men and women, were detained in a single police cell for the night.

### *ii. Military Detention, Inhumane Treatment and Trial of Civilians*

The 10 men separated from the larger group of detainees were placed in a wet and dark cell at the Kissajjagirwa military barracks, where they remained handcuffed through the night. At around noon the next day, the soldiers searched the detainees. One of them described the dehumanizing experience:

They would order you to a certain room, force you to undress at gunpoint, order you to spread your arms and legs wide, and face the other side of the wall. And then the next thing you'd feel was somebody running their hands all over your body, like doing a body search. Telling you to bend over, and then touching your private parts, which I found so dehumanizing. You'd feel so small. And all the while they are saying, "We had to check you, so we

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<sup>125</sup> Human Rights Watch interview with Kabir S., June 15, 2021.

<sup>126</sup> Human Rights Watch phone interview with Ali Buken, November 17, 2021.

know your status of how you are, whether you have any wounds.” But already it was an order at gunpoint, they did not need to tell us that.<sup>127</sup>

The next day, around 15 armed men in plainclothes who claimed to be officials from the Uganda Human Rights Commission and soldiers wearing Special Forces Command uniforms, met with the 10, and began to interview them. The soldiers took blood samples from the detainees.<sup>128</sup>

On January 4, 2021, all the detainees, including the 10 men were brought before a magistrate court in Masaka and charged with committing a “negligent act likely to spread infection” by failing to comply with Covid-19 regulations during the Kalangala rally. Although the court granted them bail, soldiers surrounded the premises shortly after the court session ended, rearrested 49 of the detainees, and drove them to Masaka Ssaza Prison, where they were further detained.

On January 7, although they had been informed that they were being taken to court, the 49 detainees were driven to the Makindye military barracks in Kampala. Another 46 from the larger group of 100 were brought before a magistrate court, granted bail once again and were released.<sup>129</sup>

One former detainee who was among the 49 taken to Makindye described his realization of what was happening:

The way they handled us; we could tell something was not right. We thought we were going to court. After the first bus had left, we then realized our bus was heading to Kampala. We saw four military vans that surrounded our bus.<sup>130</sup>

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<sup>127</sup> Ibid.

<sup>128</sup> Ibid.

<sup>129</sup> “Uganda's police chief: beating of reporters for their own good,” *Reuters*, January 8, 2021, <https://www.reuters.com/article/uk-uganda-election/ugandas-police-chief-beating-of-reporters-for-their-own-good-idUSKBN29D1A7>.

<sup>130</sup> Human Rights Watch interview with Michael G., October 25, 2021.

On January 8, the 49 were charged before a Makindye military court with “unlawful possession of ammunition ordinarily a monopoly of the defence forces,” in violation of the Firearms Act, for allegedly possessing four bullets while they were in the Makerere suburb of Kampala on January 3, 2021, four days after their arrest. At this hearing, they were neither allowed legal representation nor given an opportunity to speak.<sup>131</sup>

The 49 were then remanded to Kitalya and Kigo prisons, both in Kampala, until their next court appearance on February 1, when they were remanded for another week. On February 8, the court released 13 of the 49 defendants on bail.<sup>132</sup> The remaining 36 were denied bail on February 15, and a date for the next hearing was set for May 10. However, on May 10, the hearing was rescheduled for May 18.<sup>133</sup>

On May 18, the 36 were remanded again until May 25. On that day, 17 were released by the court, leaving 19 people to be remanded for two more weeks.<sup>134</sup> On June 8, the remaining 19 were released and ordered to report back every two weeks and not to leave Kampala or the surrounding Wakiso district.<sup>135</sup>

All four of the former detainees who spoke to Human Rights Watch said that they had little to no access to family members during their detention and only had access to legal counsel during court sessions.<sup>136</sup>

### *iii. Unlawful Detention, Abuses at the Chieftaincy of Military Intelligence (CMI) headquarters, Kampala*

On January 20, 2021, two men handcuffed Kenneth A., and searched his office in a printing center in downtown Kampala. The men confiscated three computers and more than 1,000 forms declaring the election results, which some NUP officials had asked him to photocopy. Then, the men led Kenneth A. outside, where about 11 uniformed and armed

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<sup>131</sup> Ibid.

<sup>132</sup> “Court Martial grants bail to 13 NUP supporters,” *The Independent*, February 8, 2021, <https://www.independent.co.ug/court-martial-grants-bail-to-13-nup-supporters/>.

<sup>133</sup> Human Rights Watch interview with Kabir S., June 15, 2021.

<sup>134</sup> “17 NUP supporters released on bail,” *The Independent*, May 25, 2021, <https://www.independent.co.ug/17-nup-supporters-released-on-bail/>; Human Rights Watch interview with Kabir S., June 15, 2021.

<sup>135</sup> Human Rights Watch interview with Kabir S., June 15, 2021.

<sup>136</sup> Human Rights Watch interviews with Kalema Richard, a 30-year-old journalist, on 25 October 2021; Michael G., October 25, 2021; Ali Buken, November 17, 2021; Kabir S., June 15, 2021; and Richard Kalema, October 25, 2021.

men as well as two “Drones” were waiting; blindfolded him, and put him in a vehicle. Then, the men started beating his head and back.<sup>137</sup>

The men drove Kenneth A. to the Chieftaincy of Military Intelligence (CMI) headquarters in Mbuya, Kampala, where they tortured him:

They made me raise my handcuffed hands for some good minutes. And they want you to stand straight. Each one kicks you, beats you. They pour water on you. They tell you to roll in the water. When you are rolling, you roll into other detainees also rolling. They told us to stand, jump, and shout: “I will never go to the streets again. I will never support NUP.” They did that to us for hours until nighttime.<sup>138</sup>

When Kenneth A.’s captors stopped torturing him the next day, they drove him in a “Drone” to his home where they searched and took his computer in full view of his wife and child. “[That was] the worst experience: my wife and kid seeing me handcuffed,” Kenneth A. said. “Just like I had killed someone. They never even let me communicate with my wife.”<sup>139</sup>

Then, the men returned Kenneth A. to the CMI headquarters and put him in a large, dark detention area used by the Joint-Anti Terrorism Task Force (JATT).<sup>140</sup> There were more than 40 other detainees, ranging from an alleged Congolese rebel to people accused of capital offenses and political prisoners.<sup>141</sup> He said of the conditions there:

At times, the power could go off. That’s when you could not even see your neighbor. There were bedbugs. Sometimes they would pour water on the tiles. You’d have to sleep there.<sup>142</sup>

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<sup>137</sup> Human Rights Watch interview with Kenneth A., Kampala, March 21, 2021.

<sup>138</sup> Ibid.

<sup>139</sup> Ibid.

<sup>140</sup> The Joint Anti-Terrorism Task Force (JATT), formed in 1999, draws its personnel from the armed forces, the police, and internal and external intelligence organizations. The CMI has operational command. Although JATT has no codified mandate, the head of the CMI told Human Rights Watch that JATT was established to deal with the threat posed by the Allied Democratic Forces (ADF), a Ugandan rebel group based in the Democratic Republic of Congo. However, individuals allegedly linked to other groups, such as Al-Qaeda, have been taken into JATT’s custody and tortured.

<sup>141</sup> Human Rights Watch interview with Kenneth A., Kampala, March 21, 2021.

<sup>142</sup> Ibid.



During his detention in the JATT cell, Kenneth A. said he was taken to an office on an upper floor where an officer interrogated him about his relationship with the NUP and demanded that he make a statement. Kenneth A. said the officer caned him on his feet, waist, and back and gave him electric shocks on his feet for several days.<sup>143</sup>

The officers made Kenneth A. and the other detainees, wear red berets and raise their fists to depict the NUP insignia, and took pictures of them. He later realized this would be used as evidence against them.<sup>144</sup> In 2019, the government had designated red berets as official military clothing and made it a criminal offense for non-soldiers to possess them under section 160 of the 2005 Uganda People’s Defense Force (UPDF) Act.<sup>145</sup>

About a week later, Kenneth A. and six others were brought in chains to a military court, where soldiers surrounded and accused them of wearing military attire, which Kenneth A. denied. They were not allowed legal representation. Then, they were remanded to Makindye military prison. Kenneth A. was not allowed to meet anyone, including lawyers or relatives, but he managed to send messages to his family through released detainees. On several occasions, Kenneth A. was brought before the court and accused of the same charges, which he always denied.<sup>146</sup>

After six weeks of searching for him in different detention facilities, Kenneth A.’s family discovered his location through a high-ranking government official. He was released after his family paid 800,000 Ugandan shillings (US\$225) to unnamed officials.<sup>147</sup>

## Arbitrary Arrests and Trials of Government Critics

In addition to targeting people for supporting opposition parties around the elections, security forces harassed and arrested government critics. Although these people were held

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<sup>143</sup> Ibid.

<sup>144</sup> Ibid.

<sup>145</sup> “NUP Jinja coordinator arrested over wearing red beret,” *The Observer*, September 14, 2020, <https://observer.ug/news/headlines/66550-nup-jinja-coordinator-arrested-over-wearing-red-beret>; Uganda People’s Defence Forces Marks, Accessories, Insignia, Decoration and Uniform, General Notice No. 1013 of 2019, *The Uganda Gazette* Vol. CXII No. 46, September 18, 2019, <https://gazettes.africa/archive/ug/2019/ug-government-gazette-dated-2019-09-18-no-46.pdf>.

<sup>146</sup> Human Rights Watch interview with Kenneth A., Kampala, March 21, 2021.

<sup>147</sup> Ibid.

in authorized places of detention, they were denied access to lawyers and family members.

On December 22, 2020, armed policemen abducted notable human rights lawyer, Nicholas Opiyo; three other lawyers, Herbert Dakasi, Anthony Odur, and Simon Peter Esomu Obure; and an NUP official, Hamid Tenywa, from a restaurant in Kampala. The four lawyers had met to share information about the killings during the November 18 and 19 protests. Shortly after they began their meeting, at least ten armed men wearing plainclothes, helmets, and bulletproof jackets arrived at the restaurant. Obure described the moment the armed men approached the group:

We were wondering, why have they come, these highly armed persons, holding very sophisticated weapons? They told whoever was around to stop what they were doing and pointed to our table and ordered us to surrender everything in our possession. If you'd come with a car, you had to surrender the car keys. You had to surrender all electronic equipment, laptops, and phones.<sup>148</sup>

The armed men confiscated their documents, money, laptops, and phones and then handcuffed and bundled all five into two waiting “Drones.” Dakasi, Obure, and Odur were in one vehicle, and Opiyo and Tenywa were in another. Once they were in the “Drones,” the armed men blindfolded and began to beat them. “They would punch around the ribs and the back,” said Obure. “They slapped you on the cheeks. They would just beat us and call us criminals.”<sup>149</sup>

The men then drove them to the police Special Investigations Division (SID) headquarters in Kireka, Kampala, where they were denied access to lawyers and family members for one day.<sup>150</sup> During their detention, an official asked Obure and Odur to reveal their phone passwords, which they refused to do.<sup>151</sup> The police released Obure, Odur, Dakasi, and

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<sup>148</sup> Human Rights Watch interview with Simon Peter Esomu Obure, November 19, 2021.

<sup>149</sup> Human Right Watch interview with Simon Peter Esomu Obure, November 19, 2021.

<sup>150</sup> “Update on the detention of Nicholas Opiyo on frivolous charges,” Chapter Four Uganda press release, December 23, 2020, <https://chapterfouruganda.org/articles/2020/12/24/update-detention-nicholas-opiyo-frivolous-charges>.

<sup>151</sup> Human Rights Watch interviews with Simon Peter Esomu Obure, November 19, 2021, and Anthony Odur, November 19, 2021.

Tenywa on police bond on December 24, without charge.<sup>152</sup> According to Obure and Odur, as of mid-November 2021, the officials had not returned their confiscated belongings.<sup>153</sup>

On December 24, the authorities charged Opiyo with money laundering, alleging that he had received \$340,000 on behalf of Chapter Four Uganda, the nongovernmental organization he leads, knowing that the funds were “proceeds of crime.” Chapter Four Uganda denied the allegation, noting that the said funds were part of a routine grant to support its human rights work.<sup>154</sup> Opiyo was granted bail by the court on December 30, 2020, and on September 13, 2021, the Director of Public Prosecutions withdrew the money laundering charges against him.<sup>155</sup>

The authorities have similarly abducted and filed bogus charges against others for conduct or expression they considered critical or offensive. On February 5, 2021, two armed men in plainclothes, claiming to be contractors with the national water company, arrested law student, Michael Muhima, at his home in Kampala, over a November 3, 2020, tweet of a picture of police spokesperson Fred Enanga, which Muhima had captioned: “We arrested Mr. Kyagulanyi as part of our investigation into Mr. Amuriat’s missing shoes.” The tweet referred to the police’s arrest that day of Kyagulanyi, which happened after another detained opposition presidential candidate, Patrick Amuriat of the Forum for Democratic Change, was released without his shoes.<sup>156</sup>

The two men confiscated Muhima’s phone, dragged him at gunpoint into a waiting car.

He grabbed me by the waist and also on the shirt. I was like, “What’s going on?” [Another] guy comes from around the back. He is dressed in white and a mask. Normal clothes. He is carrying a rifle. He runs towards me and also

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<sup>152</sup> “Update on the detention of Nicholas Opiyo on frivolous charges,” Chapter Four Uganda press release, December 23, 2020, <https://chapterfouruganda.org/articles/2020/12/24/update-detention-nicholas-opiyo-frivolous-charges>.

<sup>153</sup> Human Rights Watch interviews with Simon Peter Esomu Obure, November 19, 2021, and Anthony Odur, November 19, 2021.

<sup>154</sup> “Uganda: Harassment of Civil Society Groups,” Human Rights Watch news release, August 27, 2021, <https://www.hrw.org/news/2021/08/27/uganda-harassment-civil-society-groups>.

<sup>155</sup> “Uganda Drops Money Laundering Charges against Human Rights Lawyer,” VOA, September 14, 2021, <https://www.voanews.com/a/6226024.html>; “Uganda human rights lawyer, Nicholas Opiyo granted bail,” *Africanews*, December 31, 2020, <https://www.africanews.com/2020/12/31/uganda-human-rights-lawyer-nicholas-opiyo-granted-bail/>.

<sup>156</sup> “Uganda: Drop Charges Against Law Student,” Human Rights Watch news release, May 20, 2021, <https://www.hrw.org/news/2021/05/20/uganda-drop-charges-against-law-student>.

grabbed me the same way but at the front. Before I could comprehend that whole situation, a third guy comes through. Putting on an African print shirt, bald headed, but taller. Also putting on a mask and armed. I was grabbed the same way by all three. I was just frozen ... for them, they took it as me trying to resist arrest. One of the guys asks me, “Are you trying to resist?” I said, “No, wherever you are taking me. Let’s go.” I am dragged away towards a car.<sup>157</sup>

The men drove him to the Crime Intelligence Directorate office in Bukoto, Kampala, where he was questioned about his tweet. Later that day, he was transferred to the SID in Kireka, where he was detained for five days. During his detention, he was denied access to family members and lawyers, and his family did not know his location. He was released on police bond six days after his arrest.<sup>158</sup>

Muhima reported regularly to the police as required by his bond until May 15, when, the police charged him before a court with the crime of “offensive communication.” The court remanded him to Kitalya prison outside Kampala. On May 19, he was granted a 500,000 Ugandan shillings (\$120) bail.<sup>159</sup>

On September 3, 2021, police arrested opposition parliamentarians, Mohammad Ssegirinya and Allan Ssewanyana of the NUP, allegedly in connection with “murders that took place in Greater Masaka in July and August 2021.”<sup>160</sup> The authorities charged the duo on September 7 with murder, attempted murder, and terrorism charges and sent them to pretrial detention in Kigo prison, Kampala.<sup>161</sup>

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<sup>157</sup> Human Rights Watch interview with Michael Muhima, Kampala, April 24, 2021.

<sup>158</sup> “Uganda: Drop Charges Against Law Student,” Human Rights Watch news release, May 20, 2021.

<sup>159</sup> Ibid.

<sup>160</sup> “Masaka Murders: Police Summon MPs Muhammad Ssegirinya and Allan Ssewanyana,” *Monitor*, September 30, 2021, <https://www.monitor.co.ug/uganda/news/national/masaka-murders-police-summon-mps-muhammad-ssegirinya-and-allan-ssewanyana--3536938>; “Masaka killings: Police summons MPs Ssegirinya, Ssewanyana,” *The Observer*, September 3, 2021, <https://observer.ug/news/headlines/71093-masaka-killings-police-summons-mps-ssegirinya-ssewanyana>.

<sup>161</sup> “Masaka killings: MPs Ssewanyana, Ssegirinya remanded for 6 months,” *The Observer*, September 7, 2021, <https://observer.ug/news/headlines/71116-masaka-killings-mps-ssewanyana-ssegirinya-remanded-for-6-months>; “Ssegirinya and Ssewanyana charged with murder, remanded,” NTVUganda video on YouTube, September 7, 2021, <https://www.youtube.com/watch?v=NwKP4wHADaw>.

On September 24, a court released Ssewanyana on bail, but as he was leaving the prison, armed men outside bundled him into an unmarked “Drone” and drove him to an unknown destination. That evening, Ugandan army spokesperson, Flavia Byekwaso, confirmed joint security forces had rearrested Ssewanyana and said the Police Special Investigations Division (SID) in Kireka was holding him on “other charges,” without more details.<sup>162</sup> On September 27, a SID official informed Ssewanyana’s lawyers that he had been transferred to SID that day from another location, where he had been held since his rearrest.<sup>163</sup> Although SID officers still initially denied holding Ssewanyana, when his lawyer initially sought access to him on September 27, the lawyer was finally able to meet Ssewanyana briefly. The lawyer also learned that the authorities were bringing another murder charge against Ssewanyana.<sup>164</sup>

Meanwhile, Ssegirinya was also released by a court on bail on September 27. However, shortly after his release a “Drone” with masked, armed men, dressed in black, chased the vehicle Ssegirinya was in, hit it and forced it to pull over. The men then grabbed and forced Ssegirinya into the “Drone,” and drove off with him.<sup>165</sup> The police spokesperson said that Ssegirinya had been “rearrested on fresh charges of treason and incitement to violence by the joint security task team of investigators”<sup>166</sup> and transferred to Kireka to record a statement.<sup>167</sup> Ssegirinya and Ssewanyana were taken to a court in Masaka on September 28, charged with murder, and remanded to prison.<sup>168</sup> At the hearing rearrest, their lawyers and family members were allowed access to them. Both Ssewanyana and Ssegirinya remain in pre-trial prison custody at time of writing.

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<sup>162</sup> “How Hon Allan Ssewanyana was arrested, driven off up to the final destination,” *Bivanda*, September 24, 2021, <https://www.bivanda.com/2021/09/24/action-how-hon-allan-ssewanyana-was-arrested-driven-off-up-to-the-final-destination/>; Benson Tumusiime, Derrick Wandera, “MP Ssewanyana rearrested, taken to Kireka,” *Monitor*, September 24, 2021, <https://www.monitor.co.ug/uganda/news/national/video-mp-ssewanyana-rearrested-taken-to-kireka-3561000>.

<sup>163</sup> Human Rights Watch interview with Shamim Malende, September 28, 2021.

<sup>164</sup> [https://twitter.com/EriasLukwago\\_/status/1442540700734681093](https://twitter.com/EriasLukwago_/status/1442540700734681093).

<sup>165</sup> “How Hon Allan Ssewanyana was arrested, driven off up to the final destination,” *Bivanda*, September 24, 2021; Human Rights Watch interview with Shamim Malende, September 28, 2021.

<sup>166</sup> <https://twitter.com/PoliceUg/status/1442534011675594755>.

<sup>167</sup> <https://twitter.com/PoliceUg/status/1442534015240708102>.

<sup>168</sup> Elias Biryabarema, “Lawmakers allied to Uganda opposition leader charged with murder,” *Reuters*, September 29, 2021, <https://www.reuters.com/world/africa/lawmakers-allied-uganda-opposition-leader-charged-with-murder-2021-09-29/>.

The authorities had arbitrarily arrested Ssegirinya on previous occasions, including on March 22, 2021, for participating in a protest in Kampala against detention of NUP party supporters.<sup>169</sup>

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<sup>169</sup> Kiberu Paul, “Ssegirinya arrested,” *New Vision*, March 22, 2021, <https://www.newvision.co.ug/articledetails/95481>; George Okello, “MP Segirinya remanded for protesting over missing persons,” *PML Daily*, March 22, 2021, <https://www.pmldaily.com/news/2021/03/mp-segirinya-remanded-for-protesting-over-missing-persons.html>.

### III. Victims' Post-Release Challenges

They tortured me for nothing. I am requesting my rights and compensation. I am now jobless, doing nothing, struggling for nothing. But the man who did this is now free, swimming, and eating.<sup>170</sup>

— Former ISO detainee, May 2021

Months, and in some cases years, after the experience of unlawful detention and torture, victims have continued to experience surveillance and threats from their abusers, who have enjoyed impunity. The former detainees also said they had lost income while they were unlawfully detained, had property confiscated at the time of their arrest which was never returned, and all had physical and mental health problems that stemmed from their time in arbitrary detention.

#### Surveillance and Threats

Five former safehouse detainees told Human Rights Watch that after their release, agents of the state continued to monitor and threaten them not to speak publicly about their experiences.<sup>171</sup> An ISO official harassed one victim after he tried to contact human rights organizations to report his experience:

After my release, I started making appointments [to visit] human rights bodies. I received a call. I was told we should desist from it, we should stop it, that what we are doing is going to cause more problems for us. The person who called me was one of the ISO guys, one of the ones who arrested me. He told me he is one of them and he knows me. I don't know his name [but] I could remember his voice.<sup>172</sup>

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<sup>170</sup> Human Rights Watch interview with Boris D., Kampala, May 18, 2021.

<sup>171</sup> Human Rights Watch interviews with Rachel N., Kampala, April 22, 2021; Michael H., April 27, 2021; Boris D., Kampala, May 18, 2021; Matthew K., Kampala, May 18, 2021; and James Mulira, 18 March 2020.

<sup>172</sup> Human Rights Watch interview with James Mulira, 18 March 2020.

When victims began mobilizing and sharing their stories with Parliament, another victim received death threats. “[ISO director] Kaka [Bagyenda] promised me two things,” she recounted. “When you go out and make noise, I am going to arrest you and kill you.”<sup>173</sup>

## Loss of Income and Property

Many of the detainees interviewed reported that they had lost income because they were detained for several months and even when they were released the stigma attached to former detainees made it difficult to work. “Everybody rejected me because they said, ‘If you follow this lady, people will start to kill you’,” explained Rachel N., who was abducted by ISO and detained in a safehouse in 2019.<sup>174</sup>

In all the cases documented by Human Rights Watch, security agents confiscated property and money from detainees during their arrests. Kenneth A. approached the CMI to seek the return of his computers, which he used for his work. CMI demanded money to return the goods, but despite Kenneth A. paying the sum demanded by CMI officials, they still did not return his computers.<sup>175</sup>

Injuries from being tortured prevented some people from working and earning an income. Ronald Segawa said he could not continue his carpentry work because his doctors had to amputate two of his fingers, which had become infected following the removal of his fingernails.<sup>176</sup>

In at least two instances, ISO officials tried to exploit unemployed former detainees by attempting to recruit and pay them as ISO informants and spies in exchange for their silence regarding their detention and custodial abuse.<sup>177</sup> Rachel N. said Bagyenda, the ISO head met with her:

He told me, “My daughter, you have lost your job. I am going to give you work.” He gave me two million shillings (US\$560). “Go and get treatment.”

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<sup>173</sup> Human Rights Watch interview with Rachel N., Kampala, April 22, 2021.

<sup>174</sup> Ibid.

<sup>175</sup> Human Rights Watch interview with Kenneth A., Kampala, March 21, 2021.

<sup>176</sup> Human Rights Watch interview with Ronald Segawa, Kampala, November 6, 2021.

<sup>177</sup> Human Rights Watch interviews with Rachel N., Kampala, April 22, 2021; and Michael H., April 27, 2021.



He told me, “Don’t go to media. Don’t go to any human rights office. I am going to give you 150 million Ugandan shillings (US\$42,000). I am going to talk to the organization [you worked for]. I am going to reconcile you with your husband. I want you to get better treatment. And I want to give you a job to be spying on people.”<sup>178</sup>

Rachel N. refused his offer.<sup>179</sup>

## Physical Health Concerns

All of the former detainees who spoke to Human Rights Watch have chronic injuries and health problems as a result of custodial abuse and torture. Musa Male described the impact of the poor detention conditions on his well-being:

Even up to now, all my body hurts. Our eyes are not in good condition because we spent those days where you are not seeing anything outside, you are just in darkness.... Now we are trying to get some treatment so we can be ok.<sup>180</sup>

Keith S. said his leg still hurts and he is unable to walk properly since his leg was dislocated during his detention.<sup>181</sup>

Some victims have sought and received support from NGOs, such as the African Centre for Treatment and Rehabilitation of Torture Victims (ACTV).<sup>182</sup> However, ACTV and other NGOs are also limited in the number of people they can help. In addition, many victims said they were unaware of the services NGOs provide.<sup>183</sup>

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<sup>178</sup> Human Rights Watch interview with Rachel N., Kampala, April 22, 2021

<sup>179</sup> Ibid.

<sup>180</sup> Human Rights Watch interview with Musa Male, March 23, 2021.

<sup>181</sup> Human Rights Watch interview with Keith S., February 25, 2021.

<sup>182</sup> Human Rights Watch interview with Rachel N., Kampala, April 22, 2021.

<sup>183</sup> Human Rights Watch interview with Samuel Herbert Nsubuga, ACTV CEO, Kampala, January 16, 2020.

## Mental Health Concerns

All of the former detainees told Human Rights Watch they were struggling to cope with ongoing trauma due to their harrowing experiences. “The day [after my release], I was admitted at Kibuli [hospital],” Kenneth A. said, “they told me it is trauma. It is affecting me till now.”<sup>184</sup>

Those who found work after their release said they had trouble focusing and as a result were less efficient and productive at work. James Mulira, a lawyer, expressed a desire for psychosocial support so he can resume working properly and reintegrate into his community:

I would like to go through formal counseling. This thing has really tortured me.... I feel [as if] it was one week, but I was there for over a year.... I am not settled. Even my productivity at work. There are many things I am failing to do. I had loans I am failing to finance. I think about many things.<sup>185</sup>

Family members of current detainees are traumatized by not knowing the fate or whereabouts of their loved ones. A woman whose husband was abducted in November 2020 expressed her distress in the absence of answers:

I really want to know where he is. Right now, I am at home. I have four children. He was the one who worked. Now my children are suffering. I don't know where he is. I just want to know where he is.<sup>186</sup>

## Desire for Justice

All the victims who spoke to Human Rights Watch expressed strong desire for their abusers to be held accountable. Musa Male, who was abducted during the Mukono operation in December 2020, prioritized this above all else:

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<sup>184</sup> Human Rights Watch interview with Kenneth A., Kampala, March 21, 2021.

<sup>185</sup> Human Rights Watch phone interview with James Mulira, March 18, 2020.

<sup>186</sup> Human Rights Watch phone interview with Rose Nakayiza, February 25, 2021.

What I would like now is justice. I only need justice.... Many things were done to our lives, but we never got anything. They removed our nails. They beat us. Even our bones. We need to see those people who were doing those things to us when they have been taken to court. [We need them] to tell us why they are doing those bad things to our lives. That's the only justice we need.<sup>187</sup>

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<sup>187</sup> Human Rights Watch phone interview with Musa Male, March 23, 2021.

## IV. Inadequate Government Response

The government's inadequate response has frustrated victims of the abuses documented in this report. According to media reports and government statements, authorities did arrest some of those responsible for unlawful detentions. However, accountability has for the main part been absent and no action has been taken against the perpetrators of the abuses documented in this report. This is, notwithstanding, calls by Parliament, victims, and their families for justice.

In its report on safehouses, Parliament's Human Rights Committee on February 5, 2021, called on the UHRC to conduct further investigations and furnish a report to Parliament.<sup>188</sup> On August 6, 2020, some of the victims and other former safehouse detainees who had testified before the committee also submitted claims to the UHRC.<sup>189</sup>

The UHRC's role in the parliamentary investigation is crucial because the commission is constitutionally mandated to investigate human rights violations and to visit and assess places of detention and their conditions. In addition, it may order the release of a detainee, payment of compensation, or other legal remedies or redress.<sup>190</sup>

Between July 2018 and January 2021, the UHRC did not hold any sessions to hear complaints since July 2018, because it was not able to achieve a quorum of commission members necessary to conduct sessions.<sup>191</sup> The situation was exacerbated when, on November 20, 2019, the then-Chairperson Med Kaggwa died, leaving the position vacant. President Museveni only appointed a new chairperson in July 2021.<sup>192</sup> The delay in filling this position apparently caused further delays in the UHRC's timeline for finishing its investigations, reporting to Parliament, and providing redress to victims.

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<sup>188</sup> Parliament of Uganda, "Report of The Committee on Human Rights on Alleged Torture in Ungazetted Detention Centres in The Country," Kampala, November 2019, <https://www.parliament.go.ug/cmisis/browser?id=49986867-2ebf-4550-afod-55155ff20dab%3B1.o>.

<sup>189</sup> Human Rights Watch interview with Rachel N., Kampala, April 22, 2021.

<sup>190</sup> Uganda Human Rights Commission background, functions and power, <https://www.uhrc.ug/about/>.

<sup>191</sup> Uganda Human Rights Commission, "The 21st Annual Report on the State of Human Rights and Freedoms in Uganda in 2018," p 214, <https://www.uhrc.ug/download/uhrc-21st-annual-report/?wpdmdl=417&refresh=616ed7a79c9f51634654119>.

<sup>192</sup> "UHRC boss Med Kaggwa is dead," Monitor, November 20, 2019,

<https://www.monitor.co.ug/uganda/news/national/uhrc-boss-med-kaggwa-is-dead-1860128>; Kungu Adam, "Mariam Wangadya is the New Uganda Human Rights Commission Chairperson," Soft Power, July 15, 2021, <https://www.softpower.ug/mariam-wangadya-is-the-new-uganda-human-rights-commission-chairperson/>.

For example, on August 6, 2020, members of the Kaka Victims Association—an advocacy group set up by victims of ISO detentions—gave statements to the UHRC but were told their cases could not be heard due to the death of the former chairperson.<sup>193</sup> Four former safehouse detainees told Human Rights Watch they had approached the UHRC but had not received any response at the time we spoke to them in July 2021.<sup>194</sup>

On December 14, 2021, the UHRC published its 2019 annual report to Parliament, reporting that officials visited a reported safehouse in Kyengera and in Zana, a town on the outskirts of Kampala, and Lwamayuba island in Kalangala district. The UHRC reported that since November 2019, the Base One safe house in Kyengera “had been closed and was not functioning.” At Zana and Lwamayuba, the UHRC said it was unable to locate any other reported safehouses.<sup>195</sup>

Media reports indicate that on July 9, military intelligence operatives raided two ISO safehouses in Kyengera town and Kisaasi neighborhood, Kampala, and arrested the soldiers there.<sup>196</sup> The government has not made public more details about any investigations or trial processes at time of writing. About three months after the reported raids, and following Parliament’s investigations into the ISO safehouses, President Museveni fired the then-head of ISO, Bagyenda. Instead of being appropriately disciplined, the president nominated Bagyenda to be appointed as ambassador to Angola.<sup>197</sup> Bagyenda was not appointed as ambassador after he failed to appear before Parliament’s appointments committee on November 5, 2020.<sup>198</sup>

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<sup>193</sup> Human Rights Watch interview with Rachel N., Kampala, April 22, 2021.

<sup>194</sup> On September 29, Chief Justice Alfonso Owiny-Dollo swore in Mariam Wangadya as the new chairperson, as well as four new commissioners, allowing the UHRC to start hearing cases again. “UHRC Chairperson, Commissioners officially received, cautioned by Chief Justice after Swearing-in,” UHRC press release, October 4, 2021, <https://www.uhrc.org/uhrc-chairperson-commissioners-officially-received-cautioned-by-chief-justice-after-swearing-in/>.

<sup>195</sup> Uganda Human Rights Commission, “The 22nd Annual Report on the State of Human Rights and Freedoms in Uganda in 2019,” <https://www.uhrc.org/download/the-22nd-annual-report-2019/?wpdmdl=1600&refresh=6213547e17bfc1645433982> p. <sup>196</sup>; “CMI raids ISO safe houses,” Monitor, July 11, 2020, <https://www.monitor.co.ug/uganda/news/national/cmi-raids-iso-safe-houses-1899220>; Risdal Kasasira, “Uganda: Why Museveni Ordered Raid on Iso Safe Houses,” All Africa, October 26, 2020, <https://allafrica.com/stories/202010260405.html>.

<sup>197</sup> Risdal Kasasira, “Sacked ISO boss Bagyenda appointed ambassador,” Monitor, October 19, 2020, <https://www.monitor.co.ug/uganda/news/national/sacked-iso-boss-bagyenda-appointed-ambassador-2484748>; “Kaka Bagyenda Appointed Uganda’s Ambassador to Angola, Chimp Reports, October 19, 2020, <https://chimpreports.com/kaka-bagyenda-appointed-ugandas-ambasador-to-angola/>.

<sup>198</sup> Alex Otto, “Ex-ISO Boss Kaka No-Show as Parliament Vets Appointees,” Uganda Radio Network, November 5, 2020, <https://ugandaradionetwork.net/story/ex-iso-boss-kaka-no-show-as-parliament-vets-appointees>; Risdal Kasasira, “Uganda: Kaka On Verge of Losing Angola Job,” All Africa, March 17, 2021, <https://allafrica.com/stories/202103170844.html>.

The authorities have failed to provide information about the progress of the police investigation into allegations that Ronald Kibuule was involved in election-related abductions and enforced disappearances.<sup>199</sup> During a televised speech on February 13, 2021, President Museveni undermined potential investigations into the enforced disappearances by denying that people had been forcibly disappeared. He said these abuses “can’t happen” under the ruling party NRM and claimed some of those feared forcibly disappeared were indeed under arrest. “Even if the mistake is made, it would be addressed and answered. We never cover up. There is nothing which we do and hide,”<sup>200</sup> he said. Human Rights Watch’s research findings refute those claims.

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<sup>199</sup> Arafat Nzito, “IGP Ochola Orders Probe into Minister Kibuule Over Missing Persons,” *Chimp Reports*, January 27, 2021, <https://chimpreports.com/igp-ochola-orders-probe-into-minister-kibuule-over-missing-persons/>; Human Rights Watch interview with Abdallah Kiwanuka, November, 18, 2021.

<sup>200</sup> Patience Ahimbisibwe, Benson Tumusiime, Security Quiet on Abductees Despite Museveni Order,” *Monitor*, February 15, 2021, “<https://www.monitor.co.ug/uganda/news/national/security-quiet-on-abductees-despite-museveni-order--3292234>; “Opposition Anger as Uganda’s Museveni Rejects Abduction Reports,” *All Africa*, <https://allafrica.com/view/group/main/main/id/00076804.html>.

## **V. Applicable Legal Standards**

Uganda is a party to the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (Convention against Torture), and the Convention on the Elimination of All Forms of Discrimination against Women (CEDAW). Uganda has also ratified the African Charter on Human and Peoples' Rights (African Charter) and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol).

Uganda's 1995 Constitution and other domestic laws—the Penal Code Act, the Criminal Procedure Code, the Police Act, the Uganda People's Defence Forces Act, the Prevention and Prohibition of Torture Act, and the Human Rights (Enforcement) Act—include further rules for the arrest and treatment of detainees.

Uganda has binding obligations under these regional and international human rights laws, as well as its own domestic laws, which all prohibit arbitrary arrests, arbitrary detentions, enforced disappearances, and the torture and ill-treatment of detainees, including through sexual and gender-based violence. Those laws also require that violations are effectively investigated, when appropriate prosecuted, and that victims have access to a remedy.

### **Prohibitions against Arbitrary Arrest and Detention**

Article 23 of Uganda's Constitution provides that “no person shall be deprived of personal liberty” except in a given set of circumstances, such as the execution of a sentence or court order, to prevent the spread of an infectious or contagious disease, or to prevent unlawful entry into the country. Article 9 of the ICCPR, and Article 6 of the African Charter prohibit the deprivation of liberty except in accordance with existing law.

Importantly, an arrest or detention may be authorized by domestic law and still be considered arbitrary under international human rights law. An arrest or detention is arbitrary if it includes elements of inappropriateness, injustice, and a lack of lack of

predictability, due process of law, reasonableness, necessity, and proportionality.<sup>201</sup> According to the UN Working Group on Arbitrary Detention, examples of arbitrary detention, include arresting persons without a warrant when domestic law requires it, not informing them of the reasons for their arrest, and not filing charges against them within a reasonable period of time.

## Lawful Arrests under Ugandan Law

The Uganda Police Force (UPDF), and private persons are all authorized to make arrests in Uganda. However, UPDF soldiers may only make arrests in relation to offences specifically provided for under the UPDF Act.<sup>202</sup> The UPDF Act also allows soldiers to assist the police “to prevent loss of life or serious loss of or damage to property, or for other purposes when the public interest so require.”<sup>203</sup>

A police officer or a private person may deprive a person of their liberty without a warrant if they have “reasonable cause to suspect that the person has committed or is about to commit an arrestable offence.”<sup>204</sup> If a private person makes an arrest, they must hand the arrested person over to a police officer or take them to the nearest police station.<sup>205</sup> Police officers are obligated to bring a person arrested without a warrant before a magistrate’s court within 24 hours, as opposed to the standard 48 hours.<sup>206</sup>

The Criminal Procedure Code Act prohibits the use of “greater force than was reasonable in the particular circumstances” in conducting arrests.<sup>207</sup>

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<sup>201</sup> Human Rights Committee, General Comment No.35, Liberty and Security of the Person, CCPR/C/GC/35 (2014) adopted December 16, 2014, [http://tbinternet.ohchr.org/\\_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=8&DocTypeID=11](http://tbinternet.ohchr.org/_layouts/treatybodyexternal/TBSearch.aspx?Lang=en&TreatyID=8&DocTypeID=11).

<sup>202</sup> Section 185, Uganda Peoples’ Defence Forces Act, 2005.

<sup>203</sup> Sections 42 and 43, Uganda Peoples’ Defence Forces Act, 2005.

<sup>204</sup> Section 23, Police Act, 1994. Section 10, Criminal Procedure Code Act, 1950 outlines nine specific circumstances under which a police officer may conduct an arrest without an arrest warrant, including of “any person whom he or she suspects upon reasonable grounds of having committed a cognisable offence.”

<sup>205</sup> Section 16, Criminal Procedure Code Act, 1950.

<sup>206</sup> Section 17, Criminal Procedure Code Act, 1950.

<sup>207</sup> Section 2, Criminal Procedure Code Act, 1950.



## Prohibition against Enforced Disappearances

Enforced disappearances occur when the state or state agents deprive a person of liberty, but the authorities then deny they are holding the person or refuse to give information about their fate or whereabouts. Enforced disappearances violate the rights to life, liberty and security of the person, and freedom from torture and cruel, inhuman, or degrading treatment or punishment. The person who was taken as well as their relatives are considered victims of enforced disappearances. Enforced disappearances are prohibited in absolute terms under international law and there is also an International Convention for the Protection of All Persons from Enforced Disappearance. Uganda signed the Convention in 2007 but has yet to ratify it.

## Rights During Detention

The Ugandan Constitution aligns with international law and human rights norms in its provisions on the rights of persons in detention. Under the constitution, an arrested or detained person must be kept in a place authorized by law (a location published in the Uganda Gazette). A detainee must be informed of the reason for their arrest or detention and brought before a court within 48 hours of their arrest. Detainees must be allowed reasonable access to their lawyer, next-of-kin, and personal doctor. Detainees have the right to habeas corpus, meaning that they can request a court to order a review of the lawfulness of their detention and, if the detention is not lawful, to order their release.<sup>208</sup>

Under international law, every detainee has the right to health, including healthcare, and to adequate conditions of detention.<sup>209</sup>

## Prohibition against Torture and the Ill-Treatment of Detainees

The mistreatment of detained persons is always illegal under international human rights law. The Convention against Torture, which Uganda ratified in 1986, prohibits torture and cruel, inhuman, or degrading treatment or punishment in all circumstances and calls on states parties to criminalize such acts.

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<sup>208</sup> Article 23, Constitution of Uganda.

<sup>209</sup> International Covenant on Economic, Social and Cultural Rights (ICESCR), adopted December 16, 1966, entered into force January 3, 1976, article 12; Standard Minimum Rules for the Treatment of Prisoners, rule 17.

Ugandan domestic law does just that. The constitution explicitly provides for freedom from torture and cruel, inhuman, or degrading treatment or punishment.<sup>210</sup>

The Prevention and Prohibition of Torture Act of 2012 specifically criminalizes torture.<sup>211</sup> Under the Act, public officials may be held liable for direct and superior responsibility over a subordinate's actions. Superior responsibility attaches if a subordinate committed torture and the superior the superior knew, or should have known but consciously disregarded information, that the subordinate was committing or about to commit torture; the subordinate's acts fell under the superior's responsibility and control; and the superior failed to properly investigate, pursue administrative and disciplinary measures, and cooperate with judicial authorities to prosecute the act.<sup>212</sup> The Act also states that a person shall not be punished for disobeying an order to torture or mistreat someone.<sup>213</sup>

This law also prohibits the transfer of persons to places where the likelihood of torture exists or to non-gazetted places of detention. However, there is no criminal sanction for making such unlawful transfers.<sup>214</sup>

The Human Rights (Enforcement) Act of 2019 provides that public officers who commit human rights violations, including both torture and cruel, inhuman, or degrading treatment or punishment, may be held personally liable.<sup>215</sup>

In 1986, Uganda ratified the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment, but has not yet ratified its 2006 Optional Protocol

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<sup>210</sup> Articles 24 and 44(a), Constitution of Uganda.

<sup>211</sup> Section 4, Prevention and Prohibition of Torture Act, 2012.

<sup>212</sup> Section 10, Prevention and Prohibition of Torture Act, 2012.

<sup>213</sup> Section 4, Prevention and Prohibition of Torture Act, 2012.

<sup>214</sup> Section 16 (1), Prevention and Prohibition of Torture Act, 2012, provides that "a person shall not where there are reasonable grounds to believe that a prisoner or detainee is likely to be tortured – (a) release, transfer or order the release or transfer of a prisoner or detainee into the custody or control of another person or group of persons or government entity; (b) transfer, detain or order the transfer or detention of a prisoner or detainee to a non-gazetted place of detention; or (c) intentionally or recklessly abandon or prisoner or detainee in any place where there are reasonable grounds to believe that the prisoner or detainee is likely to be tortured."

<sup>215</sup> Section 10, The Human Rights (Enforcement) Act, 2019.

which requires state parties to set up one or several bodies that may conduct visits to places where persons are deprived of their liberty. <sup>216</sup>

## Accountability and Remedies

International human rights law and Ugandan law enshrine the right to a remedy for violations of one's rights. Articles 2(1) and 2(3) of the ICCPR require states parties to respect the rights in the Covenant and provide effective remedies for violations. Under Article 50 of the constitution, anyone who claims that their constitutional rights or freedoms have been violated is entitled to apply to a court for redress, as described below.<sup>217</sup>

The Prevention and Prohibition of Torture Act and the Human Rights (Enforcement) Act require accountability and remedies for torture, ill-treatment, and other abuses by public officials.

### *i. The Prevention and Prohibition of Torture Act*

The Prevention and Prohibition of Torture Act codifies the duty of a person who suspects or has reasonable grounds to suspect torture is being committed to report their suspicion of torture to the police or the UHRC.<sup>218</sup> The police and the UHRC must investigate offences where they suspect or have reasonable grounds to believe torture has been or is about to be committed.<sup>219</sup>

The Act empowers Ugandan courts to order compensation for economically assessable damage, rehabilitation (including medical psychological care), or restitution to victims of torture (including the return of confiscated property or payment for harm).<sup>220</sup>

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<sup>216</sup> Article 3, Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment.

<sup>217</sup> Article 50 provides: "Any person who claims that a fundamental or other right or freedom guaranteed under this Constitution has been infringed or threatened, is entitled to apply to a competent court for redress which may include compensation."

<sup>218</sup> Section 20, Prevention and Prohibition of Torture Act, 2012.

<sup>219</sup> Regulation 4, Prevention and Prohibition of Torture Regulations, 2017.

<sup>220</sup> Section 6, Prevention and Prohibition of Torture Act, 2012.

*ii. Human Rights (Enforcement) Act*

A person whose constitutional rights or freedoms have been infringed or threatened may apply to a competent court for redress without prejudice to any other lawful actions regarding the same matter.<sup>221</sup>

A public officer who violates or participates in the violation of a person's rights or freedoms shall be held personally liable for their actions. If a competent court finds the public officer responsible for the violation, the public officer must provide a portion of any court-ordered compensation or restitution.<sup>222</sup>

Furthermore, an “unreasonably detained” person may petition the High Court for release. An “unreasonably detained” person may be someone whose detention exceeded 48 hours after their arrest without being brought before a competent court; whose procedure leading to their detention was irregular or unlawful; whose continued detention has no justifiable reasons; or whose non-derogable rights have been infringed.<sup>223</sup>

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<sup>221</sup> Section 3, Human Rights (Enforcement) Act, 2019.

<sup>222</sup> Section 10, Human Rights (Enforcement) Act, 2019.

<sup>223</sup> Section 15, Human Rights (Enforcement) Act, 2019.

## **Acknowledgements**

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This report was also reviewed by Juliana Nnoko-Mewanu, senior researcher in the Women's Rights division; Claudio Francavilla, EU advocate; and Carine Kaneza Nantulya, Africa advocacy director.

Najma Abdi, coordinator in the Africa division, provided editorial and production assistance. The report was prepared for publication by Travis Carr, senior publications coordinator. Audrey Wabwire, media manager, wrote the interview accompanying the report; and, Kathleen Rose, senior editor, reviewed the press release accompanying the report.

We would like to thank the many individuals who shared their experiences with us. We are also grateful to the government officials, members of parliament, opposition party members, diplomats, human rights activists, journalists, and representatives of non-governmental organizations who shared their views with us.

# Annexes

## Annex I: HRW Letter to Col. (Rtd) Frank Bagyenda

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James Ross, Legal and Policy Director

Board of Directors  
Amy Rao, Co-Chair  
Neil Rimer, Co-Chair



HRW.org

January 17, 2022

Col. (Rtd) Frank Kaka Bagyenda,  
P.O. Box 3593,  
Kampala, Uganda

Transmitted via email

Dear Col. Bagyenda,

**RE: Human Rights Watch Research into Allegations of Unlawful Detention and Abuse in Ungazetted Places of Detention in Uganda**

I am writing to seek your input to Human Rights Watch's research into alleged unlawful detention and abuse in ungazetted places of detention by Ugandan security forces.

As you may know, Human Rights Watch is an independent, international nongovernmental organization that documents human rights abuses in more than 100 countries around the world. We have for many years documented and reported on human rights violations in Uganda. Human Rights Watch is committed to producing material that is comprehensively documented, verified and objective. As part of our research, we are writing to your office to request information.

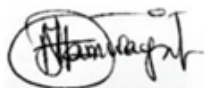
Since at least 2018, Ugandan security forces have been implicated in the arbitrary arrest, enforced disappearances, torture, and the detention of people, mostly without trial, in unregistered facilities in various parts of the country. Human Rights Watch has conducted interviews with witnesses about cases of these abuses by a variety of Ugandan agencies, including the police, the military and Internal Security Organisation officials.

Please find below a summary of findings and a question related to our research into the alleged violations by the security forces. We request your written response to this letter by February 4, 2022, so that we may reflect your responses in our report and other materials. Alternatively, we would welcome the opportunity to schedule an in-person meeting to discuss the research.

Please send your response, or if you wish to arrange a time to discuss the content of this letter, to or call .

Thank you for your attention to this matter.

Sincerely,



Otsieno Namwaya  
East Africa Director  
Human Rights Watch

### **Appendix I: Summary of Findings**

Since 2018, allegations have been made against Ugandan security forces implicating them in the unlawful detention and torture of people, including political opposition supporters and other critics, oftentimes in ungazetted places of detention. Our researchers have talked to a total of thirty-four former detainees and witnesses to abductions that constituted enforced disappearances in Uganda. Former detainees interviewed described being detained in various locations, including inside vehicles, in an underground room at the parliament building, in military barracks, as well as at residential houses converted into purported “safehouses” by the Internal Security Organisation (ISO), and on Lwamayuba island in Kalangala district.

Some of the former detainees accused the security forces of subjecting them to forced labor on a farm on Lwamayuba island. Both men and women said they had been victims of rape and sexual assault in detention. According to several witnesses, Frank “Kaka” Bagyenda, the ISO director general between January 2017 and October 2020, played a central role in the unlawful detention of several victims in ISO “safehouses”, and often personally interacted with detainees. Bagyenda personally visited Lwamayuba around July 2019, spoke to detainees, and promised they would receive medical treatment and be released in groups. Former detainees told Human Rights Watch Bagyenda threatened to arrest and kill them if they spoke publicly about their experiences.

In February 2020, Parliament’s House Committee on Human Rights released a report, concluding that the authorities, including the ISO and other government agencies, were torturing, and abusing detainees in ungazetted places of detention, notably “safehouses”, and in some gazetted detention centers. The committee called on the government, its associated agencies, and the Uganda Human Rights Commission (UHRC) to conduct further investigations.

### **Appendix II: Question**

1. Could you explain your role, if at all, in the detention of people in ISO safehouses and on Lwamayuba island?

# Annex II: HRW Letter to Honorable Jane Frances Abodo

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Thomas Fessy, Senior Researcher  
Zenaide Machado, Senior Researcher  
Tanya Magala, Associate  
Oryem Nyeko, Researcher  
Mahamed Osman, Assistant Researcher  
Nyagah Tut Pur, Researcher  
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HRW.org

January 17, 2022

Honorable Jane Frances Abodo,  
Office of the Director of Public Prosecutions,  
Workers House, Plot 1 Pilkington Road,  
P.O. Box 1550, Kampala, Uganda.

Transmitted via email

Dear Hon., Abodo,

**RE: Human Rights Watch Research into Allegations of Unlawful Detention and Abuse in Ungazetted Places of Detention in Uganda**

I am writing to seek your input to Human Rights Watch's research into alleged unlawful detention and abuse in ungazetted places of detention by Ugandan security forces.

As you may know, Human Rights Watch is an independent, international nongovernmental organization that documents human rights abuses in more than 100 countries around the world. We have for many years documented and reported on human rights violations in Uganda. Human Rights Watch is committed to producing material that is comprehensively documented, verified and objective. As part of our research, we are writing to your office to request information.

Since at least 2018, Ugandan security forces have been implicated in the arbitrary arrest, enforced disappearances, torture, and the detention of people, mostly without trial, in unregistered facilities in various parts of the country. Human Rights Watch has conducted interviews with witnesses about cases of these abuses by a variety of Ugandan agencies, including the police, the military and Internal Security Organisation officials.

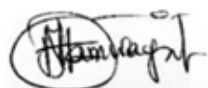
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Please send your response, or if you wish to arrange a time to discuss the content of this letter.

Thank you for your attention to this matter.

Sincerely,



Otsieno Namwaya  
East Africa Director  
Human Rights Watch

### **Appendix I: Summary of Findings**

Since 2018, allegations have been made against Ugandan security forces implicating them in the unlawful detention and torture of people, including political opposition supporters and other critics, oftentimes in ungazetted places of detention. Our researchers have talked to a total of 34 former detainees and witnesses to abductions that constituted enforced disappearances in Uganda. Former detainees interviewed described being detained in various locations, including inside vehicles, in an underground room at the parliament building, in military barracks, as well as at residential houses converted into purported “safehouses” by the Internal Security Organisation (ISO), and on Lwamayuba island in Kalangala district.

Some of the former detainees accused the security forces of subjecting them to forced labor on a farm on Lwamayuba island. Both men and women said they had been victims of rape and sexual assault in detention. According to several witnesses, Frank “Kaka” Bagyenda, the ISO director general between January 2017 and October 2020, played a central role in the unlawful detention of several victims in ISO “safehouses”, and often personally interacted with detainees. Bagyenda personally visited Lwamayuba around July 2019, spoke to detainees, and promised they would receive medical treatment and be released in groups. Former detainees told Human Rights Watch that Bagyenda threatened to arrest and kill them if they spoke publicly about their experiences. The accounts of unlawful detention enforced disappearances and torture also relate to the period during and after Uganda’s January 14, 2021, general elections.

Human Rights Watch found that for several weeks following the November 18-19, 2020, protests against the arrest of Robert Kyagulanyi in Luuka district, security forces carried out a spate of abductions and arrests of opposition supporters, government critics, and other people for allegedly participating in the protests. Armed men, including police, soldiers, and men in plainclothes, took people from the streets, their homes, or their workplaces and transported them in unmarked Toyota Hiace vans, known as “Drones.”

Between December 21 and 23, 2020, men from a “commando unit” rounded up at least 17 people in Mukono district and detained them for at least three weeks. The men released the detainees in a sporadic manner, dropping them off across the country, over the course of a few weeks. During a televised speech on February 13, President Museveni listed the names of 17 people whom he said had been arrested by “commandos” in Mukono but then released.

During the elections period, the police and soldiers from the Ugandan army arrested and detained opposition members with little regard for due process, including little access to family members or lawyers. Authorities ignored the constitutional right to bail and held people in detention even after court decisions granting bail.

On December 30, 2020, police and soldiers arrested Kyagulanyi and at least 126 people, including journalists, passersby and supporters who had accompanied him to a rally on Bugala island, Kalangala. Human Rights Watch found that around 1 p.m. the security forces set up a roadblock and blocked a convoy of National Unity Platform (NUP) supporters from behind and began arresting passengers, beating them up with wire sticks and gun butts, and confiscating their possessions, including phones, money, and cameras. The security forces later ferried them to the mainland while handcuffed and without life vests, and then drove them to Masaka town, where some were taken to a police station while others were transferred to the Kissajjagirwa military barracks. At the police station, the police and soldiers beat them with sticks and batons as they led them into the station, where at least up to 100 of them including men and women were detained in a single police cell for the night.

Although a court granted the detainees bail on January 4, 2021, soldiers surrounded the premises shortly after the court session ended, rearrested 49 of the detainees, and drove them to Masaka Ssaza Prison, where they were further detained.

On January 7, although they had been informed that they were being taken to court, 49 detainees were driven to the Makindye military barracks in Kampala, where they were charged, and remanded to prison, till their release in June 2020. While in detention, detainees who spoke to Human Rights Watch said that they had little to no access to family members during their detention and only had access to legal counsel during court sessions.

In February 2020, Parliament’s House Committee on Human Rights released a report, concluding that the authorities, including the ISO and other government agencies, were torturing, and abusing detainees in ungazetted places of detention, notably “safehouses”, and also in some gazetted detention centers. The committee called on the government, its associated agencies, and the Uganda Human Rights Commission (UHRC) to conduct further investigations.

## **Appendix II: Questions**

1. To what extent has your office implemented the recommendations from the Parliamentary Committee on Human Rights in its February 5, 2020, report, particularly to investigate cases of detention in “safehouses” and other ungazetted places of detention as well as to prosecute alleged perpetrators?
2. Has anyone been prosecuted under the Prevention and Prohibition of Torture Act of 2012? If so, would you please provide details about their cases?

## **Annex III: HRW Letter to Honourable Fox Oywelowo Odoi**

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Neil Rimer, Co-Chair



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**January 17, 2022**

Honourable Fox Oywelowo Odoi,  
Chairperson, Parliament Human Rights Committee,  
Parliament of the Republic of Uganda,  
Plot 16-18 Parliament Avenue,  
P.O BOX 7178, Kampala, Uganda.

Transmitted via email

Dear Hon. Odoi,

**RE: Human Rights Watch Research into Allegations of Unlawful Detention and Abuse in Ungazetted Places of Detention in Uganda**

I am writing to seek your input to Human Rights Watch's research into alleged unlawful detention and abuse in ungazetted places of detention by Ugandan security forces.

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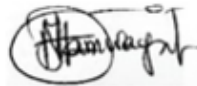
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Please send your response, or if you wish to arrange a time to discuss the content of this letter.

Thank you for your attention to this matter.

Sincerely,



Otsieno Namwaya  
East Africa Director  
Human Rights Watch

### **Appendix I: Summary of Findings**

Since 2018, allegations have been made against Ugandan security forces implicating them in the unlawful detention and torture of people, including political opposition supporters and other critics, oftentimes in ungazetted places of detention. Our researchers have talked to a total of 34 former detainees and witnesses to abductions that constituted enforced disappearances in Uganda. Former detainees interviewed described being detained in various locations, including inside vehicles, in an underground room at the parliament building, in military barracks, as well as at residential houses converted into purported “safehouses” by the Internal Security Organisation (ISO), and on Lwamayuba island in Kalangala district.

Some of the former detainees accused the security forces of subjecting them to forced labor on a farm on Lwamayuba island. Both men and women said they had been victims of rape and sexual assault in detention. According to several witnesses, Frank “Kaka” Bagyenda, the ISO director general between January 2017 and October 2020, played a central role in the unlawful detention of several victims in ISO “safehouses”, and often personally interacted with detainees. Bagyenda personally visited Lwamayuba around July 2019, spoke to detainees and promised they would receive medical treatment and be released in groups. Former detainees told Human Rights Watch that Bagyenda threatened to arrest and kill them if they spoke publicly about their experiences. The accounts of unlawful detention, enforced disappearances and torture also relate to the period during and after Uganda’s January 14, 2021, general elections.

Human Rights Watch found that for several weeks following the November 18-19, 2020, protests against the arrest of Robert Kyagulanyi in Luuka district, security forces carried out a spate of abductions and arrests of opposition supporters, government critics, and other people for allegedly participating in the protests. Armed men, including police, soldiers, and men in plainclothes, took people from the streets, their homes, or their workplaces and transported them in unmarked Toyota Hiace vans, known as “Drones.”

Between December 21 and 23, 2020, men from a “commando unit” rounded up at least 17 people in Mukono district and detained them for at least three weeks. The men released the detainees in a sporadic manner, dropping them off across the country, over the course of a few weeks. During a televised speech on February 13, President Museveni listed the names of 17 people whom he said had been arrested by “commandos” in Mukono but then released.

During the elections period, the police and soldiers from the Ugandan army arrested and detained opposition members with little regard for due process, including little access to family members or lawyers. Authorities ignored the constitutional right to bail and held people in detention even after court decisions granting bail.

On December 30, 2020, police and soldiers arrested Kyagulanyi and at least 126 people, including journalists, passersby and supporters who had accompanied him to a rally on Bugala island, Kalangala. Human Rights Watch found that around 1 p.m. the security forces set up a roadblock and blocked a convoy of National Unity Platform (NUP) supporters from behind and began arresting passengers, beating them up with wire sticks and gun butts, and confiscating their possessions, including phones, money, and cameras. The security forces later ferried them to the mainland while handcuffed and without life vests, and then drove them to Masaka town, where some were taken to a police station while others were transferred to the Kissajagirwa military barracks. At the police station, the police and soldiers beat them with sticks and batons as they led them into the station, where at least up to 100 of them including men and women were detained in a single police cell for the night.

Although a court granted the detainees bail on January 4, 2021, soldiers surrounded the premises shortly after the court session ended, rearrested 49 of the detainees, and drove them to Masaka Ssaza Prison, where they were further detained.

On January 7, although they had been informed that they were being taken to court, 49 detainees were driven to the Makindye military barracks in Kampala, where they were charged, and remanded to prison, till their release in June 2020. While in detention, detainees who spoke to Human Rights Watch said that they had little to no access to family members during their detention and only had access to legal counsel during court sessions.

In February 2020, Parliament’s House Committee on Human Rights released a report, concluding that the authorities, including the ISO and other government agencies, were torturing and abusing detainees in ungazetted places of detention, notably “safehouses”, and also in some gazetted detention centers. The committee called on the government, its associated agencies, and the Uganda Human Rights Commission (UHRC) to conduct further investigations. Former detainees interviewed by Human Rights Watch said they had approached the UHRC but had not received any response at the time we spoke to them and were told their cases would not be heard indefinitely due to the death of the former chairperson.

## **Appendix II: Questions**

1. To what extent has the government and its associated agencies implemented the recommendations of your February 2020 report on safehouses, that you are aware of? Will you be taking any steps to follow up on them?
2. What steps, that you are aware of, has the government undertaken to ensure effective investigations into allegations that government agencies have operated ungazetted places of detention known as “safehouses”?
  - a. How many such “safehouses” were identified and their locations?
  - b. What steps have been taken to close the “safehouses”? Could you provide details including the numbers closed, their locations, and the dates of the closures?
  - c. How many if any have yet to be closed?
3. What steps has the government taken to investigate abductions and enforced disappearances during the 2021 elections, that you are aware of?
4. Has anyone been prosecuted under the Prevention and Prohibition of Torture Act of 2012, that you are aware of? If so, would you please provide details about their cases?

# Annex IV: HRW Letter to Honourable Jim Muhwezi

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January 17, 2022

Honourable Jim Muhwezi,  
Minister for Security,  
Office of the President,  
Apollo Kaggwa Rd,  
P.O. Box 7168,  
Kampala, Uganda.

Transmitted via email.

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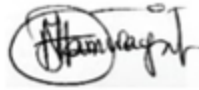


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## Appendix II: Questions

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  - c. How many if any have yet to be closed? Why are they not yet closed and what are the plans to close them?
2. Have the authorities in Uganda taken any legal or administrative measures against any of the officials or guards that were implicated in operating these “safehouses”?
  - a. If so, could you provide further information about how or when?
  - b. If not, could you explain why not?
3. To what extent have you implemented the recommendations of the Parliamentary Committee on Human Rights in its February 5, 2020, report, particularly to follow the established procedures of detention of suspects in accordance with Article 23 (2) of the Constitution of the Republic of Uganda?

# Annex V: HRW Letter to IGP Ochola

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January 17, 2022

Martin Okoth Ochola,  
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Uganda Police Headquarters,  
Katalima Road, Naguru,  
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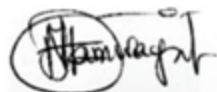


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## Appendix II: Questions

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3. What steps has the police taken to investigate abductions and enforced disappearances during the 2021 elections?
4. Could you provide details about the cases of 17 people that were arrested by “commandos” in Mukono, referred to by President Museveni in his February 13, 2021, television speech? What are their names? Are they still in detention? If so, on which charges and when will they be brought to trial?
5. To what extent have you implemented the recommendations from the Parliamentary Committee on Human Rights in its February 5, 2020, report, particularly to investigate cases of detention in “safehouses” and other ungazetted places of detention as well as to prosecute alleged perpetrators?

# Annex VI: HRW Letter to Mariam Fauzat Wangadya

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James Powell, Chief Technology Officer  
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Board of Directors  
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January 17, 2022

Mariam Fauzat Wangadya,  
Chairperson, Uganda Human Rights Commission,  
Plot No. Plot No. 22 B, Lumumba Avenue,  
P.O Box 4929, Kampala, Uganda.

Transmitted via email

Dear Ms. Wangadya,

**RE: Human Rights Watch Research into Allegations of Unlawful Detention and Abuse in Ungazetted Places of Detention in Uganda**

I am writing to seek your input to Human Rights Watch's research into alleged unlawful detention and abuse in ungazetted places of detention by Ugandan security forces.

As you may know, Human Rights Watch is an independent, international nongovernmental organization that documents human rights abuses in more than 100 countries around the world. We have for many years documented and reported on human rights violations in Uganda. Human Rights Watch is committed to producing material that is comprehensively documented, verified and objective. As part of our research, we are writing to your office to request information.

Since at least 2018, Ugandan security forces have been implicated in the arbitrary arrest, enforced disappearances, torture, and the detention of people, mostly without trial, in unregistered facilities in various parts of the country. Human Rights Watch has conducted interviews with witnesses about cases of these abuses by a variety of Ugandan agencies, including the police, the military and Internal Security Organisation officials.

Please find below a summary of findings and a question related to our research into the alleged violations by the security forces. We request your written response to this letter by February 4, 2022, so that we may reflect your responses in our report and other materials. Alternatively, we would welcome the opportunity to schedule an in-person meeting to discuss the research.

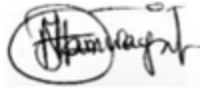


HRW.org

Please send your response, or if you wish to arrange a time to discuss the content of this letter.

Thank you for your attention to this matter.

Sincerely,



Otsieno Namwaya  
East Africa Director  
Human Rights Watch

### **Appendix I: Summary of Findings**

Since 2018, allegations have been made against Ugandan security forces implicating them in the unlawful detention and torture of people, including political opposition supporters and other critics, oftentimes in ungazetted places of detention. Our researchers have talked to a total of 34 former detainees and witnesses to abductions that constituted enforced disappearances in Uganda. Former detainees interviewed described being detained in various locations, including inside vehicles, in an underground room at the parliament building, in military barracks, as well as at residential houses converted into purported “safehouses” by the Internal Security Organisation (ISO), and on Lwamayuba island in Kalangala district.

Some of the former detainees accused the security forces of subjecting them to forced labor on a farm on Lwamayuba island. Both men and women said they had been victims of rape and sexual assault in detention. According to several witnesses, Frank “Kaka” Bagyenda, the ISO director general between January 2017 and October 2020, played a central role in the unlawful detention of several victims in ISO “safehouses”, and often personally interacted with detainees. Bagyenda personally visited Lwamayuba around July 2019, spoke to detainees and promised they would receive medical treatment and be released in groups. Former detainees told Human Rights Watch that Bagyenda threatened to arrest and kill them if they spoke publicly about their experiences. The accounts of unlawful detention, enforced disappearances and torture also relate to the period during and after Uganda’s January 14, 2021, general elections.

Human Rights Watch found that for several weeks following the November 18-19, 2020, protests against the arrest of Robert Kyagulanyi in Luuka district, security forces carried out a spate of abductions and arrests of opposition supporters, government critics, and other people for allegedly participating in the protests. Armed men, including police, soldiers, and men in plainclothes, took people from the streets, their homes, or their workplaces and transported them in unmarked Toyota Hiace vans, known as “Drones.”

Between December 21 and 23, 2020, men from a “commando unit” rounded up at least 17 people in Mukono district and detained them for at least three weeks. The men released the detainees in a sporadic manner, dropping them off across the country, over the course of a few weeks. During a televised speech on February 13, President Museveni listed the names of 17 people whom he said had been arrested by “commandos” in Mukono but then released.

During the elections period, the police and soldiers from the Ugandan army arrested and detained opposition members with little regard for due process, including little access to family members or lawyers. Authorities ignored the constitutional right to bail and held people in detention even after court decisions granting bail.

On December 30, 2020, police and soldiers arrested Kyagulanyi and at least 126 people, including journalists, passersby and supporters who had accompanied him to a rally on Bugala island, Kalangala. Human Rights Watch found that around 1 p.m. the security forces set up a roadblock and blocked a convoy of National Unity Platform (NUP) supporters from behind and began arresting passengers, beating them up with wire sticks and gun butts, and confiscating their possessions, including phones, money, and cameras. The security forces later ferried them to the mainland while handcuffed and without life vests, and then drove them to Masaka town, where some were taken to a police station while others were transferred to the Kissajagirwa military barracks. At the police station, the police and soldiers beat them with sticks and batons as they led them into the station, where at least up to 100 of them including men and women were detained in a single police cell for the night.

Although a court granted the detainees bail on January 4, 2021, soldiers surrounded the premises shortly after the court session ended, rearrested 49 of the detainees, and drove them to Masaka Ssaza Prison, where they were further detained.

On January 7, although they had been informed that they were being taken to court, 49 detainees were driven to the Makindye military barracks in Kampala, where they were charged, and remanded to prison, till their release in June 2020. While in detention, detainees who spoke to Human Rights Watch said that they had little to no access to family members during their detention and only had access to legal counsel during court sessions.

In February 2020, Parliament’s House Committee on Human Rights released a report, concluding that the authorities, including the ISO and other government agencies, were torturing and abusing detainees in ungazetted places of detention, notably “safehouses”, and also in some gazetted detention centers. The committee called on the government, its associated agencies, and the Uganda Human Rights Commission (UHRC) to conduct further investigations. Former detainees interviewed by Human Rights Watch said they had approached the UHRC but had not received any response at the time we spoke to them and were told their cases would not be heard indefinitely due to the death of the former chairperson.



## **Appendix II: Questions**

1. To what extent have you implemented the recommendations of the Parliamentary Committee on Human Rights in its February 5, 2020, report, particularly to investigate and report to Parliament on cases of detention in “safehouses” and other ungazetted places of detention? What is the status of UHRC’s investigations and report into the existence of safehouses in Uganda?
2. Is the government investigating allegations of torture in detention and has anyone been prosecuted under the Prevention and Prohibition of Torture Act of 2012? If so, would you please provide details about their cases?
3. What steps has the UHRC taken to investigate abductions and enforced disappearances during the 2021 elections?

# Annex VII: HRW Letter to Office of the President

350 Fifth Avenue, 34<sup>th</sup> Floor  
New York, NY 10118-3299  
Tel: +1-212-290-4700  
Fax: +1-212-736-1300; 917-591-3452

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Thomas Fassy, *Senior Researcher*  
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James Ross, *Legal and Policy Director*

Board of Directors  
Amy Rao, *Co-Chair*  
Neil Rimer, *Co-Chair*

January 17, 2022

His Excellency President Yoweri Museveni,  
Apollo Kaggwa Rd,  
P.O. Box 7168,  
Kampala, Uganda

Transmitted via email

Your Excellency,

**RE: Human Rights Watch Research into Allegations of Unlawful Detention and Abuse in Ungazetted Places of Detention in Uganda**

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Please find below a summary of findings and a question related to our research into the alleged violations by the security forces. We request your written response to this letter by February 4, 2022, so that we may reflect your responses in our report and other materials. Alternatively, we would welcome the opportunity to schedule an in-person meeting to discuss the research.

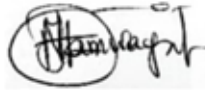


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Please send your response, or if you wish to arrange a time to discuss the content of this letter, to [nvekoo@hrw.org](mailto:nvekoo@hrw.org) or call +1 646 763 1286.

Thank you for your attention to this matter.

Sincerely,



Otsieno Namwaya  
East Africa Director  
Human Rights Watch

### **Appendix I: Summary of Findings**

Since 2018, allegations have been made against Ugandan security forces implicating them in the unlawful detention and torture of people, including political opposition supporters and other critics, oftentimes in ungazetted places of detention. Our researchers have talked to a total of 34 former detainees and witnesses to abductions that constituted enforced disappearances in Uganda. Former detainees interviewed described being detained in various locations, including inside vehicles, in an underground room at the parliament building, in military barracks, as well as at residential houses converted into purported “safehouses” by the Internal Security Organisation (ISO), and on Lwamayuba island in Kalangala district.

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During the elections period, the police and soldiers from the Ugandan army arrested and detained opposition members with little regard for due process, including little access to family members or lawyers. Authorities ignored the constitutional right to bail and held people in detention even after court decisions granting bail.

On December 30, 2020, police and soldiers arrested Kyagulanyi and at least 126 people, including journalists, passersby and supporters who had accompanied him to a rally on Bugala island, Kalangala. Human Rights Watch found that around 1 p.m. the security forces set up a roadblock and blocked a convoy of National Unity Platform (NUP) supporters from behind and began arresting passengers, beating them up with wire sticks and gun butts, and confiscating their possessions, including phones, money, and cameras. The security forces later ferried them to the mainland while handcuffed and without life vests, and then drove them to Masaka town, where some were taken to a police station while others were transferred to the Kissajjagirwa military barracks. At the police station, the police and soldiers beat them with sticks and batons as they led them into the station, where at least up to 100 of them including men and women were detained in a single police cell for the night.

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## Appendix II: Questions

1. What steps has the government undertaken to ensure effective investigations into allegations that government agencies have operated ungazetted places of detention known as “safehouses”?
  - a. How many such “safehouses” were identified and what were their locations?
  - b. What steps have been taken to close the “safehouses”? Could you provide details including the numbers closed, their locations, and the dates of the closures?
  - c. How many, if any, have yet to be closed? Why are they not yet closed and what are the plans to close them?
2. Have the authorities taken any legal or administrative measures against any of the officials or guards that were implicated in operating these “safehouses”?
  - a. If so, could you provide further information about how or when?
  - b. If not, could you explain why not?
3. What steps has the government taken to investigate abductions and enforced disappearances during the 2021 elections?
4. Could you provide details about the cases of 17 people that were arrested by “commandos” in Mukono, referred to by President Museveni in his February 13, 2021, television speech? What are their names? Are they still in detention? If so, on which charges and when will they be brought to trial?
5. To what extent has your government implemented the recommendations of the Parliamentary Committee on Human Rights in its February 5, 2020, report to establish a Victims Compensation Fund for victims of unlawful detention?

## Annex VIII: HRW Letter to PS Rosettie Byengoma

350 Fifth Avenue, 34<sup>th</sup> Floor  
New York, NY 10118-3299  
Tel: +1-212-290-4700  
Fax: +1-212-736-1300; 917-591-3452

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James Ross, Legal and Policy Director

### Board of Directors

Amy Rao, Co-Chair  
Neil Rimer, Co-Chair

January 17, 2022

Rosettie Byengoma,  
Permanent Secretary,  
Ministry of Defence and Veteran Affairs  
Chya II Road  
P.O. Box 3798, Kampala, Uganda

Transmitted via email

Dear Ms. Byengoma,

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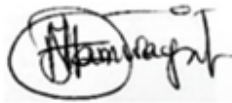
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Thank you for your attention to this matter.

Sincerely,



Otsieno Namwaya  
East Africa Director  
Human Rights Watch

#### ▲ Appendix I: Summary of Findings

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In February 2020, Parliament’s House Committee on Human Rights released a report, concluding that the authorities, including the ISO and other government agencies, were [torturing](#) and abusing detainees in ungazetted places of detention, notably “safehouses”, and also in some gazetted detention centers. The committee called on the government, its associated agencies, and the Uganda Human Rights Commission (UHRC) to conduct further investigations.



## Appendix II: Questions

1. What steps has the Ministry of Defence taken to investigate abductions and enforced disappearances during the 2021 elections?
2. Have the Ministry of Defence taken any legal or administrative measures against any of the officials or guards that were implicated in operating these detentions?
  - a. If so, could you provide further information about how or when?
  - b. If not, could you explain why not?
3. Could you provide details about the cases of 17 people that were arrested by “commandos” in Mukono, referred to by President Museveni in his February 13, 2021, television speech? What are their names? Are they still in detention? If so, on which charges and when will they be brought to trial?

## Annex IX: UHRC response to HRW



# UGANDA HUMAN RIGHTS COMMISSION

Head Office: Plot 22B Lumumba Avenue Twed Plaza  
P.O.Box 4929, Kampala Tel: 0414-348007, 233757, 0417-735300, Fax: 0414-255261  
E-mail: uhrc@hrc.ug Website: www.uhrc.ug

Our Ref:..... UHRC/15/00

10<sup>th</sup> February 2022  
Date.....

Your Ref:.....

Otsieno Namwaya  
East Africa Director, Human Rights Watch

### **RE: Human Rights Watch Research into Allegations of Unlawful Detention and Abuse in Ungazetted Places of Detention in Uganda**

Reference is made in regard to your communication dated 17<sup>th</sup> January 2022, in which you sought UHRC's input into your research on alleged unlawful detention and abuse.

As a National Human Rights Institution, the Commission has since its inception monitored and investigated human rights violations and abuses in line with its mandate. All complaints received and investigated to conclusion are either mediated or forwarded to the tribunal for hearing. However, tribunals were suspended for some time in November 2019, following the demise of the former chairperson, coupled with the lack of a fully constituted Commission. We are happy to note that the tribunals resumed in January this year, following the appointments of a new Chairperson and Members.

In regard to the questions raised, I wish to inform you that the UHRC made inquiries into the allegations of torture, arbitrary arrests and safe houses. Our findings can be found in the Commission's 22<sup>nd</sup> Annual Report on the state of human rights in Uganda. This report can be accessed from the Commission's website at <https://www.uhrc.ug/uhrc-reports/>. In regard to prosecutions under the Prevention and Prohibition of Torture Act of 2012 (PPTA), I wish to state that criminal prosecutions in the PPTA are under the jurisdiction of courts of law.

The UHRC handles matters of torture and ill-treatment as human rights violations and not as criminal matters. In this regard therefore, information regarding criminal prosecutions under the PPTA should be accessed from courts of law. As a Commission, we continue to investigate all allegations of human rights violations including torture and enforced disappearances. Information regarding alleged disappearances of supporters during the 2021 general election can therefore be accessed from the website indicated above.

  
Mariam Wangadya  
**CHAIRPERSON**

# “I Only Need Justice”

## Unlawful Detention and Abuse in Unauthorized Places of Detention in Uganda

Since at least 2018, Ugandan security forces have arbitrarily detained and tortured hundreds of people, including government critics, opposition supporters, and peaceful protestors, holding most of them in unauthorized places of detention. These unauthorized sites include places ironically known as “safehouses”: residential buildings intended for use in witness protection, but in fact, used as makeshift detention centers under the authority of the Internal Security Organization (ISO), Uganda’s domestic intelligence body. Some victims were not only arbitrarily detained, but forcibly disappeared, and in many cases their whereabouts remains unknown. Some men and women survived rape and sexual torture during their detention.

This report is based on interviews with 51 people, including 34 former detainees and witnesses. It documents serious human rights violations, which escalated around the January 2021 general elections, and details the physical, mental and economic challenges faced by victims, as well as by their families searching for justice.

Human Rights Watch calls on the government of Uganda to immediately close all unlawful, unauthorized detention facilities and to release the detainees. The whereabouts of detainees who have been forcibly disappeared should be immediately acknowledged and their release urgently secured. The authorities should conduct effective investigations into the violations for the purposes of holding all those implicated to account. Those identified as responsible for the crimes of enforced disappearances, torture, including sexual violence, and unlawful deprivation of liberty should be prosecuted in accordance with fair trial standards.



*Ugandan soldiers patrol near the house of Ugandan opposition presidential candidate Robert Kyagulanyi, also known as Bobi Wine, in Magere, Uganda, two days after Uganda’s presidential election, and after he was placed under house arrest. Uganda’s elections, on January 14, 2021.*

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