

# URGENT ACTION

## COURT STAYS MENTAL EXAM OF UNIVERSITY LECTURER

**Dr Stella Nyanzi, an academic and feminist, will not be subjected to a mental health examination after a magistrate court ordered a stay of the examination on 25 May. Dr Stella Nyanzi was released on conditional bail by the same court on 10 May. She still faces charges of insulting the president and violating his right to privacy.**

The magistrate court, on 25 May, ordered a stay of the mental health examination of **Dr Stella Nyanzi**. The state attorney had requested for an examination of the mental health of the academic and feminist saying there was evidence that Dr Stella Nyanzi had previously been a patient at Butabika Hospital, a mental health national referral hospital and had a history of mental health issues. Following the ruling Dr Stella Nyanzi's defence team has filed a petition at the Constitutional Court challenging the legality of the Mental Treatment Act (1964).

Dr Stella Nyanzi was on 10 May released on conditional bail by the magistrate court. The conditions for her bail included a 10 million Ugandan shilling non-cash bond imposed on Dr Stella Nyanzi and five of her sureties and her passport was handed over to the court for 'safekeeping'.

Dr Stella Nyanzi was arrested and detained on 7 April and subsequently charged with 'insulting the president' and 'violating his right to privacy' for criticizing President Yoweri Museveni on her social media accounts.

### Please write immediately in English or your own language:

- Calling on the Ugandan authorities to drop all charges against Dr Stella Nyanzi, as the charges are politically motivated;
- Urging them to comply with Uganda's Constitution and its regional and international human rights obligations to respect, protect and fulfil Dr Stella Nyanzi's right to freedom of expression.

### PLEASE SEND APPEALS BEFORE 31 AUGUST 2017 TO:

Minister of Justice and Constitutional

Affairs

Major General (rtd) Kahinda Otafiire

Bauman House, Plot 5, Parliament

Avenue

P. O. Box 7183

Kampala, Uganda

Fax: +25641254829

Email: info@justice.go.ug

**Salutation: Major General**

Inspector General of Police

General Kale Kayihura

Katalima Road, Naguru

P. O. Box 7191

Kampala, Uganda

Fax: +256414255630

Email: info@upf.go.ug

**Salutation: General**

**And copies to:**

Minister of Foreign Affairs

Sam Kutesa

Ministry of Foreign Affairs

2A/B Apollo Kaggwa Road

P. O. Box 7048

Kampala, Uganda

Fax: +25641258722/232874

Email: protocol@mofa.go.ug

**Also send copies to diplomatic representatives accredited to your country. Please insert local diplomatic addresses below:**

Name Address 1 Address 2 Address 3 Fax Fax number Email Email address Salutation Salutation

Please check with your section office if sending appeals after the above date. This is the second update of UA 89/17. Further information:

<https://www.amnesty.org/en/documents/afr59/6284/2017/en/>

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### ADDITIONAL INFORMATION

Dr Stella Nyanzi, a university lecturer, was arrested and detained on 7 April for criticizing the president. She was charged in court on 10 April with 'insulting the president' on her social media accounts and 'violating his right to privacy' under the Computer Misuse Act of 2011. She pleaded not guilty and was remanded in custody. Her detention then and prosecution violate Uganda's obligations under its constitution and international human rights law regarding the rights to liberty and freedom of expression.

During the hearing in which Dr Stella Nyanzi was charged, the state attorney requested for an examination of her mental health. To support his request, the state attorney said that there was evidence that Dr Stella Nyanzi had previously been a patient at Butabika Hospital, a mental health national referral hospital and has a history of mental health issues. The defence team asked the court for more time to respond to the claims by the state prosecution as the information presented against their client had not been shared with them. The magistrate accepted the defence team's request and adjourned the matter to 25 April.

Dr Stella Nyanzi appeared at the magistrate court on 25 April for a hearing on her application for bail and to get the mental health examination request by the state attorney dropped. The magistrate court adjourned until 10 May as Dr Stella Nyanzi's defence team were to make similar applications at the High Court the next day. The High Court judge, on 26 April, ruled that the magistrate court had the power to hear the bail and the mental health examination applications.

Name: Dr Stella Nyanzi

Gender m/f: f

Further information on UA: 89/17 Index: AFR 59/6696/2017 Issue Date: 20 July 2017