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Uganda: Failure to investigate alleged human rights violations in Karamoja region guarantees impunity

Amnesty International is concerned that the government of Uganda has failed to date to ensure thorough, prompt and independent investigations into frequent reports of human rights violations, including possible unlawful killings, by the Uganda Peoples' Defence Forces (UPDF), in the Karamoja region thereby ensuring impunity for the perpetrators. The alleged violations have been committed in the course of an ongoing disarmament process in the area.

Most recently, sections of the media report that up to 40 corpses have been discovered in Kalosarich near the border of Moroto and Kotido. They were allegedly suspected cattle rustlers killed by UPDF soldiers.

There have been other reports of human rights violations by UPDF soldiers in the last ten months, which the government has dismissed as untrue, and not investigated.

- In January up to 20 people were allegedly killed during a UPDF helicopter gunship military attack targeting cattle rustlers in Kotido district of Karamoja. It is not clear if these people were armed or were members of armed cattle rustling groups.
- In April up to 30 people were apparently killed by UPDF soldiers during a raid in Regen sub-county of Kotido district. This raid was ostensibly to recover animals from members of suspected Jie cattle rustlers.
- Between January and June up to 15 people were said to have been killed by UPDF soldiers under unclear circumstances in different instances where the soldiers were engaged in fighting with and/or disarmament exercises targeting alleged armed cattle rustlers in Moroto district.

During these and other security operations UPDF soldiers have allegedly used torture and other ill-treatment especially while undertaking searches. There have been reports of UPDF soldiers removing suspects' teeth, burning suspects using hot metals and hitting the muscles and veins of men around the anus and the testis. According to these reports such treatment is used against people suspected of being cattle rustlers and/or who the UPDF suspect are opposed to the disarmament exercise.

President Yoweri Museveni, the Minister for Defence, UPDF Spokespersons and the Minister of State for Karamoja have all, at different times, denied the persistent reports and allegations of human rights violations as wholly untrue.

The Uganda Human Rights Commission (UHRC) announced in May that it was investigating the reports of human rights violations perpetrated by UPDF soldiers. The Commission also added that

its “preliminary findings confirm[ed] that a number of people, including children and the elderly, were killed in various (cordon and search) operations carried out by the UPDF in Kotido between January and April, 2010”. The Commission called for investigations into these allegations.

Subsequent to the UHRC’s announcement, the President ordered an inquiry into the alleged human rights violations. Amnesty International is concerned that the inquiry is not independent or impartial, and as such will not result in ensuring that those responsible for committing human rights violations are held accountable. Sources have told Amnesty International that the inquiry, which is investigating allegations against the UPDF, is exclusively comprised of and headed by members of the UPDF. The progress and results of its investigations are yet to be made public.

Amnesty International calls on the government of Uganda to order an investigation into the killings and other alleged human rights violations in Karamoja region, which is consistent with international law and standards requiring thorough, prompt and impartial investigation of all suspected cases of unlawful killings, as well as other human rights violations. Whichever body undertakes this investigation must be independent of those allegedly responsible for the violations; should have the necessary powers and resources; and its findings should be made public.

The government should ensure that persons identified by the investigation as having been responsible for human rights violations are brought to justice in trials which comply with international fair trial standards. The families and dependents of those killed should be entitled to reparation, including fair and adequate compensation within a reasonable period of time.

Amnesty International also calls on the Ugandan authorities to ensure that the UPDF soldiers engaged in the ongoing disarmament exercise strictly comply with human rights law and standards.

Background

The Karamoja region of north eastern Uganda comprises the five districts of Abim, Kabong, Kotido, Moroto and Nakapirpirit. It is a semi-arid region of the country mainly inhabited by pastoralist communities. The region has been afflicted by insecurity for many years – mainly as result of the activities of a number of armed cattle rustling groups, from communities including the Jie and Dodoth, who steal cattle from neighboring communities. The current and previous governments have had successive security operations in the area to disarm these groups. The current disarmament exercise started over 10 years ago and involves a number of operations including: a call for voluntary handing in of illegal arms to the UPDF; cordon and search operations to confiscate illegal arms and military operations against armed groups or cattle rustlers who refuse to disarm voluntarily. More than 27,000 illegal guns have reportedly been collected and hundreds of suspects prosecuted as a result of the disarmament operation. According to the government thousands of small arms remain in the hands of cattle rustlers and other people in the area. Small arms and ammunition have proliferated from previous armed conflicts and continue to flow into the surrounding countries to be traded illegally across the border as well as inside Uganda.

Under international law the government is obliged to respect and protect the right to life of everyone within its jurisdiction. This includes taking effective measures to protect people against acts of violence and to bring the perpetrators to justice. Such measures must comply with international law, including the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples’ Rights to which Uganda is a party, and international standards on law enforcement such as the UN Code of Conduct for Law Enforcement Officials and the UN Basic Principles on the Use of Force and Firearms by Law Enforcement Officials. Under international human rights law anyone arrested on suspicion of committing a criminal offence has the right to a fair and public hearing without undue delay by a competent, independent and

impartial tribunal established by law. The obligation to respect the right to life of everyone, including criminal suspects, requires that law enforcement officials use force only when strictly necessary and only to the minimum extent required under the circumstances. Intentional lethal force should not be used except when strictly unavoidable in order to protect life.

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