

25 September 2020

## Uganda: Eight land rights defenders charged and detained

On 17 September 2020, land rights defenders **Fred Mwawula, Ramu Ndahimana, Samuel Kusiima, Martin Munyansia, Martin Haweka, Amos Wafula, Eliot Talemwa** and **George Rwakabisha** were charged with “threatening violence” by Kiryandongo Magistrate Court. If convicted, they could face up to four years imprisonment. The eight defenders remain in detention at Masindi Prison, with their first hearing scheduled for 15 October.

[Fred Mwawula](#), [Ramu Ndahimana](#), [Samuel Kusiima](#), [Martin Munyansia](#), [Martin Haweka](#), [Amos Wafula](#), [Eliot Talemwa](#), George Rwakabisha and [Pamela Mulongo](#) are land rights defenders from Kiryandongo district in Uganda. They mobilise local communities to defend their land rights particularly when facing forced evictions reportedly perpetrated by private companies including Agilis Partners, Great Season Company Limited and Kiryandongo Sugar Limited, which have been implementing farming projects in the area.

On 15 September 2020, Fred Mwawula, Ramu Ndahimana, Samuel Kusiima, Martin Munyansia, Martin Haweka, Amos Wafula, Eliot Talemwa and George Rwakabisha were arrested by Kiryandongo police while reporting to the police station as part of their bail requirements in an ongoing case against them. They were taken to Kiryandongo Magistrate Court on the same day but, after not being presented before a judge, were brought back to Kiryandongo police station. After two days in detention, on 17 September, the eight defenders were charged with “threatening violence” and transferred to Masindi Prison. Their first hearing is scheduled for 15 October 2020.

The defenders believe that the charges brought against them are linked to their previous arrest. On 4 September 2020, Fred Mwawula went to the office of Great Season Company Limited in Kiryandongo to ask for the return of his three goats, which the defender reported stolen by four employees of the company the day before. While attempting to speak with a representative of the company, he was arrested by police officers guarding the premises. His wife, who accompanied him, reported his arrest to local communities, after which several community members and land rights defenders arrived at the premises, where he was still being held, to peacefully demand his release. Police officers used tear gas and live ammunition to disperse the demonstration. Some were also beaten by police officers and company workers.

During the demonstration, police officers arrested seven land rights defenders Ramu Ndahimana, Samuel Kusiima, Martin Munyansia, Martin Haweka, Amos Wafula, Eliot Talemwa and Pamela Mulongo, and transferred them to Kiryandongo police station, along with Fred Mwawula. Pamela Mulongo reported being beaten on the stomach with batons by three police officers. She subsequently had difficulty walking. She was denied medical care by authorities at the police station who refuted her accusations and claimed she was lying about her pain, despite her visible injuries.

On 7 September 2020, seven workers of Great Season Company Limited and three police officers entered the garden of George Rwakabisha while he was with other community members. They were beaten by the company workers, and George Rwakabisha was arrested by police. The

defender was detained in a cell in Kiryandongo police station with the eight defenders arrested on 4 September 2020. The nine land rights defenders were released on bail on 8 September with an obligation to report back to the police station on 15 September. Pamela Mulongo could not report to the station as she was in hospital getting treatment for her injuries. She has since not been detained.

Land rights defenders Fred Mwawula, [Erias Wanjala](#) and [Godfrey Ssebisolo](#) were **previously arrested** from their homes on 25 February 2020 and charged with trespassing on private land. The defenders were released on bail on 12 March and on the same day, they reported that their houses, located in Kisalanda village, had been bulldozed by Great Season Company Limited. The defenders further reported that company agents made death threats against their families.

This was closely followed by several incidents where land rights defenders in Kiryandongo were subjected to harassment and beatings from workers of the three companies as well as arbitrary **arrests**. Some community members have accused workers of the three companies of sexual assault.

The land rights defenders believe their arrest and the charges brought against them form part of a pattern of reprisals for their work opposing forced evictions perpetrated by Agilis Partners, Great Season Company Limited and Kiryandongo Sugar Limited. Local communities have reported that over 35,000 families in Kiryandongo have been forcibly evicted from their land since 2019. These evictions have taken place without court orders, prior consultation or adequate compensation. Schools, churches and private health centres in Kiryandongo have allegedly been torn down, and community members have been subjected to harassment and intimidation by security agents and employees of the three companies. The affected communities have filed a complaint before the Masindi High Court, and in February 2020, communities' lawyers filed a certificate of urgency, following an intensification of the violence used by the companies.

On 30 June 2020, seven lawyers and human rights defenders were arrested while they were preparing to close their submission for the hearing on the cases of evictions. They were charged with "disobeying lawful orders" and "negligent acts likely to spread infection of diseases". They were released on bail on 2 July.

Front Line Defenders is deeply concerned about the charges brought against Fred Mwawula, Ramu Ndahimana, Samuel Kusiima, Martin Munyansia, Martin Haweka, Amos Wafula, Eliot Talemwa and George Rwakabisha, and the pattern of harassment against all other land rights defenders in Kiryandongo district. It is further concerned by the use of excessive force by police on Pamela Mulongo, resulting in her hospitalisation. Front Line Defenders believes that the defenders are being targeted solely for their peaceful and legitimate work defending human rights in their communities.

### **Front Line Defenders urges the authorities in Uganda to:**

1. Immediately and unconditionally release the eight land rights defenders, drop all charges against them and cease all judicial harassment against them, as Front Line Defenders believes that they are being held solely as a result of their legitimate and peaceful activities defending land rights;

2. Ensure that their treatment, while in detention, adheres to the conditions set out in the 'Body of Principles for the Protection of All Persons under Any Form of Detention or Imprisonment', adopted by UN General Assembly resolution 43/173 of 9 December 1988;
3. Carry out an immediate, thorough and impartial investigation into the excessive violence used by police officers and workers of the companies against land rights defenders, including Pamela Mulongo, and other community members, with a view to publishing the results and bringing those responsible to justice in accordance with international standards;
4. Drop the charges brought against all land rights defenders in Kiryandongo, as Front Line Defenders believes that they are being targeted solely as a result of their legitimate and peaceful activities defending land rights;
5. Guarantee in all circumstances that all human rights defenders in Uganda are able to carry out their legitimate human rights activities without fear of reprisals and free of all restrictions including harassment and threats.

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