



**Uganda - Researched and compiled by the Refugee Documentation Centre of Ireland on 10 March 2010**

**Current treatment of prisoners in prisons - are prisoners' human rights being violated? Information on names and location of main prisons in Uganda? What facilities are there at these prisons? Have all the prisoners been charged with offences? Is there overcrowding in prisons? What legal redress does a prisoner have if she/he feels they are being discriminated against? What NGOs support prisoner's rights and work with prisoners?**

An *International Committee of the Red Cross* report for the events of 2007 in Uganda, in a section headed "People Deprived of Their Freedom", states:

"Overcrowding, compounded by dilapidated prison infrastructure and delays in the judicial process, continued to affect the wellbeing of detainees in prisons administered by the UPS." (International Committee of the Red Cross (ICRC) (27 May 2008) *ICRC Annual Report 2007 – Uganda*)

This section also states:

"Detainees' health suffered as a result of the structural and technical deficiencies of the UPS health system and poor coordination between the UPS, the Ministry of Health and the private sector." (ibid)

The *Freedom House* annual report on Uganda, in a section headed "Political Rights and Civil Liberties", states:

"Prison conditions are difficult, especially in local jails. According to the International Centre for Prison Studies, as of 2007 there were over 26,000 individuals behind bars in the country's 224 prisons, twice the official capacity of the prison system. More than 500 prisoners die annually as a result of poor diet, sanitation, and medical care. Pretrial detainees constitute more than half of the prison population." (Freedom House (16 July 2009) *Freedom in the World 2009 – Uganda*)

In a section titled "Prison and Detention Center Conditions" the 2009 *United States Department of State* country report for Uganda states:

"Prison conditions remained harsh and frequently life threatening. In addition there were reports that security forces and guards tortured inmates, although the September FHRI report noted improved treatment of inmates by wardens and fewer incidents of corporal punishment. Unlike in the previous year, there were no reports that prison officials raped detainees. Forced labor in prisons countrywide remained a problem and resulted in one death during the year. Prison conditions came closest to meeting international standards in Kampala, where medical care, running water, and sanitation were provided;

however, these prisons also were among the most overcrowded. There were an estimated 26,000 prisoners in the prison system at the end of July, approximately three times the capacity. Severe overcrowding was also a problem at juvenile detention facilities and in female wings of prisons. The Kampala remand home, designed for 45 persons, held 131 children. The reception center, designed for 30 prisoners, held 63 juveniles under the age of 12. Serious problems in prisons outside of Kampala included congestion, inadequate staff, and lack of food, water, medical care, and bedding, although FHRI reported that access to medical care improved during the year, especially for HIV/AIDS patients in prisons in Lira, Apac, and Lusira. Overcrowding, malnutrition, poor sanitation, disease, overwork, and lack of medical care resulted in 149 prisoner deaths nationwide, according to the Prisons Service.” (United States Department of State (25 February 2009) *2008 Country Reports on Human Rights Practices – Uganda*)

A section on Uganda of a *UN Human Rights Council* on the independence of the judiciary, in paragraph 301, states:

“On 2 April 2008, the Special Rapporteur sent an allegation letter concerning the intrusion of armed police personnel and disregard for judicial independence and order at the High Court on 1 March 2007 in Kampala, which led to a decision by the judiciary to suspend all court activities nationwide since 2 March 2007. According to the information received, following the adjournment of the final decision by the High Court in respect of the bail application made by twelve alleged members of the People’s Redemption Army (PRA), who had been held since November 2005 on charges of treason and conspiracy, and the decision of the High Court to grant them bail in the meanwhile, armed men in police uniform surrounded the Registry, where they intimidated and assaulted civilians and vandalised court property, before they prevented those released on bail from leaving the Court and proceeded to re-arrest them. All twelve co-accused men in the trial were returned to Luzira Prison despite being granted bail; some were forcibly removed from the High Court building. Furthermore, three of the accused were held incommunicado for nearly a day after being taken into police custody and were only returned to Luzira prison late on 2 March 2007. It is further reported that some of the defendants, a journalist and one counsel, who subsequently required medical treatment, were mistreated during the incident. Previously, on 16 November 2005, a group of armed security operatives reportedly belonging to a specialized anti-terrorist unit, had invaded High Court during proceedings related to the same case, also in an attempt to intimidate and threaten judges and lawyers, and to disrupt judicial proceedings.” (UN Human Rights Council (28 May 2008) *Report of the Special Rapporteur on the independence of judges and lawyers, Leandro Despouy. Addendum: Situations in Specific Countries or Territories*, pp.167-168)

A *Human Rights Watch* report on long-term detainees in Uganda states:

“The Ugandan minister of justice should immediately inform 17 individuals who have languished in prison for years of their legal status, Human Rights Watch said today in a letter to the minister of justice. The individuals have long awaited ‘minister’s orders’ from the minister of justice to determine whether they should be imprisoned, released, or placed in the appropriate custodial care. Of the 17 individuals, 12 were sentenced to death for crimes

committed when they were under the age of 18, and five were deemed by the courts to be not guilty by reason of insanity. They remain in Luzira prison without a final disposition of their case. Under Ugandan law, the minister of justice must issue orders regarding the sentencing or discharge of such cases.” (Human Rights Watch (24 June 2009) *Uganda: Act Swiftly on Long-Term Detainees*)

A *Human Rights Watch* report on the detention of Ugandan journalist Patrick Otim states:

“Two weeks later, men in civilian clothes driving an unmarked vehicle, arrested Otim. They did not identify themselves nor inform Otim of the reason for his arrest. His family was not told where he was being taken. When rumours spread that he was being held in a nearby military barracks, the UPDF 4th Division spokesperson denied it. There was considerable fear that Otim was the victim of a ‘disappearance.’ It wasn't until mid-June that the UPDF came clean and admitted that Otim had been in military custody all along, after a habeas corpus petition had been filed. When all 11 detainees finally appeared in court on June 15, it became clear that some of them had been held since September 2008 without charge.” (Human Rights Watch (13 July 2009) *Uganda: Gov't response to alleged new rebel group in the north calls for reflection*)

A *Human Rights Watch* report on the detention of five people by JATT states:

“The five detainees - four men and one woman - were arrested on various dates in 2008 by agents of the Joint Anti-terrorism Task Force (JATT), a unit that draws its members from the military, police, and intelligence organizations and reports to the chief of military intelligence (CMI). In violation of the Ugandan Constitution, the five have been held without access to a lawyer or family and have never been before a magistrate or charged with any crime throughout their prolonged detention.” (Human Rights Watch (17 July 2009) *Uganda: Charge or Release People Secretly Detained*)

The *United States Department of State* report referred to above mentions NGOs involved in prisoners rights as follows:

“During the year the government permitted access to prisons by the International Committee of the Red Cross (ICRC), foreign diplomats, and local NGOs, principally FHRI and the Uganda Prisoners' Aid Foundation.” (ibid)

A document found on the website of the missionary NGO *Covenant Word Ministries* lists the names of fifty prisons in Uganda. This document may be compared with attached October 2009 Uganda Prisons Service statistics report which lists the names of thirty nine prisons and 16 stations.

**References:**

Covenant Word Ministries (December 2008) *Uganda Government Prisons by District*

<http://www.cwm.or.ug/coverage.pdf>

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Freedom House (16 July 2009) *Freedom in the World 2009 – Uganda*

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This response was prepared after researching publicly accessible information currently available to the Refugee Documentation Centre within time constraints. This response is not and does not purport to be conclusive as to the merit of any particular claim to refugee status or asylum. Please read in full all documents referred to.

**Sources consulted:**

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