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**RELIGIOUS FREEDOM IN UGANDA**

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## RELIGIOUS FREEDOM IN UGANDA

### Introduction.

1. The European Centre for Law and Justice (ECLJ) is an international, non-governmental organisation dedicated to promoting and protecting human rights around the world. The ECLJ also holds Special Consultative Status before the United Nations Economic and Social Council<sup>1</sup>. The purpose of this report is to highlight the human rights abuses in Uganda for the 2016 Universal Periodic Review (UPR). These abuses primarily result from the Uganda government's inability to protect its citizens from terrorist attacks.

### **Despite Legal Protection Through the Ugandan Constitution and Various International Treaties, Christians are Consistently Attacked and Killed by Muslims.**

2. The Constitution of Uganda specifically guarantees its citizens the right to life. Under Article 22, “no person shall be deprived of life intentionally except in execution of a sentence passed in a fair trial by a court of competent jurisdiction in respect of a criminal offence under the laws of Uganda . . .”<sup>2</sup> Uganda’s citizens are also guaranteed the “freedom to practice any religion and manifest such practice which shall include the right to belong to and participate in the practices of any religious body or organization . . .”<sup>3</sup> Moreover, under Article 17, “[i]t is the duty of every citizen of Uganda to respect the rights and freedoms of others”<sup>4</sup>. Further, “[t]he rights and freedoms of the individual and groups enshrined in [the Constitution] shall be respected, upheld and promoted by all organs and agencies of Government and by all persons.”<sup>5</sup> Uganda is also a party to the International Covenant on Civil and Political Rights (ICCPR).<sup>6</sup> Article 6 of the ICCPR guarantees that “every human being has the inherent right to life. This right shall be protected by law. No one shall be arbitrarily deprived of his life.”<sup>7</sup> As a party to the ICCPR, Uganda has an obligation to ensure its citizens have the “freedom to . . . manifest [their] religion or belief in worship, observance, practice, and teaching”<sup>8</sup>. Each party to the ICCPR must “ensure that any person whose rights or freedoms [] are violated shall have an effective remedy.”<sup>9</sup> Despite a strong legal framework, Christians in Uganda are consistently attacked and killed by radical Muslims.

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<sup>1</sup>NGO Branch, U.N. Dep’t of Econ. & Soc. Affairs, Consultative Status for the European Centre for Law and Justice (2007), <http://esango.un.org/civilsociety/> (accessed by searching “European Centre for Law and Justice” in the iCSO Database).

<sup>2</sup>CONSTITUTION, art. 22 (1995) (Uganda).

<sup>3</sup>CONSTITUTION, art. 29(c) (1995) (Uganda).

<sup>4</sup>CONSTITUTION, art. 17(1)(b) (1995) (Uganda).

<sup>5</sup>CONSTITUTION, art. 20(2) (1995) (Uganda).

<sup>6</sup>*Status of Treaties, Ch. IV Human Rights, 4. ICCPR Status*, UNITED NATIONS TREATY COLLECTION, (22 Mar. 2016), [http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg\\_no=IV-4&chapter=4&lang=en](http://treaties.un.org/Pages/ViewDetails.aspx?src=TREATY&mtdsg_no=IV-4&chapter=4&lang=en).

<sup>7</sup>International Covenant on Civil and Political Rights. art. 6, 16 Dec. 1966, 999 U.N.T.S. 171, *available at* <http://www.ohchr.org/en/professionalinterest/pages/ccpr.aspx>.

<sup>8</sup>*Id.* art 18.

<sup>9</sup>*Id.* art 2.

Radical Muslims Consistently Attack, Violate, and Kill Christians.

3. Approximately 85% of Ugandan's are Christian<sup>10</sup>, but many Ugandans, especially those who convert from Islam, live in fear of attack by Muslims extremists. The number of attacks on Uganda's Christians is daunting. In this report, we have first listed some of the more recent and violent attacks that have resulted in the deaths of Ugandan Christians. We have second listed attacks from within the last year that have left victims traumatised and in fear of practicing their religion openly. There is, however, not room in this report to recount all of the acts of violence against Christians that occur in Uganda.

4. On 23 December 2015, Pastor Bongo Martin was “hacked to death and beheaded” when he “resisted efforts by local Muslims to seize land belonging to the church.”<sup>11</sup> Similarly, on 2 December 2015, Patrick Ojangole, a Christian father of five children, was killed in an attack perpetrated by three Muslim men.<sup>12</sup> According to a witness, Ojangole was “hacked to death” with swords after “[o]ne of the three Muslim men reproached [him] for refusing to cease his Christian activities.”<sup>13</sup> Uganda police officer, Ismail Kuloba, was killed on 8 December 2015, by Islamic extremist because he had recently converted from Islam to Christianity.<sup>14</sup> When responding to a call to intervene in a dispute, assailants began to throw stones at Officer Kuloba. One stone hit him in the forehead, knocking him down, after which the assailant “picked up [Officer Kuloba's] gun and fired two gunshots at his head.”<sup>15</sup> One assailant said “You converted our people to Christianity, and now your time has come for you to receive the punishment of Allah.”<sup>16</sup> In June of 2015, Namumbeiza Swabura, the Christian mother of eleven children, was poisoned to death by her Muslim sister-in-law.<sup>17</sup> This poisoning allegedly occurred because Swabura and her husband converted from Islam to Christianity. According to the report, Swabura's husband was “[u]nable to bear the costs of pursuing legal recourse regarding [her] death.”<sup>18</sup> Similarly, on 19 October 2015, Mamwikomba Mwanika, the wife of a Christian man and mother of eight children, was killed by an attack by Muslim men.<sup>19</sup> Mwanika was dragged from her home and assaulted so severely that she “died en route to a hospital.”<sup>20</sup> One of her children, who witnessed the event, indicated that one of the men stated “Your husband has

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<sup>10</sup>U.S. Dep't of State, *2012 Report on International Religious Freedom – Uganda*, REFWORLD.ORG (20 May 2013) <http://www.refworld.org/docid/519dd47bbc.html>.

<sup>11</sup>Raymond Ibrahim, *Islam's Sword Comes for Christians: Muslim Persecution of Christians, December 2015*, GATESTONE INST. (7 Feb. 2016 4:00AM), <http://www.gatestoneinstitute.org/7367/islam-sword-christians>.

<sup>12</sup>*Id.*

<sup>13</sup>*Id.*

<sup>14</sup>*Muslim Extremists in Eastern Uganda Kill Christian Policeman, Kidnap Three Children*, MORNING STAR NEWS (14 Dec. 2015), <http://morningstarnews.org/2015/12/muslim-extremists-in-eastern-uganda-kill-christian-policeman-kidnap-three-children/>.

<sup>15</sup>*Id.*

<sup>16</sup>*Id.*

<sup>17</sup>*Christian Mother of 11 in Uganda Poisoned by Muslim In-Laws, Area Sources Say*, MORNING STAR NEWS (23 Jun. 2015), <http://morningstarnews.org/2015/06/christian-mother-of-11-in-uganda-poisoned-by-muslim-in-laws-area-sources-say/>.

<sup>18</sup>*Id.*

<sup>19</sup>*Bloodshed in Eastern Uganda Continues as Christian Mother of Eight is Slain*, MORNING STAR NEWS (23 Oct. 2015), <http://morningstarnews.org/2015/10/bloodshed-in-eastern-uganda-continues-as-christian-mother-of-eight-is-slain/>.

<sup>20</sup>*Id.*

followed the religion of his brother, and we had warned you people to stop these activities.”<sup>21</sup> Mwanika’s brother-in-law, also a Christian, was murdered by Muslims in an attack earlier in the year.

5. On 16 March 2016, Amina Napiya, a Christian mother, “fled her home in Nakajete village, Budaka Town Council” because she received continuous threats from Muslims in the area that she and her family “would be killed for leaving Islam.”<sup>22</sup> As an earlier “warning,” Amina’s thirteen-year-old daughter was raped by a Muslim man in February 2016.<sup>23</sup> In August 2015, a Muslim man and his relatives severely beat and almost killed his wife and two sons because he learned that “they had converted to Christianity.”<sup>24</sup> One of the sons “was hit with a blunt object [and] had his right arm broken and ha[d] stomach pains, while the mother was strangled and sustained neck and throat injuries.”<sup>25</sup> In March of 2015, “the 17-year-old daughter of a [Christian] pastor” was gang-raped by five Muslim men “because the church leader ignored [] their warnings that he stop worship services.”<sup>26</sup> Prior to the attack, the pastor received threatening messages on his phone. The daughter was severely injured and traumatised by the attack, so much so that she had “problems communicating,” and “need[ed] trauma counseling.”<sup>27</sup>

6. These are just a few of the numerous attacks by Muslims on Christians that have occurred in Uganda. With this long list of attacks by radical Muslims against Christians, the Working Group on the 2016 UPR must urge Uganda to increase its protection of its citizens and strengthen its security forces so that attacks like these are prevented. The Working Group must also urge Uganda to ensure that its government and citizens indeed respect and uphold the right of every person to practice and manifest their religion.

### **Conclusion.**

7. The Working Group on the UPR must address the continuous violations of human rights caused by the violence that persists against the people of Uganda. Continuing attacks against Christians throughout Uganda limits their ability to manifest their religion and worship freely. The Working Group must urge the Ugandan government to take the necessary steps to improve its security forces’ ability to capture and punish the perpetrators of these attacks and to prevent further attacks. The Working Group must insist that Uganda protect its citizens’ right to life and right to practice their religion freely.

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<sup>21</sup>*Id.*

<sup>22</sup>*Christian Widow, Children in Uganda Flee after Threats, Rape*, MORNING STAR NEWS (22 Mar. 2016), <http://morningstarnews.org/2016/03/christian-widow-children-in-uganda-flee-after-threats-rape/>.

<sup>23</sup>*Id.*

<sup>24</sup>*Muslim Relatives Attack Mother, Sons in Uganda for Turning to Christ*, MORNING STAR NEWS (14 Aug. 2015), <http://morningstarnews.org/2015/08/muslim-relatives-attack-mother-sons-in-uganda-for-turning-to-christ/>.

<sup>25</sup>*Id.*

<sup>26</sup>*Christian Girl in Uganda Seriously Injured, Traumatized after Gang-Rape, Father Says*, MORNING STAR NEWS (14 Apr. 2015), <http://morningstarnews.org/2015/04/christian-girl-in-uganda-seriously-injured-traumatized-after-gang-rape-father-says/>.

<sup>27</sup>*Id.*