

# Human Rights Watch

## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

<https://www.hrw.org/news/2022/02/11/uganda-ensure-justice-detained-tortured-author>

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(Nairobi) [Ugandan](#) authorities should urgently investigate reports that military officers tortured the exiled satirical writer and government critic Kakwenza Rukirabashaija while he was forcibly disappeared for 14 days, Human Rights Watch said today. The authorities should unconditionally drop any charges against the author and ensure that all security officials implicated in his torture and enforced disappearance are held to account.

On December 28, 2021, military officers broke into Rukirabashaija's home in Kampala, beat and blindfolded him, confiscated his phone, and drove off with him to an unknown location where he was kept for 14 days without access to family or lawyers. On January 11, 2022, the police charged Rukirabashaija with offensive communication over his tweets criticizing President Yoweri Museveni and his son, Muhoozi Kainerugaba. On February 9, two days after a court denied his application to have his passport returned, Rukirabashaija said he had fled the country to seek medical treatment for the injuries caused by the torture.

It is intolerable that Ugandan security forces are still torturing and ill-treating detainees, said [Oryem Nyeko](#), Uganda researcher at Human Rights Watch. Instead of prosecuting their critics over tweets, the Ugandan authorities should be investigating this and many other serious allegations of torture by state security in recent years.

Rukirabashaija told Human Rights Watch that the military officers beat him, forced him to dance to music for hours, plucked his body with pliers, and injected him with unknown substances. The officers interrogated him about his relationship with staff members of the European Union, the United States Embassy, and the British Council, and his book *Banana Republic*, which recounts his previous arrests and detention by the military in April and September 2020. He said the officers forced him to record an apology to Museveni and Kainerugaba on video.

On January 4, a court issued [an order for his unconditional release](#), but the military ignored it. On January 10, the High Court granted Rukirabashaija's wife, Eva Basiima, her [application for habeas corpus](#) and directed the government to produce him before the court. But rather than release him, the authorities charged him on January 11 with offensive communication under the 2011 Computer Misuse Act for tweets he posted between December 24 and 28 about Museveni and Kainerugaba. The court [remanded Rukirabashaija](#) to Kitalya prison, on the outskirts of Kampala.

On January 21, a [court granted Rukirabashaija bail](#), but six men grabbed him as he walked out of the prison and drove him to the Makindye military barracks in Kampala.

Rukirabashaija told Human Rights Watch that at Makindye a doctor first examined him, and then he was taken to see Kainerugaba, who told him to stop writing. He was then driven home and told not to talk about what happened.

Ugandan officials have repeatedly used the Computer Misuse Act to muzzle freedom of expression online, especially if it involves criticism of senior government officials. Section 25 of the act provides that offensive communication applies to anyone who willfully and repeatedly uses electronic communication to disturb or attempts to disturb the peace, quiet or right of privacy of any person. Those found guilty could be required to pay a fine or serve up to one year in jail, or both.

The authorities have targeted other activists critical of the president and of those close to him under the same law. In August 2019, a court convicted a well-known academic and activist, [Stella Nyanzi](#), and sentenced her to 18 months in prison for a poem she published on Facebook in 2018 criticizing President Museveni. A high court judge ruled in February 2020 that Nyanzi's right to a fair trial was violated during those proceedings and revoked her sentence.

On February 5, 2021, plainclothes officers [arrested Michael Muhima](#), a law student, at his home in Kampala over a tweet parodying the police spokesperson, Fred Enanga. The authorities later charged Muhima with offensive communication. Muhima was jailed and denied access to his family and lawyers for five days before being released on bail.

Ugandan law and international instruments prohibit arbitrary arrest, unlawful detention, and torture. The 1995 constitution guarantees the protection of personal liberty and provides that an arrested or detained person should be kept in a place authorized by law. The constitution further requires detainees to be brought before court within 48 hours of their arrest and are entitled to reasonable access to next-of-kin, lawyers, and medical treatment.

When state agents deprive a person of liberty, but then conceal information about their whereabouts and situation, this is an enforced disappearance, which is strictly prohibited in all circumstances under international law.

Ugandan law criminalizes torture under [the Prevention and Prohibition of Torture Act](#) of 2012, and the [Human Rights \(Enforcement\) Act of 2019](#) provides for personal liability for public officers who commit human rights violations.

Rukirabashaijas arrest is only the latest in Ugandas intensifying clampdown on commentary deemed critical of the government, Nyeko said. The authorities should end the criminalization of protected speech online and offline and address legitimate concerns raised by critics instead of persecuting them.

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