



BUGANDA ROAD CHIEF
MAGISTRATE'S COURT

12 DEC 2022

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YOUTH FOR GREEN COMMUNITIES

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OFFICE OF THE DIRECTOR OF PUBLIC
PROSECUTIONS - BUGANDA ROAD COURT

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Hon. Justice Jane Frances Abodo
Director, Office of the Director of Public Prosecutions (ODPP)
Plot 1 Pilkington Road
Workers' House
Kampala Uganda

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Criminal Offence No. 1665/2022: Request for Recall and Withdrawal of Criminal Charges against University Students in Exercise of Powers Conferred Upon the DPP by Article 120(3) (d) of the Constitution

Your Ladyship

Warm Greetings! Thank you for the good work being done by your office. We greatly appreciate your tremendous work regarding to public interest, the interest of the administration of justice and the need to prevent abuse of legal process.

Youth for Green Communities (YGC) is a youth-led organization working with the youth to influence better environment and natural resource governance that benefits all, respects human rights and mitigates climate change.

YGC writes to you expressing apprehensions regarding the case of the university students who were arrested for lawful expressing their views regarding the European Resolution on violations of human rights in Uganda and Tanzania linked to the investments in fossil fuels projects.

We humbly request the ODPP to immediately halt all investigations and the ongoing prosecution of University Students. In exercising his or her powers under article 120 of the Constitution, the DPP is enjoined by the constitution to have regard to the public interest, the interest of the administration of Justice and the need to prevent abuse of legal process

The background below elucidates how the trumped-up charges against these students arose.

1. Background:

1.1. On 5 October 2022, students from several universities in Uganda including Kyambogo University, Gulu University and Makerere University had a peaceful march to the European Union offices in Kampala, Uganda to deliver a petition in support of the European parliament resolution to halt the

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pipeline because of human rights violations linked to investments towards East African Crude Oil Pipeline (EACOP) and other oil projects in Uganda.

- 1.2. As the students moved closer to deliver their petition, the Uganda police unlawfully arrested and detained 9 students at the Central Police Station (CPS), Kampala.
- 1.3. On 7 October 2022, these students were arraigned before the Chief Magistrate's Court of Buganda Road on trumped-up charges of common nuisance. A plea of not guilty was entered by the students and later remanded to Luzira maximum prison till Monday 10 October, 2022 for their bail application.
- 1.4. On 10 October 2022, the students appeared in Court and were granted them a cash bail of UGX. 100,000 each.
- 1.5. Based on the above events, we are constrained to write to your office to bring the above to your attention, seeking immediate redress.

2. **The incredulity of the charges**

- 2.1. This arrest came in the aftermath the government of Uganda through its security organ had facilitated, supported and protected two protests against the EU resolution for which one of the groups were school going children who participated in the demonstration.
- 2.2. In the same spirit, the students expected to be accorded the same protection as they present their petition expressing their views against the project but towards the resolution highlighting the issues of human rights, climate change and poor governance in the sector.
- 2.3. To our disappointment, these students were arrested and charged on trumped-up charges. Since the arrest and during the two hearings, no evidence has been brought against the students. However, the students are not only still living with bad memories from the prison experience but also the fear to be rearrested again if the case remains unresolved.
- 2.4. YGC is of the considered opinion that the entire investigations and charges are an abuse of legal process by the perpetrators. These baseless allegations and charges have caused unwarranted misery and emotional damage to the students.

3. **Request for DPP's intervention**

- 3.1. We humbly request the ODPP to immediately halt all investigations and the ongoing prosecution of these students. In exercising his or her powers under article 120 of the Constitution, the DPP is enjoined by the constitution to have regard to the public interest, the interest of the administration of Justice and the need to prevent abuse of legal process.

- 3.2. We are also curious whether the Resident State Attorney was satisfied with the propriety of the investigations.
- 3.3. Further, the prosecution of these students is tainted with human rights abuses, considering the high-handed manner of their arrest and detention. These have already been denied justice pending investigations.
- 3.4. Accordingly, we hereby request your office pursuant to Article 120(3) (d) of the Constitution, to discontinue the ongoing criminal persecution of these students and allow them concentrate on their education.

4. Conclusion

- 4.1. Therefore, based on the foregoing, we implore you to discontinue the ongoing malicious prosecution of these students. We trust that upon review of the file or if you conduct your own independent inquiry, you will find that the charges are baseless and tainted with malice.
- 4.2. We will appreciate your immediate intervention given the pressure time since the case is secluded for hearing on Wednesday 14 December 2022
- 4.3. These students are happy to meet with you or any designated officer to clarify the above and render any assistance required.

Yours faithfully



Mr. Brighton Arima,
CEO-Youth for Green Communities

Copied to

1. The Chief Magistrate, Buganda Road Magisterial Area
2. Resident State Attorney, Buganda Road
3. Inspector General of Police, Uganda. *Received by A 12/12/2022*
- ✓ 4. Director Criminal Investigations Department, Uganda Police Force
5. Professional Standards Unit, Uganda Police Force
6. Office of the European Union in Uganda.
7. *Human Rights Commission - UGANDA.*