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UA: 89/17, **UPDATE 1**, AI Index: AFR 59/6696/2017 of 20 July 2017.

The original index number is: AFR 59/6060/2017 of 19 April 2017.

UGANDA:

COURT STAYS MENTAL EXAM OF UNIVERSITY LECTURER

Dr Stella Nyanzi, an academic and feminist, will not be subjected to a mental health examination after a magistrate court ordered a stay of the examination on 25 May. Dr Stella Nyanzi was released on conditional bail by the same court on 10 May. She still faces charges of insulting the president and violating his right to privacy.



Ugandan prominent feminist academic Stella Nyanzi smiles as she appears at Buganda Road court charged with cybercrimes after she posted profanity-filled denunciations of president Yoweri Museveni on Facebook, in Kampala, Uganda April 25, 2017. REUTERS/James Akena. Photo Credit: Alamy Stock Photo.

The magistrate court, on 25 May, ordered a stay of the mental health examination of Dr Stella Nyanzi. The state attorney had requested for an examination of the mental health of the academic and feminist saying there was evidence that Dr Stella Nyanzi had previously been a patient at Butabika Hospital, a mental health national referral hospital and had a history of mental health issues. Following the ruling Dr Stella Nyanzi's defence team has filed a petition at the Constitutional Court challenging the legality of the Mental Treatment Act (1964).

Dr Stella Nyanzi was on 10 May released on conditional bail by the magistrate court. The conditions for her bail included a 10 million Ugandan shilling non-cash bond imposed on Dr Stella Nyanzi and five of her sureties, as well as her passport were handed over to the court for 'safekeeping'.

Dr Stella Nyanzi was arrested and detained on 7 April and subsequently charged with 'insulting the president' and 'violating his right to privacy' for criticizing President Yoweri Museveni on her social media accounts.

Please send a letter, email or fax without delay. (Postage is \$2.50).

* Call on the Ugandan authorities to drop all charges against Dr Stella Nyanzi, as the charges are politically motivated.

* Urge them to comply with Uganda's Constitution and its regional and international human rights obligations to respect, protect and fulfil Dr Stella Nyanzi's right to freedom of expression.

Here is the contact information you will need:

Minister of Justice and Constitutional Affairs
Major General (rtd) Kahinda Otafiire
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Kampala, Uganda
Fax: 011 25641254829
Email: info@justice.go.ug
Salutation: Major General

Inspector General of Police
General Kale Kayihura
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Salutation: General

Please send a copy to:

Minister of Foreign Affairs
Sam Kutesa
Ministry of Foreign Affairs
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His Excellency John Chrysostom Alintuma
Nsambu
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ADDITIONAL INFORMATION

Dr Stella Nyanzi, a university lecturer, was arrested and detained on 7 April for criticizing the president. She was charged in court on 10 April with 'insulting the president' on her social media accounts and 'violating his right to privacy' under the Computer Misuse Act of 2011. She pleaded not guilty and was remanded in custody. Her detention then and prosecution violate Uganda's obligations under its constitution and international human rights law regarding the rights to liberty and freedom of expression.

During the hearing in which Dr Stella Nyanzi was charged, the state attorney requested for an examination of her mental health. To support his request, the state attorney said that there was evidence that Dr Stella Nyanzi had previously been a patient at Butabika Hospital, a mental health national referral hospital and has a history of mental health issues. The defence team asked the court for more time to respond to the claims by the state prosecution as the information presented against their client had not been shared with them. The magistrate accepted the defence team's request and adjourned the matter to 25 April.

Dr Stella Nyanzi appeared at the magistrate court on 25 April for a hearing on her application for bail and to get the mental health examination request by the state attorney dropped. The magistrate court adjourned until 10 May, as Dr Stella Nyanzi's defence team were to make similar applications at the High Court the next day. The High Court judge, on 26 April, ruled that the magistrate court had the power to hear the bail and the mental health examination applications.