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UGANDA

REPUBLIC OF UGANDA

Head of state and government: Yoweri Kaguta Museveni

Death penalty: retentionist

International Criminal Court: ratified

There was progress in peace talks in Southern Sudan between the government and the armed group, the Lord's Resistance Army (LRA), promising a possible end to 20 years of conflict in northern Uganda. Elections passed off relatively peacefully. Opposition presidential candidate Dr Kizza Besigye was acquitted of rape but continued to face treason charges. Attacks on freedom of expression and press freedom continued, as did reports of torture of detainees and harassment of people on account of their sexual orientation. Violence against women was widespread. Military courts continued to impose death sentences.

Background

A law enacted in May required non-governmental organizations to reregister annually. A Board comprised overwhelmingly of government representatives was set up to approve registrations.

Parliamentary and presidential elections took place in February, the first multi-party elections for 26 years. They were monitored by more than 500 election observers and, despite shortcomings including media bias and incomplete voter registration lists, were generally found to be transparent and relatively peaceful. President Museveni won almost 60 per cent of the votes and his main opponent, Dr Kizza Besigye of the Forum for Democratic Change (FDC), took 37 per cent. On 7 March Dr Besigye filed a suit in the Supreme Court, seeking to have the election results nullified. The Supreme Court rejected his appeal on 6 April.

Election violence

There were some reports of violence and intimidation, mostly of opposition supporters, particularly in the last three weeks of the campaign. Military forces were seen around some polling stations on election day.

- On 15 February, three FDC supporters were shot and killed in Kampala when a soldier opened fire at a crowd waiting for Dr Besigye.

Trials of Dr Kizza Besigye

During 2006, Dr Besigye faced three separate court cases on charges of terrorism, rape and treason. He was released on

bail on 2 January.

On 31 January the Constitutional Court ruled that Dr Besigye could not be tried for terrorism by a military court when the High Court was pursuing a case against him based on the same facts. On 7 March, President Museveni stated that Dr Besigye and his 22 co-accused would not be tried in a military court for terrorism and illegal possession of weapons.

The trial of Dr Besigye for rape began on 4 January. He was acquitted on 7 March following a recommendation by the jury. The state indicated an intention to appeal against the acquittal but no appeal had been filed by the end of the year.

On 15 March the trial of Dr Besigye and 22 other men for treason started in the High Court in Kampala. Several witnesses testified, including Onen Kamdulu, a former LRA leader suspected of gross human rights abuses who had been granted an amnesty. Defence counsel contested his appearance, but in October the Constitutional Court ruled that he should be allowed

to testify and that the judge would rule on the admissibility of evidence. The trial was stayed in May 2006 following the filing of a constitutional petition by the defence lawyers in the Constitutional Court. The petition challenged the continued detention of the 22 people who had been accused with Dr Besigye on the basis that they had been granted bail by an earlier court order. The petition was argued in October 2006 and judgement was pending.

In September, the government sought to overturn the decision to grant bail to Dr Besigye, but the Constitutional Court upheld the High Court decision.

Conflict in northern Uganda

President Museveni offered to grant amnesty to the top five LRA leaders, including Joseph Kony and Raska Lukwiya, if a peace deal was reached. This was despite arrest warrants against them for crimes against humanity and war crimes issued by the International Criminal Court (ICC) in 2005.

A series of talks between the government and the LRA took place from July, sponsored by the government of Southern Sudan.

On 1 August, Joseph Kony called for a truce. Raska Lukwiya was killed in battle on 12 August.

The government and the LRA agreed a ceasefire on 26 August. Under its terms, LRA forces were to gather in two areas in Southern Sudan. By mid-September LRA fighters had started gathering at the assembly areas in Southern Sudan, but they subsequently left, fearing attack by the Uganda People's Defence Force (UPDF).

On 2 September President Museveni asked the ICC to maintain the charges against the LRA until a comprehensive peace agreement was reached, but said that once this was agreed the government would intervene to keep the commanders "safe" from the ICC. Late in September, peace talks stalled over the issue of the ICC warrants, and in October the UPDF said it had resumed its offensive against LRA rebels who had failed to assemble in the required areas.

Despite breaches of the ceasefire, in November both sides agreed to prolong it and talks continued.

As the peace process continued, a number of confidence building measures took place from November with the government facilitating visits by family members of the LRA leadership and by community leaders from northern Uganda for consultations with the LRA leaders.

AI condemned the offer of amnesty made by President Museveni to the LRA leaders and stated that the offer of "protection" was in violation of Uganda's obligations under international law, since it itself referred the cases to the ICC on the basis that national authorities were unable to deliver justice for crimes committed in northern Uganda.

Internally displaced people

There were 1.7 million internally displaced people in the north, most in camps or settlements around villages. Conditions in camps were poor, with high mortality rates as a result of malnutrition, lack of sanitation and insecurity.

After the ceasefire, some people began returning home and the government set a deadline of 31 December to clear the camps. A number of sites were identified as suitable for resettlement and by October UN officials estimated that more than 300,000 people had left the camps.

Refugees in Uganda

In March the government passed a new refugee bill incorporating provisions of international refugee law.

In March the Ugandan and Southern Sudanese governments signed an agreement to repatriate Sudanese refugees. In July, the UN refugee agency UNHCR announced that 10,000 refugees had returned.

Some Congolese refugees returned to the Democratic Republic of the Congo (DRC) early in 2006, but further insecurity in the DRC prompted new arrivals of refugees.

Attacks on freedom of expression

Attacks on freedom of expression and press freedom continued, in particular during the election campaign. The police intervened to prevent programmes relating to the presidential candidates being aired, and several journalists were arrested during the run-up to the election. Radio stations were banned from broadcasting any debate or programme about Dr Besigye's trial.

- On 23 February, police stormed Radio Pacis and stopped a talk show featuring the FDC deputy secretary general Kassiano Wadri.

- On 7 March, the offices of the independent radio station Choice FM in Gulu were raided by police. The station's programme manager was arrested and held overnight before being released without charge. Later in March police shut down the radio station, accusing it of operating without a licence, although it had applied for a renewal.

Torture and ill-treatment

There were reports of torture of detainees by police forces and the state security services, who reportedly used "safe houses" where suspects were detained and tortured for days at a time.

- Some of the 22 men accused of treason with Dr Kizza Besigye filed a suit on 1 November against the authorities for torture and ill-treatment while in detention.

- On 4 May, Abdu Smugenyi, a businessman, was reportedly tortured to death by electrocution in a "safe house" in Kampala. He had been arrested in April near Kasese, western Uganda, and accused of involvement with an armed group operating in the DRC.

Lesbian, gay, bisexual and transgender people

Abuses against lesbian, gay, bisexual and transgender (LGBT) people continued. Homosexuality is a criminal offence in Uganda, and the media, police and other groups, including teachers, targeted and harassed LGBT people.

- In August, The Red Pepper newspaper published a list of men it asserted were gay. Several of those named reported subsequent harassment and ostracism. In September the newspaper published a similar list of 13 women it said were lesbians.

Violence against women

The threat of violence against women remained very high, particularly in the ongoing conflict in the north where many young girls have often been abducted by LRA rebels to serve as "wives" and slaves for combatants. Women and girls in displaced people's camps were also at high risk of domestic violence and of attacks when performing daily tasks such as collecting wood.

- The police stated that at least 989 young girls had been raped in displaced people's camps in the five northern districts between January and July 2006.

Death penalty

No executions following conviction by a civilian court have been carried out since 1999.

Military courts continued to pass death sentences and order executions, although the exact numbers were not clear.

In February the Chief of Defence Forces stated that 26 UPDF soldiers had been sentenced to death and executed between 2003 and 2005 for killing civilians while on duty in northern Uganda.

- A UPDF soldier, Private Abubaker Mugwanate, was sentenced to death by hanging in September for murdering a student.

AI country reports/visits

Statements

- Uganda: Amnesty International calls for an effective alternative to impunity (AI Index: AFR 59/004/2006)
- Uganda: Lesbian, gay, bisexual and transgender people targeted (AI Index: AFR 59/006/2006)
- Uganda: Fear for safety/harassment - 13 women (AI Index: AFR 59/007/2006)

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