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## Freedom in the World 2011 - Uganda

**Capital:** Kampala

**Population:** 33,800,000

Political Rights Score: 5 \*

Civil Liberties Score: 4 \*

Status: Partly Free

### Overview

In July 2010, the Shabaab, a Somali Islamist militia group, bombed two venues in Kampala, killing at least 76 people. Primary elections held by the ruling National Resistance Movement in August were marred by fraud and violence, raising concerns over potential problems in the national elections scheduled for February 2011. While the charge of criminal sedition was ruled unconstitutional by the Constitutional Court in August, the media environment remained restricted, with a draft law under consideration at year's end that would grant the government extensive control over media licensing.

Following independence from Britain in 1962, Uganda experienced considerable political instability. President Milton Obote, an increasingly authoritarian leader, was overthrown by Major General Idi Amin in 1971. Amin's brutality made world headlines as hundreds of thousands of people were killed. His 1978 invasion of Tanzania led to his ouster by Tanzanian forces and Ugandan exiles. After Obote returned to power in 1980 through fraudulent elections, opponents, primarily from southern Ugandan ethnic groups, were savagely repressed.

Obote was overthrown again in a 1985 military coup, and in 1986 the rebel National Resistance Army, led by Yoweri Museveni, took power. Museveni introduced a "no party" system, under which only one supposedly nonpartisan political organization – the National Resistance Movement (NRM) – was allowed to operate unfettered. This system lasted for two decades.

Museveni and the NRM won presidential and legislative elections in 2001. While a ban on most formal party activities restricted the opposition, observers generally deemed the voting transparent and held that Museveni would have won in an open contest. The opposition boycotted the parliamentary elections, and the NRM's comfortable legislative majority was buttressed by dozens of special interest representatives.

In 2005, voters approved constitutional amendments that lifted the ban on political parties and repealed the prohibition on sitting presidents running for a third term, allowing Museveni to seek reelection in 2006.

A leading Museveni opponent, Kizza Besigye of the Forum for Democratic Change (FDC), returned from exile to contest the 2006 presidential election. However, he was arrested on charges including treason and rape, and was defeated at the polls by Museveni, who took 59 percent of the vote. The NRM won a large majority in concurrent parliamentary elections. In October 2010, the Constitutional Court cleared Besigye of pending treason, terrorism, murder, and illegal use of firearms charges.

In September 2009, growing tensions between the government and the Buganda region concerning land reform legislation erupted into violence after police stopped Ronald Muwenda Mutebi II, monarch of the Baganda ethnic group, from attending a rally. At least 40 people were killed in rioting in Kampala, and hundreds were arrested. Tensions were reignited in March 2010 when a suspicious fire destroyed much of the Kasubi Tombs, the burial grounds of the Baganda monarchs. Security forces fired into the crowds that had gathered around the tombs following the fire, killing three and injuring five others. A government commission began investigating the incident in December 2010.

On July 11, 2010, the Shabaab, a Somali Islamist militia group, bombed two venues where crowds had gathered to watch the final 2010 World Cup match, killing some 76 people and injuring 70 others. The Shabaab opposes Uganda's contribution of peacekeeping troops to the African Union Mission in Somalia. In July, Kenyan authorities arrested six men in connection with the bombings and transferred them to Uganda, though no arrest warrants or extradition orders had been issued. In September 2010, Kenyan activist Al-Amin Kimathi of the Muslim Human Rights Forum – which had publically criticized the failure of the governments of Uganda and Kenya to respect extradition procedures – was arrested after arriving in Kampala to provide legal aid to the Kenyan terrorism suspects. After being held in incommunicado detention for six days, Kimathi was charged with terrorism, murder, and attempted murder in connection with the July attacks. His hearing – along with the 16 others facing terrorist charges in connection with the Kampala bombings – was pending at year's end.

In August 2010, Museveni was nominated as the NRM candidate for the February 2011 presidential elections. The NRM primaries were marred by fraud and violence, raising concerns about the security outlook for the national elections next year.

Despite a joint military operation conducted in 2008-2009 by Uganda, Sudan, and the Democratic Republic of Congo (DRC), the Lord's Resistance Army (LRA) – a cult-like rebel group led by Joseph Kony – continued to attack civilians in 2010 in the DRC, South Sudan, and the Central African Republic. While originally based in northern Uganda, the LRA has not been active within the country in the past six years, though it continues to hold children that were forcibly abducted from the country.

Uganda is home to more than 500,000 people infected with HIV, with an estimated prevalence rate of 6.4 percent among adults ages 15 to 49. In May 2010, parliament tabled the HIV and AIDS Prevention and Control Bill, which would require disclosure of HIV status and criminalize the willful transmission of HIV, among other provisions. Ugandan and international civil society activists charged that the bill would impede effective responses to the HIV/AIDS epidemic and violate human rights.

### **Political Rights and Civil Liberties**

Uganda is not an electoral democracy. The single-chamber National Assembly and the powerful president, who faces no term limits, are elected for five-year terms. Of the current legislature's 332 members, 215 are directly elected and 104 are indirectly elected from special interest groups including women, the military, youth, the disabled, and trade unions. Thirteen ex-officio seats are held by cabinet ministers, who are not elected members and do not have voting rights.

The National Assembly has asserted some independence, censuring high-level executive officials and exercising oversight to influence a number of government actions and policies. However, significant concerns remain over the ability of opposition parties to compete with the ruling NRM. The opposition is hindered by restrictive party registration requirements, voter and candidate eligibility rules, the use of government resources to support NRM candidates, a lack of access to media coverage, and paramilitary groups – such as the Kiboko Squad and the Black Mambas – that intimidate voters and government opponents. Army representatives in the National Assembly have openly campaigned for President Yoweri Museveni. Despite questions over the independence of the electoral commission, Museveni renewed the panel and reappointed its incumbent chairman in August 2009.

Although Uganda has certain measures in place to combat corruption, including the 2009 Anti-Corruption Bill and the Anti-Corruption Court, the resources to enforce them are generally lacking. In 2010, donors – including the European Union, the United Kingdom, and the World Bank – announced a 10 percent cut in budget support for the next fiscal year, citing concerns over the country's failure to address high-level corruption. Uganda was ranked 127 out of 178 countries surveyed in Transparency International's 2010 Corruption Perceptions Index.

The constitution provides for freedom of speech. Independent print outlets, including more than two dozen daily and weekly newspapers, are often critical of the government, and several private radio and television stations report on local politics. However, according to the Uganda Journalists Union, members of the ruling party own approximately 60 percent of the nation's radio stations, none of which are expected to provide equal coverage to opposition members in the run-up to the February 2011 national elections. The government has grown increasingly intolerant of press freedom, as demonstrated by a complete ban on live political debate and the closure of four radio stations following the September 2009 riots in Kampala. A 2010 Human Rights Watch report criticized the tactics used by the government to silence critics, including physical violence, threats, harassment, bureaucratic interference, and criminal charges. Journalists are increasingly practicing self-censorship, particularly those broadcasting in local languages outside the capital. The 2010 Press and Journalist Amendment Bill proposes mandatory registration and licensing of newspapers by the government-controlled Media Council, which would have the authority to deny and revoke licenses based on vague considerations such as the newspaper's "values." Under the proposed legislation, media organizations would have to reapply for a license each year, a requirement that would encourage self-censorship. However, criminal sedition – a charge previously used to prosecute journalists critical of the NRM – was ruled unconstitutional by the Constitutional Court in August 2010. The authorities do not restrict internet usage, although access is limited to major urban centers.

There is no state religion, and freedom of worship is constitutionally protected and respected in practice. Various Christian sects and the country's Muslim minority practice their creeds freely. Academic freedom is also generally respected.

The freedoms of association and assembly are officially recognized. However, the 2010 Public Order Management Bill would require that groups of three or more people receive prior police approval before gathering to discuss any government actions, failures, or policies. The proposed law would also give police wide powers to regulate the conduct of public meetings. Members of the opposition were reportedly beaten and arrested during demonstrations against the composition of the electoral commission in January and June. Nongovernmental organizations (NGOs) are willing to address politically sensitive issues. However, their existence and activities are vulnerable to legal restrictions, including the manipulation of registration requirements. The 2006 NGO Registration Amendment Act requires NGOs and religious organizations to reregister with the Internal Affairs Ministry each year, though enforcement has been suspended pending a review of the law, and no action was taken by the end of 2010.

Workers' rights to organize, bargain collectively, and strike are recognized by law, except for those providing essential government services, but legal protections often go unenforced. Many private firms refuse to recognize unions, and strikers are sometimes

arrested.

The executive does not guarantee the independence of the judiciary. Prolonged pretrial detention, inadequate resources, and poor judicial administration impede the fair exercise of justice. The country has also faced criticism over the military's repeated interference with court processes. Rape, vigilante justice, and torture and abuse of suspects and detainees by security forces remain problems. The prison system is reportedly operating at three times its intended capacity, with pretrial detainees constituting more than half of the prison population.

The number of internally displaced persons (IDPs) has decreased in recent years due to reduced tensions in the northern part of the country and a government policy to phase out IDP camps. In July 2010, the Ugandan government – in cooperation with the Rwandan government – forcibly repatriated more than 1,700 Rwandan asylum-seekers from the Nakivale and Kyaka II refugee settlements in southwestern Uganda. At least two people were killed after jumping off trucks in an attempt to escape the forced removal.

Although the constitution enshrines the principle of gender equality, discrimination against women remains pronounced, particularly in rural areas. Uganda has legislated quotas for women in all elected bodies. Women hold nearly 30 percent of the National Assembly seats, and one-third of local council seats are reserved for women. The law gives women the right to inherit land, but customary practices often trump legal provisions in practice. Rape remains a serious problem, and although there were arrests, prosecutions, and convictions during the year, most cases were not investigated. Despite a 2009 law criminalizing domestic violence, incidents often go unreported and are rarely investigated. Cultural practices such as female genital mutilation persist. Women and girls with disabilities are extremely vulnerable to stigma, exclusion, and gender-based violence, particularly in the north. Sexual abuse of minors appears to be increasing, and according to the International Labour Organization, more than 2.7 million children are employed as workers. While the overall enforcement of anti-trafficking laws is improving, Uganda continues to be a source and destination country for men, women, and children trafficked for the purposes of forced labor and prostitution. The government remains hostile towards the rights of homosexuals.

*\* Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom.*

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