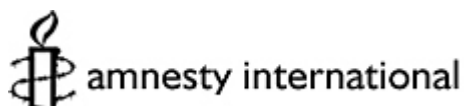


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Amnesty International Report 2009 - Uganda

Head of state and government: Yoweri Kaguta Museveni

Death penalty: retentionist

Population: 31.9 million

Life expectancy: 49.7 years

Under-5 mortality (m/f): 132/119 per 1,000

Adult literacy: 66.8 per cent

Security in the north increased after progress was made in peace talks between the government and the armed group, the Lord's Resistance Army (LRA), aimed at ending the 20-year conflict in northern Uganda. However, the final peace agreement was not signed by the end of 2008. The government continued to undermine freedom of expression and press freedom. Violence against women and girls persisted throughout the country. State security agents tortured or otherwise ill-treated detainees with impunity.

Background

A major corruption case remained pending. A former health minister, his two deputies and a government official faced criminal charges of embezzlement and abuse of office in connection with the Global Fund against HIV/AIDS, Tuberculosis and Malaria.

Armed conflict

The peace negotiations, which led to a number of agreements between the government and the LRA, were concluded but a final peace agreement was not signed by the end of 2008.

In February, the government and the LRA signed an Annex to the Agreement on Accountability and Reconciliation signed in June 2007. Under the terms of the Agreement and Annex, LRA leaders accused of crimes against humanity and war crimes would be tried by a Special Division of the High Court. The proposed framework fell short of a comprehensive plan to ensure that the truth is told, justice is done, and that reparation is provided for all the victims of the conflict. The arrest warrants issued in 2005 by the International Criminal Court for Joseph Kony, the LRA leader, and three LRA

commanders remained in force, but were not executed by the Ugandan or regional governments.

In February, the parties signed an Agreement on Disarmament, Demobilization and Reintegration (DDR), committing both parties to an orderly DDR process in line with national policies and international standards. The agreement had significant flaws regarding victims' rights to measures to help them rebuild their lives.

Thousands of men, women and children who suffered abuses during the 20-year conflict in northern Uganda remained destitute and physically and mentally traumatized due to the government's failure to put in place a comprehensive reparations programme.

LRA forces outside Uganda were believed to have abducted hundreds of people during 2008, including children, and to have committed a number of other human rights abuses, including unlawful killings, in the Democratic Republic of the Congo (DRC), Southern Sudan and the Central Africa Republic. In December, Ugandan government armed forces participated in a joint operation with troops from South Sudan and the DRC in a military operation against the LRA.

Internally displaced people

By the end of 2008 over half (about 900,000) of the internally displaced people (IDPs) in northern Uganda had left the IDP camps. Most moved to transit sites, smaller camps closer to their homes and some returned to their original villages. However, in Acholiland – the area most affected by the conflict – only 24 per cent of people reportedly returned to their villages of origin.

Right to health

In March, a report by the UN Special Rapporteur on the right to health noted that important right to health issues, such as sexual and reproductive health rights, were not fully captured in the government's policies. This neglect was evident in regular reports on cases of maternal mortality. Government health programmes aimed at prevention and treatment of HIV/AIDS left out certain categories of vulnerable people.

Trial of Kizza Besigye

The trial of opposition leader Dr Kizza Besigye and six others accused of treason remained pending in the High Court in Kampala. By the end of the year an application to the Constitutional Court challenging the continuation of the trial had not been decided.

Two cases of murder against Dr Besigye's six co-accused also remained pending. At the end of 2008 all six were free on bail.

Freedom of expression

Attacks on freedom of expression and press freedom continued.

In April the ruling National Resistance Movement party parliamentary caucus announced its support for a Bill which, if passed, could significantly hamper the right to freedom of expression in Uganda. The Bill had not been debated by the end of the year.

- Two criminal cases in which five journalists working for The Monitor newspaper were charged with criminal libel and sedition in 2007 remained pending in court. The charges related to articles about the secret training of soldiers as policemen and the reinstatement of the Inspector General of Government onto the

government payroll after retirement, in breach of public service regulations.

- In April Andrew Mwenda, managing editor of The Independent, a bi-monthly news magazine, and two of the magazine's staff were arrested and interrogated in connection with a story about claims of torture at alleged secret government-run detention centres. Police raided the magazine's offices and took away equipment. In May the three men were charged with sedition and "the publication of false news".

Freedom of assembly and association

In May the Constitutional Court ruled that section 32 of the Police Act amounted to an unjustified limitation on the rights to freedom of assembly and association in the Ugandan Constitution. The section gives unilateral powers to the Inspector General of Police (IGP) to prohibit any assembly or procession where he has reasonable grounds for believing that it was likely to cause a breach of the peace. The court decision did not deal with section 35 of the Police Act which empowers the Minister of Internal Affairs to declare any part of the country a gazetted area in which it is unlawful to demonstrate or convene an assembly of more than 25 people.

The government appealed against this decision to Uganda's highest court – the Supreme Court. The appeal was pending at the end of the year.

Refugees and asylum-seekers

From early August onwards, refugees and asylum-seekers fled from the DRC following a resurgence and escalation of fighting in eastern DRC. By mid-November more than 13,000 had arrived in Uganda.

According to UNHCR, the UN refugee agency, as of the end of October, Uganda hosted a total of more than 140,000 refugees, most of them from the Great Lakes and East and Horn of Africa regions. More than 48,000 were Congolese.

There was ongoing repatriation of Southern Sudan refugees back to Sudan, a process started in 2005.

A number of urban refugees and asylum-seekers, particularly from Ethiopia, Eritrea and DRC, complained of unlawful and arbitrary arrests, harassment and extortion by the police and other state security agencies.

Torture and other ill-treatment

Reports of torture and other ill-treatment committed by the police and other state security services, including in alleged secret detention centres, persisted. The Uganda Human Rights Commission's 10th annual report recorded that people held in detention facilities were still tortured to the extent of sustaining serious wounds. There were no prosecutions of alleged perpetrators of torture and other ill-treatment and a significant number of the Commission's compensation awards to victims of torture remained unpaid by the state.

Violence against women and girls

Violence against women and girls, including rape, marital rape, domestic violence, forced and early marriages, remained widespread in most parts of the country. Violence against women and girls was virtually never treated as a criminal offence. A number of proposed laws to address some forms of violence against women and girls remained

pending. These included bills on Domestic Violence, Domestic Relations, Sexual Violence, and Trafficking in Persons.

Discrimination – lesbian, gay, bisexual and transgender people

There were continuing attacks on lesbian, gay, bisexual and transgender (LGBT) people and on human rights defenders working on LGBT rights.

In October, a government minister publicly labelled homosexuality and lesbianism a disease and declared that Uganda would seek to widen the scope of its legislation criminalizing homosexuality. In the month following the declaration, a number of LGBT activists and individuals were arrested and faced torture, including sexual assault, and other ill-treatment by police and security personnel while in detention.

- In June, three LGBT human rights defenders were arbitrarily arrested and detained by police after distributing a press release to people attending a conference about HIV/AIDS policy implementation held in Kampala. They were charged with criminal trespass. The press release outlined the rights of LGBT people to treatment and prevention measures for HIV/AIDS.

Death penalty

Civilian courts continued to impose the death penalty but there were no executions. Military courts continued to hand down death sentences and order executions of soldiers in Uganda's armed forces; it was not clear whether there were any executions.

In December Uganda voted against a UN General Assembly resolution calling for a worldwide moratorium on executions.

Amnesty International visits

Amnesty International delegates visited western Uganda in April and November and northern Uganda and Kampala in May and August.

Amnesty International reports

- Uganda: Agreement and Annex on Accountability and Reconciliation fall short of a comprehensive plan to end impunity (1 March 2008)
- Uganda: Amnesty International condemns attacks against lesbian, gay, bisexual and transgender people (4 June 2008)
- Uganda: Amnesty International Concerns on the Regulation of Interception of Communications Bill, 2007 (28 August 2008)
- Uganda: Amnesty International says Anti-Privacy Bill should either be drastically amended or withdrawn (28 August 2008)
- Uganda: Left to their own devices: The continued suffering of victims of the conflict in northern Uganda and the need for reparations (17 November 2008)
- Uganda: Government cannot negotiate away International Criminal Court arrest warrants for LRA (20 February 2008)
- Uganda: Government miserably failing in care of victims of conflict (17 November 2008)

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