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COUNTRY OF ORIGIN INFORMATION KEY DOCUMENTS

UGANDA

6 FEBRUARY 2009

UK BORDER AGENCY

COUNTRY OF ORIGIN INFORMATION SERVICE

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Preface

- i This Country of Origin Information Key Documents (COI Key Documents) on Uganda has been produced by COI Service, UK Border Agency (UKBA), for use by officials involved in the asylum/human rights determination process. It provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. The COI Key Documents includes information available up to 1 January 2009. It was issued on 6 February 2009.
- ii The COI Key Documents is an indexed list of key reports, papers and articles produced by a wide range of recognised external information sources. It does not contain any UKBA opinion or policy.
- iii For UK Border Agency users, the COI Key Documents provides direct electronic access to each source referred to in the document, via a link on the source numbers in the index and list of sources. For the benefit of external users, the relevant web link has also been included, together with the date that the link was accessed.
- iv As noted above, the documents identified concentrate mainly on human rights issues. By way of introduction, brief background information on Uganda is also provided. Please note, this background material is not intended to provide a summary of the material contained in the documents listed.
- v This COI Key Documents and the documents listed are publicly disclosable.
- vi Any comments regarding this COI Key Documents or suggestions for additional source material are very welcome and should be submitted to COI Service as below.

Country of Origin Information Service **UK Border Agency**Apollo House
36 Wellesley Road
Croydon CR9 3RR
United Kingdom

Email: HYPERLINK "mailto:cois@homeoffice.gsi.gov.uk" cois@homeoffice.gsi.gov.uk **Website:** HYPERLINK "http://www.homeoffice.gov.uk/rds/country_reports.html"

http://www.homeoffice.gov.uk/rds/country_reports.html

ADVISORY PANEL ON COUNTRY INFORMATION

xi The independent Advisory Panel on Country Information (APCI) was established in 2003 to make recommendations to the Home Secretary about the content of the UKBA's country of origin information material. The APCI reviewed a number of UKBA's reports and published its findings on its website at HYPERLINK "http://www.apci.org.uk/"

www.apci.org.uk Since October 2008, the work of the APCI has been taken forward by the Chief Inspector of UKBA.

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2. Background information on Uganda

Official name: Republic of Uganda

Area: 197,058,000 sq km (93,104 sq miles)

Population: 28.9 million (2006 estimate)

Capital City: Kampala (population 1.3 million)

People: Over 20 tribes. Baganda (17%), Banyankole (8%), Basoga (8%), Iteso (8%), Acholi and

Langi. Small Asian and European communities.

Language(s): English is the official language. Swahili and Luganda widely spoken.

Religion(s): Christianity, with a sizeable Muslim minority.

Currency: Uganda shilling (Ush)

Head of State: President Yoweri Museveni (elected February 2006)

Prime Minister/Premier: Professor Apolo Nsibambi

Foreign Minister: Sam Kutesa

Membership of international groupings/organisations: East African Community (EAC), Common Market for Eastern and Southern Africa (COMESA), African Union (AU), Commonwealth, United Nations (UN), Intergovernmental Authority on Development (IGAD) – Uganda held the chair 2003/5.

[4a] (Foreign and Commonwealth Office (FCO) Country Profile: Uganda, updated 3 January 2008)

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GEOGRAPHY

The FCO Country Profile: Uganda, updated 3 January 2008, reported "Uganda is a land-locked country lying on the equator in central Africa. It shares borders with Sudan, Democratic Republic of Congo, Rwanda, Tanzania and Kenya. 20% of the country is covered by inland lakes. The rest ranges through tropical rain forest to savannah with mountains on the western border. The climate is tropical." [4a]

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MAP

[13a]

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RECENT HISTORY

The Freedom House report, Freedom in the World 2008, Uganda, covering events in 2007, released on 2 July 2008, stated:

"In the years following its 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 finally led to his ouster, with Tanzanian forces and Ugandan exiles routing his army. After Obote returned to power in 1980 in fraudulent elections, he and his backers from northern Uganda savagely repressed their opponents, who were primarily from southern Ugandan ethnic groups.

"Obote was overthrown a second time in a 1985 army coup. Conditions continued to worsen until the National Resistance Army, led by Yoweri Museveni, assumed power in 1986. Arguing that majoritarian democracy exacerbated religious and ethnic tensions in Africa, Museveni introduced a "no party" system with only one, supposedly nonpartisan, political organization – the National Resistance Movement (NRM) – allowed to operate unfettered. This system remained in place for two decades.

"Museveni and the NRM comfortably won presidential and legislative elections in 2001. Human rights groups and donor countries noted that state media and other official resources were mobilized in support of Museveni's candidacy, and that the ban on most formal party activities further hindered the opposition. However, most observers agreed that Museveni would have won in an open contest and described the actual balloting and vote-tabulation processes as largely transparent. The opposition, which claimed that the elections were rigged, boycotted subsequent parliamentary elections. Meanwhile, the NRM's comfortable legislative majority was buttressed by dozens of special-interest representatives, some from groups linked to the ruling party such as the army.

"The National Assembly passed the Political Parties and Organizations Act in 2002, setting the conditions under which political parties could be registered and function fully. In 2003, the Constitutional Court ruled that parts of the law were unconstitutional, as they effectively prevented political parties from carrying out their activities. Despite the ruling, the NRM continued to dominate the nation's political life. In 2004, the Constitutional Court voided restrictions on the freedom of political parties to function. Ugandan voters in 2005 approved constitutional amendments that both lifted the ban on political parties and repealed the prohibition on sitting presidents running for a third term. As a result, Museveni was able to seek reelection in 2006.

"A leading Museveni opponent, Kizza Besigye of the Forum for Democratic Change (FDC), returned from exile and announced his intention to run for president. He was subsequently arrested on charges of treason, terrorism, rape, and unlawful possession of firearms. Benefiting from the advantages of incumbency, Museveni defeated Besigye in the 2006 election, taking 59 percent of the vote according to official results. The NRM also won a large majority in concurrent parliamentary elections. Besigye was later cleared of the rape charges, but the treason case was still pending at the end of 2007.

"Regional tensions, especially with the Democratic Republic of Congo (DRC), Rwanda, and Sudan, have continued in recent years. In November 2007, for example, Ugandan forces on the border clashed with troops loyal to the Congolese renegade General Laurent Nkunda. Meanwhile, a vicious and long-running guerrilla war undertaken in northern Uganda by the Lord's Resistance Army (LRA), a

cult-like Ugandan rebel movement with no clear agenda, appeared to be winding down. In 2005, LRA leader Joseph Kony was indicted by the International Criminal Court (ICC), which called for his arrest. Kony has insisted that the international charges be dropped before any peace deal is finalized. In 2006, the guerrilla group entered into intermittent peace talks with the government that continued throughout 2007, and in late 2007 LRA representatives made a reconciliation tour through parts of Uganda." [15a]

The FCO Country Profile: Uganda, updated 3 January 2008 reported

"Tensions between the opposition and government have centred on the subversion of the independence of the judicial process, particularly during the ongoing trial of individuals suspected of involvement with a rebel group called the PRA. On 31 January 2007 opposition MPs suspended their participation in Parliament for three weeks over political manipulation of the justice system, and in March 2007 judges and lawyers went on strike in protest." [4a]

The Freedom House report, Freedom in the World 2008, Uganda, stated

"Regional tensions, especially with the Democratic Republic of Congo (DRC), Rwanda, and Sudan, have continued in recent years. In November 2007, for example, Ugandan forces on the border clashed with troops loyal to the Congolese renegade General Laurent Nkunda. Meanwhile, a vicious and long-running guerrilla war undertaken in northern Uganda by the Lord's Resistance Army (LRA), a cult-like Ugandan rebel movement with no clear agenda, appeared to be winding down. In 2005, LRA leader Joseph Kony was indicted by the International Criminal Court (ICC), which called for his arrest. Kony has insisted that the international charges be dropped before any peace deal is finalized. In 2006, the guerrilla group entered into intermittent peace talks with the government that continued throughout 2007, and in late 2007 LRA representatives made a reconciliation tour through parts of Uganda." [15a]

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RECENT EVENTS AND POLITICAL DEVELOPMENTS

Some of the most important Ugandan events since July 2008 are reflected in the following allAfrica narrative, dated 27 December 2008 (unless otherwise stated):

- "5 July the Democratic Party rules out an alliance with the Forum for Democratic Change or any other opposition party in the 2011 general elections...
- "19 October the Director of Economic Affairs in the President's Office is charged with 26 offences related to the mismanagement of Global Fund money...
- "19 November the third National Integrity Report reveals the police as the most corrupt institute for the second time. Police is followed by the judiciary, Uganda Revenue Authority and UMEME...
- "30 November LRA Joseph Kony fails to show up and sign the final peace agreement... [40a]

- 7 December female genital mutilation is on the increase in Karamoja, according to the United Nations Population Fund. (Allafrica, 7 December 2008) [40c]
- 11 December the Juba peace process to end the conflict in Northern Uganda has stagnated and is likely to fail unless the government and the international community redirect negotiations. (Allafrica, 11 December 2008) [40b]
- 13 December some UK Parliament members have tasked the Foreign Secretary to explain the delay in fixing a date to complete the trial of Uganda's opposition leader, Dr Kizza Besigye. (*The Monitor*, 13 December 2008) [276]
- 14 December Uganda, South Sudan and DR Congo jointly attack Kony's hideout in Garamba Forest. [40a]

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NORTHERN UGANDA

In a humanitarian emergency summary for 2008 published by UNICEF, undated, recorded:

"More than two decades of armed conflict between the Government and rebel Lords Resistance Army have perpetuated a complex humanitarian situation in northern Uganda. The right of access to health, nutrition, safe water, education, protection and shelter by children and women, who represent 80 per cent of the 1.5 million internally displaced persons, remains largely unfulfilled. Humanitarian indicators in the north-eastern Karamoja subregion are persistently lower than national averages as the subregion continues to experience an endemic conflict involving the agro-pastoralist Karamajong population." [17b]

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BASIC ECONOMIC FACTS

GDP: US\$ 11.7 billion (2007 est) **Annual Growth:** 6% (2006) **Inflation:** 5.7% (2007 est)

Exchange rate: 2700 Ush = £1 (January 2009) (Coinmill, January 2009) [43a]

Major Industries: agriculture (coffee, tea, fish, fresh flowers, tobacco), mining, construction,

manufacturing, textiles services.

Major trading partners: Kenya, UK, South Africa, India, UAE. (Except exchange rate all information

from FCO Country Profile: Uganda, 3 January 2008) [4a]

The FCO Country Profile: Uganda, updated 3 January 2008 reported

"Uganda's economy has performed well in recent years, averaging around 6% annual growth between 1998 and 2005. By maintaining macroeconomic stability and liberal economic policies it has been able to attract some multinational investment and donor support. GDP is still growing but is below the levels required (approximately 7% per annum) to meet the Millennium Development Goal poverty reduction

targets, and the current energy crisis may retard this still further. Public Administration expenditure still represents too big a percentage of the budget (around 18%) and sufficient revenue collection continues to be difficult. The Government's past commitments to reduce corruption appear to be waning despite the arrest in May 2007 of three former Health Ministers over alleged involvement in the embezzlement of funds intended for public health campaigns." [4a]

The same source also stated

"Uganda has made significant strides in reducing poverty, though it remains one of the world's most impoverished countries, placed 154 out of 177 on the 2007 World Development Report. Between 1992 and 2006 it achieved a reduction from 56% to 31% of the population living below the poverty line. Primary school enrolment rose from 62% to 86%, putting Uganda on track to meet the Millennium Development Goals for education, though there have been problems with the drop-out rate. There have been improvements in healthcare indicators and significant success in tackling HIV/AIDS, with prevalence among expectant mothers falling from 20% in the early 1990s to 6% in 2002, though infection rates have risen slightly since and had reached an estimated 7.1% by 2006/7. Uganda also has many other challenges, including its high population growth rate, one of the biggest in Africa.

"Uganda was the first country to receive HIPC [Heavily Indebted Poor Countries] debt relief in 1998, and achieved Completion Point in April 2000. Debt relief is currently worth about \$100m annually. Lower interest rate and export earnings forecasts have seen the key debt: export ratio rise from 150% to around 300% but debt service ratios as a percentage of domestic revenues (c. 10%) remain well below the critical threshold." [4a]

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HUMAN RIGHTS

The FCO Country Profile: Uganda, updated 3 January 2008 stated

"Uganda's human rights record improved enormously after Museveni came to power in 1986. It still has a reasonably free media, though this freedom is occasionally curtailed when the government perceives a conflict with national interest. It also has active civil society organisations. Rule of law problems remain, including poor policing and questionable activities by security agencies such as allegations of illegal detention, torture and politically motivated harassment. Demonstrations in Kampala have been met with a brutal response from security services, most recently in April 2007 following the proposed allocation of forest land to a sugar company. The judiciary has proved itself to be independent and a strong critic of government, but has come under intense political pressure and faced increasing intimidation from security services. The worst cases of human rights abuse occur in Northern Uganda where the general public has not been provided with adequate protection from the rebels or the military. The Ugandan military has also faced accusations of human rights abuses in the Karamoja region." [4a]

Amnesty International's (AI) 2008 Annual Report, covering events from January – December 2007, expressed the following concerns:

The trial of Kizza Besigye
Attacks on freedom of expression
Conflict in northern Uganda

Corruption

Violence against women

Torture committed by the police force and other state security services [3a] (Amnesty International, 2008 report)

The United States State Department report on countries' human rights practices for 2007, published 11 March 2008, on Uganda, (USSD Report 2007) summarised in its introductory section human rights abuses as:

"The government's human rights record remained poor. Although there were improvements in a few areas, serious problems remained, including:

unlawful killings by security forces;

disappearances

security forces use of torture and abuse of suspects

vigilante justice;

harsh prison conditions;

official impunity;

arbitrary arrest;

incommunicado and lengthy pretrial detention;

restrictions on the right to a fair trial and on freedoms of speech, press, and association;

limited freedom of religion;

abuse of internally displaced persons (IDPs);

restrictions on opposition parties;

electoral violence and irregularities;

government corruption;

violence and discrimination against women;

female genital mutilation (FGM);

violence and abuse of children, particularly sexual abuse;

trafficking in persons;

violence and discrimination against persons with disabilities and homosexuals;

forced labor, including by children." [2a]

The FCO Country Profile: Uganda, updated 3 January 2008 stated

"The Lord's Resistance Army (LRA) has been conducting an insurgency in the Acholi area of Northern Uganda for 20 years. This has involved a brutal campaign of atrocities against the local Acholi and Langi population, often in punishment for failure to support their cause. Some 1.7 million of the population of Gulu, Kitgum and Pader Districts in northern Uganda still live in Internally Displaced Persons camps, though there has been a small increase in security in the last few months. Successive Ugandan military campaigns against the LRA failed to end the conflict. In October 2005 the International Criminal Court issue[d] arrest warrants for five LRA leaders. The majority of the LRA is now based in the DRC and Southern Sudan. In May 2006 the government of Southern Sudan offered to mediate between the LRA and the Ugandan government. Peace [t]alks between the Government of Uganda and the LRA are ongoing in Juba in Southern Sudan. Despite numerous setbacks and long delays sporadic talks have continued, aided by the appointment of former President of Mozambique Joachim Chissano as Special Envoy of the UN Secretary General. A cessation of hostilities agreement was signed on 26 August 2006, and a second agreement signed on 2 May 2007. The talks remain

fragile, and may be jeopardised by indications of a serious split in the LRA. But the deadline for agreement has been extended, most recently to 31 January 2008" [4a]

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AIDS / HIV

AIDS Uganda reported in an article dated 27 October 2008:

"Uganda was among the first hard hit countries [by AIDS].... By end of 1992, the national prevalence rate was estimated at 18.3% with some centres registering above 30%. This was followed by a steady decline in prevalence...attributed to favourable prevention policies. The 2004/05 National HIV/AIDS sero and behaviour survey by the Ministry of Health Surveillance Unit estimated about 915,400 adults and children were living with HIV/AIDS in 2005. Prevalence among adults aged 15-49 yrs was estimated at 6.4%. 0.7% among children less than 5 years, and 5.8% among those aged 50-59. The Ministry of Health estimated 132,500 infections in 2005 alone. The survey revealed regional, rural/urban, and gender infection rates at around 8% while the West Nile region was at 2.3%. Overall infection rates higher in urban areas compared to rural areas, amongst urban women almost twice as high (13%) compared to women in rural areas at 7%." [18a]

The article continued:

"In Uganda HIV/AIDS has affected both rural and urban dwellers, adults and children and the impacts cut across regions and occupational groups in the country with varying magnitude... There is increased morbidity due to the upsurge of opportunistic infections some of which requiring even more complex expensive treatments than can be afforded. Reviews have established that 50-70% of hospital admissions are HIV related. HIV has ignited the upsurge of an equally threatening tuberculosis epidemic." [18c]

HIVinSite notes that there are one million people living with HIV/AIDS in Uganda. Of these, 520,000 are women aged 15+ and 110,000 are children [39a]

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AIDS Organisations

The Uganda Network of Aids Service Organisation (UNASO) is an umbrella organisation existing to coordinate and represent AIDS Service Organisations in Uganda so that prevention, quality care and support services are available to all. [41a]

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Prevention methods

AVERT in an undated article stated:

"Uganda is often cited as a rare example of success in a continent facing a severe AIDS crisis... Praise for Uganda's prevention efforts has waned in recent years, with particular criticism levelled at US-backed abstinence campaigns. There are indications that Uganda's HIV prevalence may once again be on the rise. The approach used in Uganda has been named the **ABC** approach – firstly, encouraging sexual **A**bstinence until marriage; secondly, advising those who are sexually active to **B**e

faithful to one partner; and finally, urging Condom use, especially for those who have one or more sexual partner." [34a]

The article continued: "Condoms were not heavily promoted and distributed during the early years of the AIDS epidemic. In June 2006, the Ministry of Health announced it had, with assistance from the World Bank, imported 80 million re-branded condoms for free distribution." [34a]

Medical News TODAY reported on 24 November 2008: "Uganda's Ministry of Health has started to draft a medical male circumcision policy for HIV prevention." An assessment of the health centres implementation capability has been conducted and will be part of the country's strategy emphasising abstinence, condom use and fidelity, according to the general director of health services." [38a]

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Treatment

UNGASS in its Uganda report for 2007:

"Uganda boasts of centres of excellence in provision of prophylactic and clinical care to the infected. The Joint Clinical Research Centre and Infectious Diseases Institute feature among the best practices in combining quality care and research into clinical care specifically ARV drug adherence, interactions, resistance monitoring, drug switching etc in the African context. Besides this both centres have innovatively enhanced treatment and support children and adolescents... The Joint Clinical Research Centre's satellite site around the country are a demonstration that quality care can be easily accessible even in the most remote parts of the country." [44a]

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Support

UNGASS further said: "The PHAs (People living with AIDS) are also encouraged on a positive living attitude which includes practices like adherence to treatment especially free ART programs, status disclosure to close family members. HIV/AIDS Post Test Clubs have greatly contributed to the reduction of stigma and access to funding sources for material support and income generation." [44a]

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GAYS AND LESBIANS

Legal status

The USSD Report 2007 stated "Homosexuals faced widespread discrimination and legal restrictions. It is illegal for homosexuals to engage in sexual acts, based on a legal provision that criminalizes 'carnal acts against the order of nature' with a penalty of life imprisonment." [2a] (Section 5)

Human Rights Watch summarised the relevant law in a press release dated 7 September 2006 as:

"Same-sex sexual relations are criminalized in Uganda under a sodomy law inherited from British colonial rule. Section 140 of the Penal Code criminalizes 'carnal knowledge against the order of nature' with a maximum penalty of life imprisonment. Section 141 punishes 'attempts' at carnal

knowledge with a maximum of seven years' imprisonment. Section 143 punishes acts of 'gross indecency' with up to five years in prison. In both Britain and Uganda, these terms were long understood to describe consensual homosexual conduct between men." [23a]

In addition, the Constitution has been amended to ensure that marriage is defined as heterosexual union, with the Sodomy Laws website running an article from 365Gay.com news site, dated 7 July 2005, "Uganda to jail same-sex couples who marry", which stated:

"'Parliament has adopted a proposal to amend the Constitution so as to criminalize same-sex marriages,' Bernard Eceru, a spokesperson for the government told the Ugandan Newspaper. Eceru said that 111 MPs voted in favor of the amendment, 17 against and three abstained. ... Specific jail terms for offenders were not included in the legislation but are to be laid out in revisions to the Ugandan penal code at a later date, Eceru told the paper." [24a]

An article dated 7 October 2008 on the website of Behind the Mask reported "The Ugandan government said Saturday it would strengthen anti-gay laws and step up police operations against homosexuals amid concern over the 'mushrooming' number of gays and lesbians in the East African nation." [36b]

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Government/societal attitudes

The USSD Report 2007 noted that "Public resentment against homosexuality sparked demonstrations and significant public debate during the year. The government took a strong position against the practice. A local NGO, Sexual Minorities in Uganda, protested several members' alleged harassment by police for their vocal stand against sexual discrimination". [2a]

Behind The Mask in an article dated 18 September 2008 reported:

"Turmoil has erupted once again in Uganda as police clamp down on homosexuals in that country, which started this Monday 15 September [2008]. Two men have already been arrested and charged with 'recruitment of homosexuals, something which, according to Human Rights Watch, is not even a legislation in Uganda's laws. Many members of the LGBTI community are in hiding avoiding detention as it is believed police are in possession of a list of about 40 people said to be homosexuals in that country." [36a]

PRISON CONDITIONS

The USSD Report 2007 noted that

"Prison conditions remained harsh and frequently life-threatening...there were reports that security forces tortured inmates. Prison conditions came closest to meeting international standards in Kampala, where prisons provided medical care, running water, and sanitation; however, these prisons were also among the most overcrowded. There were an estimated 19,000 prisoners in the prison system, approximately three times the prisons' capacity. Serious problems in prisons outside of Kampala included congestion, inadequate staff, and lack of food, water, medical care and bedding... Security forces and prison officials reportedly raped detainees during the year." [2a]

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VIOLENCE AGAINST WOMEN

Amnesty International in its 2008 report noted:

"An official government study published in August confirmed a high prevalence of violence against women, including rape and domestic violence, throughout the country. In northern Uganda, despite the cessation of hostilities in 2006, women and girls continue to face violence by government soldiers, LRA rebels who returned to their communities, law enforcement officials and members of their families and communities. The weak and ineffective justice system left female victims of sexual and gender-based violence traumatized and without any recourse to justice, legal, medical and psychological support." [3a]

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