

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	392
Land:	Uganda
Kilde:	US Department of State
Titel:	2020 Country Report on Human Rights Practices: Uganda
Udgivet:	30. marts 2021
Optaget på baggrundsmaterialet:	12. april 2021

Document #2048175

USDOS – US Department of State

2020 Country Reports on Human Rights Practices: Uganda

EXECUTIVE SUMMARY

ANNOUNCEMENT: The Department of State will release an addendum to this report in mid 2021 that expands the subsection on Women in Section 6 to include a broader range of issues related to reproductive rights.

Uganda is a constitutional republic led since 1986 by President Yoweri Museveni of the National Resistance Movement party. In 2016 voters re-elected Museveni to a fifth five-year term and returned a National Resistance Movement majority to the unicameral parliament. Allegations of disenfranchisement and voter intimidation, harassment of the opposition, closure of social media websites, and lack of transparency and independence in the Electoral Commission marred the elections, which fell short of international standards. The periods before, during, and after the elections were marked by a closing of political space, intimidation of journalists, and widespread use of torture by the security agencies.

The national police maintain internal security, and the Ministry of Internal Affairs oversees the police. While the army is responsible for external security, the president detailed army officials to leadership roles within the police force. The Ministry of Defense oversees the army. Civilian authorities maintained effective control over the security forces. Members of the security forces committed numerous abuses.

Significant human rights issues included: unlawful or arbitrary killings by government forces, including extrajudicial killings; forced disappearance; torture and cases of cruel, inhuman, or degrading treatment or punishment by government agencies; harsh and life-threatening prison conditions; arbitrary arrest or detention; political prisoners or detainees; serious problems with the independence of the judiciary; arbitrary or unlawful interference with privacy; serious restrictions on free expression, the press, and the internet, including violence, threats of violence, and unjustified arrests or prosecution of journalists, censorship, site blocking, and criminal libel laws; substantial interference with the freedom of peaceful assembly and freedom of association; restrictions on political participation; serious acts of corruption; lack of investigation of and accountability for violence against women; crimes involving violence or threats of violence targeting lesbian, gay, bisexual, transgender, or intersex persons; the existence of laws criminalizing consensual same-sex sexual conduct between adults; and the existence of the worst forms of child labor.

The government was reluctant to investigate, prosecute, or punish officials who committed human rights abuses, whether in the security services or elsewhere in government, and impunity was a problem.

Section 1. Respect for the Integrity of the Person, Including Freedom from:

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were numerous reports the government or its agents committed arbitrary or unlawful killings, including due to torture. The law provides for several agencies to investigate, inquire into, and or prosecute unlawful killings by the security forces. Human rights campaigners, however, claimed these agencies were largely ineffective. The constitution established the Uganda Human Rights Commission (UHRC) to investigate any person or group of persons for violations of any human right (see section 5). The Police Disciplinary Court has the power to hear cases of officers who breach the police disciplinary code of conduct. Military courts have the power to hear cases against officers that break military law, which bars soldiers from targeting or killing nonmilitants.

Opposition activists, local media, and human rights activists reported that security forces killed individuals the government identified as dissidents and those who participated in protests against the government (see section 1.e). Opposition politician Robert Kyagulanyi, also known as Bobi Wine, reported on February 24 that a Uganda Police Force (UPF) truck assigned to the Rapid Response Unit (RRU) killed his supporter Ritah Nabukenya. The UPF had deployed heavily in Kampala to block a Kyagulanyi political meeting with his supporters, and local media, citing eyewitness accounts, reported the police truck driver, upon seeing Nabukenya on a motorcycle taxi wearing red insignia associated with Kyagulanyi's People Power political group, drove toward her, knocked down the motorcycle, and then ran over her. Later that day the UPF released a statement saying Nabukenya fatally injured

herself when her motorcycle taxi collided with another motorcycle as it attempted to overtake the police truck. The UPF stated it would investigate what happened and promised to review the roadside CCTV as part of its investigations. Kyagulanyi demanded police release the CCTV footage of the incident, but on February 26, the UPF declared the cameras at the location were faulty and had failed to record the incident. At year’s end police had not revealed findings from its investigations.

On February 25, Kyagulanyi reported that as his motorcade drove through Nansana Town on his way back from Nabukenya’s funeral, an officer attached to the military’s Local Defense Unit (LDU) shot into a crowd of his supporters, killing 28-year-old Daniel Kyeyune. According to local media, a military spokesperson denied that an LDU officer was involved in the shooting and stated investigations had shown the assailant used a pistol, a firearm that he said LDU officers do not carry. On March 18, Kyagulanyi released amateur cellphone video footage, which showed an LDU officer firing straight into the crowd of Kyagulanyi’s supporters, after which Kyeyune can be seen on the ground. A military spokesperson, upon seeing the footage, cast doubt on the video’s authenticity, adding that the military would study it further. At year’s end the military had not released any findings from its investigations.

b. Disappearance

Local media reported several disappearances. Officials of the opposition National Unity Platform party (NUP) said they could not account for dozens of their supporters whom they said the security agencies had arrested while participating in party activities. The government neither acknowledged the persons were missing nor complied with measures to ensure accountability for disappearances. In addition, the UPF did not share any findings into the 2019 disappearance of Kyagulanyi supporter John Bosco Kibalama, who remained missing.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The constitution and law prohibit such practices. The law stipulates that any person convicted of an act of torture may receive a sentence of 15 years’ imprisonment, a monetary fine, or both. The penalty for conviction of aggravated torture is life imprisonment. Nevertheless, there were credible reports security forces tortured and physically abused suspects.

Human rights organizations, opposition politicians, and local media reported that security forces tortured dissidents as punishment for their opposition to the government. On April 24, local television stations showed images of opposition Member of Parliament (MP) Francis Zaake receiving medical treatment at the Iran-Uganda hospital in Naguru. The UPF and Uganda Peoples’ Defence Forces (UPDF) had arrested Zaake at his home in Mityana District on April 19, accusing him of violating COVID-19 restrictions on public gatherings when he distributed food to his constituents. On May 6, Zaake told journalists that upon his arrest, UPF officers under the watch of Mityana District police commander Alex Mwine and regional police commander Bob Kagarura beat him with sticks and batons, kicked him on his head, and then tied his legs and hands to suspend him under the bench in the flatbed on a police pickup truck, which drove him to the headquarters of the Chieftaincy of Military Intelligence (CMI) in Mbuya. He said CMI officials sprayed his eyes with an unknown liquid that created a sharp burning sensation, then later beat him with a stick bearing sharp objects that tore at his skin. He said UPF officers then drove him to the Special Investigations Unit (SIU) offices in Kireka, where UPF officers kicked, slapped, and punched him while telling him to quit politics, quit opposing the government, and retire to business. Zaake said his health deteriorated further while in detention, and on April 22, the UPF drove him to the Iran-Uganda hospital in Naguru for treatment. According to a Ministry of Internal Affairs document, the Iran-Uganda hospital found that Zaake had “blunt injuries on the forehead, earlobes, right and left of the chest, right side flank, right upper arm, right wrist, lower lip, left leg, and left leg shin.” On April 27, a court in Kampala ordered the UPF to release Zaake or arraign him in court. That same day the UPF drove Zaake, dressed only in shorts and unable to walk, to a court in Mityana. UPF officers carried him on a stretcher into the courtroom where a magistrate declined to hear the charges against Zaake and ordered the UPF to take him to hospital for medical treatment. The UPF, however, drove Zaake back to the SIU, where they detained him for another night and then released him on April 28. On May 6, the minister for internal affairs concluded that Zaake must have inflicted his injuries on himself “by knocking himself on the metal of the UPF police pickup truck.” On May 7, Zaake sued CMI commander Abel Kandiho, Mityana police commander Alex Mwine, SIU commander Elly Womanya, and three others for abusing him. On September 3, the Office of the Director of Public Prosecutions (ODPP) exercised its constitutional right and took over Zaake’s private suit against the security officers. Zaake told local media on September 3 that the ODPP had taken over the case in order to exonerate his abusers by putting up a dispirited prosecution, which would lead the court to issue an acquittal. The trial continued at year’s end. The ODPP also dropped its charges against Zaake on August 6.

Civil society organizations and opposition activists reported that security forces arrested, beat, and killed civilians as punishment for allegedly violating regulations to combat the COVID-19 pandemic. On March 18, the president announced restrictions to combat the COVID-19 pandemic, which included an indefinite closure of all schools and a ban on religious gatherings, which he would later expand to include a nighttime curfew, restrictions on public and private transport, and a closure of nonessential business (see section 2.d.). The president instructed police and military to enforce the regulations. Local media reported LDU and UPF officers indiscriminately beat persons they found outside after the nighttime curfew with sticks, batons, and gunstocks, maiming some and killing others. On May 13, LDU officers shot primary school teacher Eric Mutasiga in the leg and chest, as he pleaded with the officers not to arrest his neighbor, whom the officers had found selling food three minutes into a nighttime curfew. On June 8, Mutasiga died of the gunshot wounds at Mulago hospital. The UPF stated it had arrested the LDU officers involved but declared Mutasiga was injured when he got into a scuffle with the security officers. At year’s end the

UPF had not released details of its investigations into the killing. LDU and UPF personnel also attacked pregnant women who sought health care during periods when the government restricted use of public transport due to COVID-19.

On April 4, local media reported that on the night of April 3, UPF, LDU, and UPDF officers had raided a community in Elegu Town, driven dozens of persons out of their houses, beaten them with sticks and iron bars, and forced them to remove their clothes, roll in the dirt, and for some specifically to rub the dirt on their genitals, accusing them of violating the curfew. The UPDF and UPF released statements condemning the actions and promised to prosecute the officers involved. By year’s end the UPF and UPDF had not released findings from their investigations.

Impunity was a problem, and it was widespread in the UPF, UPDF, the Uganda Prisons Service (UPS), and the executive branch. The security forces did not take adequate measures to investigate and bring to account officers implicated in human rights abuses, especially in incidents involving members of the political opposition. The UPDF did not arrest or prosecute the LDU officer whom amateur cellphone video showed shooting into a crowd of opposition supporters and killing Daniel Kyeyune (see section 1.a.). Impunity was widespread because authorities gave political and judicial cover to officials who committed human rights violations. While speaking on November 29 about the November 18-19 protests, President Museveni directed police to investigate and audit the killings of 20 unarmed protesters struck by stray bullets, but not of the other 34 unarmed protesters, who he said were rioters (see section 1.e.). On August 22, President Museveni commended the UPDF’s Special Forces Command (SFC) officers who beat Kyagulanyi in August 2018. Speaking at a police recruits graduation ceremony, Museveni stated: “I found the man (Kyagulanyi) had been beaten properly, in the right way. He boxed them, and they also tried to box back until they subdued him. I was surprised that the SFC people acted properly; it was self-defense and beyond self-defense they didn’t beat. It was in order.” The government also provided legal services to police and prison officers facing charges of abuse in court. On September 23, the Attorney General’s Office sent one of its lawyers to defend UPS officer Philemon Woniala in a civil court case that lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons filed against him in his individual capacity, accusing him of torture and inhuman treatment. The law bars government lawyers from defending officials sued in their individual capacity (see section 6). On July 20, the UPDF instituted human rights refresher training courses for its LDU officers to increase respect for human rights.

Prison and Detention Center Conditions

Conditions in detention centers remained harsh and in some cases life-threatening. Serious problems included overcrowding, physical abuse of detainees by security staff and fellow inmates, inadequate food, and understaffing. Reports of forced labor continued. Most prisons did not have accommodations for persons with disabilities. The government operated unofficial detention facilities where it detained suspects for years without charge.

Physical Conditions: Gross overcrowding remained a problem. On August 7, the UPS reported its prison population had risen from 59,000 to 65,000 in four months after security forces arrested numerous individuals for defying COVID-19 restrictions. The UPS said this population was more than three times its capacity, although other data from the nongovernmental organization (NGO) World Prison Brief showed the prison detainees held were actually at 375 percent of prisons’ capacity.

Local NGOs and the UHRC declared overcrowding made the prisons a potential hotspot for the spread of COVID-19. On May 18, local media reported that some UPF posts kept male and female detainees in the same cell, and others kept adult detainees together with child detainees. On November 13, UPF officers in Oyam District arrested six NUP party officials for violating COVID-19 restrictions at an election campaign rally and detained both female and male officials in the same cell.

There were reports of deaths in prisons due to prison conditions. On February 20, local media reported that three pretrial detainees died in Atopi prison after they went to work on a prison farm despite reporting in the morning that they were ill. Prison authorities said they were carrying out postmortems to establish the causes of death but did not report the findings. Political prisoners faced different conditions from those of the general population. Zaake’s lawyers reported in April that UPF officers denied Zaake medical care.

Administration: Authorities did not always carry out investigations into credible allegations of mistreatment. The local civil society organization Human Rights Awareness and Promotion Forum reported in June that UPS officials beat lesbian, gay, bisexual, transgender, and intersex (LGBTI) detainees on account of their sexual orientation. UPS officials denied this and declined to investigate (see section 6). Local media and human rights activists reported that the UPF, UPDF, CMI, ISO, and UPS denied access to visitors for some detainees held at official and unofficial detention facilities (safe houses) (see section 6).

Independent Monitoring: The UPS reported in August that due to COVID-19 restrictions, it stopped visitors from accessing prison facilities. The UPS, however, reported that prior to the COVID-19 pandemic, it allowed the local civil society organization African Center for Treatment and Rehabilitation of Torture Victims to conduct prison visits with advance notification; however, no independent monitors received access to any unregistered detention facilities or pretrial detention cells. The International Committee of the Red Cross declined to comment on whether it conducted prison visits during the year.

Improvements: The UPS reported in August that the president had pardoned 2,833 prisoners to decongest prisons and help prevent the spread of COVID-19, although this was only half the number of detainees that entered prison between March and August. The pardoned detainees largely comprised convicts of petty offenses serving less than

two-year sentences, mothers of infants, and convicts older than age 60. The Ministry of Health donated four modern tuberculosis-testing machines to the UPS, which improved the prisons’ capacity to quickly diagnose and treat the disease.

d. Arbitrary Arrest or Detention

Although the law prohibits arbitrary arrest and detention, security forces often arbitrarily arrested and detained persons, especially opposition leaders, politicians, activists, demonstrators, journalists, LGBTI persons, and members of the general population accused of violating COVID-19 restrictions. The law provides for the right of persons to challenge the lawfulness of their arrest or detention in court, but this mechanism was seldom employed and rarely successful.

Arrest Procedures and Treatment of Detainees

The law requires that judges or prosecutors issue a warrant before authorities make an arrest unless the arrest occurs during commission of a crime or while in pursuit of a perpetrator. Nevertheless, authorities often arrested suspects without warrants. The law requires authorities to arraign suspects within 48 hours of arrest, but they frequently held suspects longer without charge. Authorities must try suspects arrested for capital offenses within 360 days (120 days if charged with an offense triable by subordinate courts) or release them on bail; however, if prosecutors present the case to the court before the expiration of this period, there is no limit on further pretrial detention. While the law requires authorities to inform detainees immediately of the reasons for detention, at times they did not do so. The law provides for bail at the judge’s discretion, but many suspects were unaware of the law or lacked the financial means to cover the bond. Judges generally granted requests for bail. The law provides detainees the right to legal representation and access to a lawyer, but authorities did not always respect this right. The law requires the government to provide an attorney for indigent defendants charged with capital offenses. Most defendants endured significant delays in this process. Security forces often held opposition political members and other suspects incommunicado and under house arrest.

Arbitrary Arrest: Arbitrary arrests and unlawful detention, particularly of dissidents, remained problems. The UPF and UPDF on numerous occasions arrested and harassed opposition politicians, their supporters, and private citizens who engaged in peaceful protests and held public rallies. LDU officers raided communities at night, dragged persons out of their houses, and arrested them for violating the COVID-19 nighttime curfew (see section 1.c.). UPF officers arrested journalists for hosting opposition politicians on radio stations (see section 2). UPF officers also raided an LGBTI shelter and arrested occupants, accusing them of violating COVID-19 regulations on social distancing (see section 6). On February 26, the UPF arrested journalist Moses Bwayo as he was on a set, shooting a documentary and music video for opposition politician Kyagulanyi. Police accused Bwayo of holding an illegal assembly “in the middle of a busy public road, causing heavy traffic jam, which inconvenienced residents.” The UPF detained Bwayo, impounded his cameras and recording equipment, and released him on February 27 without charge.

Pretrial Detention: Case backlogs due to an inefficient judiciary, inadequate police investigations, the absence of plea bargaining prior to 2015, insufficient use of bail, the absence of a time limit for the detention of detainees awaiting trial, and restrictions to combat the spread of COVID-19 contributed to frequent prolonged pretrial detentions. The UPS reported that although the rate of the country’s pretrial detainees had fallen to 47 percent of the then 59,000 total inmates in the prison system, mainly as a result of plea bargaining, it rose to 53 percent when COVID-19 restrictions came into force. In August the UPS reported COVID-19 regulations on social distancing had stopped court sessions from taking place regularly, and only a few prison facilities had videoconferencing facilities that could facilitate an online trial, which further slowed the rate at which prisons processed detainees through the system.

Detainee’s Ability to Challenge Lawfulness of Detention before a Court: Citizens detained without charge have the right to sue the Attorney General’s Office for compensation for unlawful detention; however, citizens rarely exercised this right.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, but the government did not always respect this provision. Corruption, understaffing, inefficiency, and executive-branch interference with judicial rulings often undermined the courts’ independence. Chief Justice Alphonse Owiny-Dollo repeatedly decried the shortage of judges and criticized parliament and executive decisions to spend limited resources to create new legislative positions without expanding the number of judges, which contributed to a case backlog in the courts and prevented access to justice. The executive, especially security agencies, did not always respect court orders. UPF officers in April defied court orders for the immediate release of Zaake to seek medical attention and kept him in detention an extra day (see section 1.a.).

The president appoints Supreme Court justices, Court of Appeal and High Court judges, and members of the Judicial Service Commission (which makes recommendations on appointments to the judiciary) with the approval of parliament.

Due to vacancies on the Supreme Court, Court of Appeal, High Court, and the lower courts, the judiciary did not deliver justice in a timely manner. At times the lack of judicial quorum precluded cases from proceeding.

Judicial corruption was a problem, and local media reported numerous cases where judicial officers in lower courts solicited and accepted bribes from the parties involved. In January outgoing Chief Justice Bart Katureebe announced the judiciary would subject seven judicial staff to disciplinary hearings after receiving credible allegations of corruption against them. The judiciary had not released its findings by year’s end.

Trial Procedures

Although the law provides for a presumption of innocence, authorities did not always respect this right. Defendants have the right to prompt, detailed notification of the charges against them and are entitled to free assistance of an interpreter. An inadequate system of judicial administration resulted in a serious backlog of cases, undermining suspects’ right to a timely trial. Defendants have the right to be present at their trial and to consult with an attorney of their choice. The law requires the government to provide an attorney for indigent defendants charged with capital offenses. Defendants have the right to adequate time and facilities to prepare a defense and appeal. The law allows defendants to confront or question witnesses testifying against them and present witnesses and evidence on their own behalf, but authorities did not always respect this right. Defendants may not be compelled to testify or confess guilt, and they have the right to appeal. The UPF and UPS denied some political and some LGBTI detainees access to their lawyers as they prepared their legal defense (see section 6).

All nonmilitary trials are public. A single judge decides cases in the High Court, while a panel of at least five judges decides cases in the Constitutional and Supreme Courts. The law allows military courts to try civilians who assist members of the military in committing offenses or are found possessing arms, ammunition, or other equipment reserved for the armed forces.

In September 2018, 10 years after he was arrested, the International Crimes Division of the High Court began the trial of Thomas Kwoyelo, a former commander in the Lord’s Resistance Army. Kwoyelo faced 93 charges of war crimes and crimes against humanity; his was the first war crimes trial in the country’s history. Civil society and cultural leaders criticized the slow pace of the trial, which was suspended due to COVID-19 in March with no definite date of planned resumption.

Political Prisoners and Detainees

Authorities detained numerous opposition politicians and activists on politically motivated grounds. Authorities released many without charge but charged others with crimes including treason, annoying the president, cyberharassment, inciting violence, holding illegal meetings, and abuse of office. No reliable statistics on the total number of political detainees or prisoners were available.

On December 22, plainclothes UPF officers arrested and detained human rights lawyer Nicholas Opiyo and four other lawyers while they were dining in a restaurant. The state released the other lawyers without charges but accused Opiyo of money laundering. The first court he appeared in denied him bail, citing jurisdiction issues. On December 30, Opiyo was released on bail, and his trial continued at year’s end.

On November 18, UPF officers arrested and detained presidential candidate Kyagulanyi in Luuka District as he attempted to address a campaign rally, accusing him of defying COVID-19 restrictions. Police detained Kyagulanyi at Nalufenya police station in Jinja and held him until November 20, when the Iganga chief magistrate’s court granted him bail upon his arraignment. Kyagulanyi said that UPF officers detained him alongside 19 other male suspects in the same cell with three women. Kyagulanyi’s arrest sparked widespread protests during which, according to local media, security forces attacked journalists, killed at least 54 unarmed persons and left hundreds injured. Local media showed images and footage of UPDF, military police, and UPF officers, as well as plainclothes individuals shooting with assault rifles at unarmed persons on the roadside, in office buildings, and in food markets. Several recordings of amateur cellphone footage showed military police officers shooting at unarmed individuals who were recording the security forces’ actions. Officials at Mulago hospital told local media on November 20 that most of those killed died of gunshot wounds, while others died of asphyxiation caused by tear gas. On November 20, Minister for Security Elly Tumwine told local media that the killings were justified because “the police [have] a right to shoot you and kill you if you reach a certain level of violence.” Kyagulanyi’s trial continued at year’s end.

On March 12, UPF and CMI officers surrounded the home of former minister for security, retired soldier, and presidential hopeful Henry Tumukunde in Kololo, Kampala, and told him he was under arrest for making treasonous statements. On March 3, Tumukunde had written to the Electoral Commission expressing his intention to consult the electorate regarding supporting him for a presidential election bid. Then on March 5, he appeared on a television program and said he welcomed Rwanda to support political change in Uganda. Local media and human rights activists reported that the UPF and CMI also arrested at least 13 Tumukunde associates, including his two sons and a cousin, and later charged them with obstruction of justice. The UPF detained Tumukunde at the Criminal Investigations Directorate in Kibuli and later at the Special Investigations Unit in Kireka. The UPF detained his associates and sons at Jinja Road Police Station but released the sons on March 14. On March 18, the UPF arraigned Tumukunde in court and formally charged him with treason and unlawful possession of firearms. On March 23, Tumukunde applied for bail and while initially denied, on May 11, the court granted him bail. At year’s end hearings for Tumukunde’s treason trial had not begun.

On February 20, an appellate court overturned a 2019 cyberharassment conviction against dissident Stella Nyanzi on grounds that the lower court lacked jurisdiction to hear the case and that it had not carried out a fair hearing.

Civil Judicial Procedures and Remedies

Individuals or organizations may seek civil remedies for human rights violations through the regular court system or the UHRC, which has judicial powers under the constitution. The law also empowers the courts to grant restitution, rehabilitation, or compensation to victims of human rights abuses as well as to hold public officials involved in human rights violations personally liable, including contributing to compensation or restitution costs. The UHRC’s powers include the authority to order the release of detainees, pay compensation to victims, and pursue other legal and administrative remedies, such as mediation. Civil courts and the UHRC have no ability to hold perpetrators of human rights abuses criminally liable. Bureaucratic delays hampered enforcement of judgments that granted financial compensation to victims. The government rarely complied with judicial decisions related to human rights. On May 13, opposition politician and Kampala city mayor Erias Lukwago said that courts had since 2009 awarded him in excess of 900 million Ugandan shillings (\$243,000) in compensation for inhuman treatment by security forces, but the executive had not paid him.

f. Arbitrary or Unlawful Interference with Privacy, Family, Home, or Correspondence

The constitution and law prohibit such actions, but there were reports the government failed to respect these prohibitions. Police did not always obtain search warrants to enter private homes and offices. In August 2019 media reported the government hired Huawei technicians to hack into Kyagulanyi’s private WhatsApp communications to gather political intelligence against him. The Ugandan and Chinese governments both denied spying on Kyagulanyi. The UPF, however, noted in an August 2019 statement that Huawei had supplied it with closed-circuit television cameras with facial recognition technology, which it installed across the country. According to media reports, the government used Huawei surveillance technology to monitor the whereabouts of Kyagulanyi and other political opponents.

Human rights activists said that government agencies broke into activists’ homes without judicial or other appropriate authorization and arbitrarily sought to access activists’ private communication. On September 9, human rights lawyer Nicholas Opiyo reported unidentified individuals broke into his private apartment and stole his communication equipment, including his computers and cell phones. Opiyo reported on September 11 that he digitally tracked his missing phones to the CMI headquarters in Mbuya. The law authorizes government security agencies to tap private conversations to combat terrorism-related offenses. The government invoked the law to monitor telephone and internet communications.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution and law provide for freedom of speech, including for the press, but the government often restricted this right.

Freedom of Speech: The government restricted citizens’ ability to criticize its actions or to discuss matters of general public concern. It also restricted some political symbols. The UPF randomly attacked and arrested persons it found wearing camouflage clothing, red berets, and red insignia associated with Kyagulanyi’s People Power political movement and the NUP party, which the security agencies stated were reserved for use by security forces (see section 3). Military police officers wear red berets, which feature a distinct logo from those on the berets that NUP supporters wear. Human Rights Watch reported that on July 24, the UPF raided the premises of Radio Simba FM station in Kampala and arrested four comedians (Julius Serwanja, Simon Peter Ssabakaki, Merceli Mbabali, and Gold Kimatono), accusing them of promoting sectarianism and “causing hatred and unnecessary apprehension.” On July 15, the comedians had posted on the internet a satirical video of a mock prayer session, in which they asked a mock congregation to pray for specific political, public service, and military leaders including the president, all hailing from the western region. On July 28, a court ordered the UPF to release the comedians, which the police did.

Freedom of Press and Media, Including Online Media: The country had an active media environment with numerous privately owned newspapers and television and radio stations. These media outlets regularly covered stories and often provided commentary critical of the government and officials. The UPF’s Media and Political Crimes Unit and the communications regulator Uganda Communications Commission, however, closely monitored all radio, television, and print media. The government restricted media.

Violence and Harassment: Security forces subjected journalists and media houses to violence, harassment, deportations, and intimidation. On December 10, the Uganda Media Council (UMC) cancelled all existing accreditations for foreign journalists and required them to reregister within a week to be able to continue working in the country. On November 30, journalist Margaret Evans, working with the Canadian CBC News, reported that immigration authorities had deported her and her team after the UMC cancelled their accreditation. In response to Evans’s comments that the government was avoiding outside scrutiny ahead of the elections, government spokesperson Ofwono Opondo stated the government reserved the right to admit or refuse admission to foreign persons, including journalists, and it did not need outside scrutiny to qualify its electoral process as credible. Opondo later added that Evans’ team had violated provisions of their tourist visas and that they were welcome to reapply for a visa that allowed them to work as journalists in the country. The Human Rights Network for Journalists Uganda (HRNJU) reported in January that the UPF blocked journalists from covering opposition rallies, confiscated their recording equipment, and forcibly deleted the content. On July 22, the UPF arrested five journalists working at Baba FM radio station, accusing them of inciting violence and disobeying lawful orders. On July 18, the journalists had hosted opposition politician Kyagulanyi on Baba FM for a political talk show. Police released the journalists on July 23 without charge. The HRNJU reported numerous incidents between April and August when UPF, UPDF, and LDU officers beat, detained, and confiscated equipment of journalists covering implementation of the COVID-19

restrictions. On April 13, CMI officers arrested blogger and Forum for Democratic Change (FDC) activist Kakwenza Rukirabashaija, who had published a book ridiculing the president and his family. Rukirabashaija stated that CMI officers chained him by the legs and hands to stair railings through the night. On April 21, the UPF arraigned Rukirabashaija in court and formerly charged him with “doing an act likely to spread disease,” in relation to Facebook posts he made critical of the COVID-19 restrictions. The court granted him bail on May 6. The trial continued at year’s end (see also section 1.d., Arbitrary Arrest). On September 18, CMI officials again arrested Rukirabashaija in relation to an unpublished manuscript detailing his torture during the earlier arrest. CMI officers transferred him to SIU, whose officers stated they were investigating Rukirabashaija for inciting violence and promoting sectarianism. SIU officers released Rukirabashaija on September 21 without charge. On November 18, local media broadcast images of a UPF officer spraying pepper spray into the eyes of journalist Ashraf Kasirye as he recorded other UPF officers arrest Kyagulanyi while holding a presidential election campaign (see section 1.e.).

Censorship or Content Restrictions: The government penalized those who published items counter to its guidelines and directly and indirectly censored media, including by controlling licensing and advertising, instructing editors to suspend critical journalists, arresting and beating journalists, and disrupting and ransacking photojournalistic exhibitions. Government officials and ruling party members owned many of the private rural radio stations and imposed reporting restrictions. Media practitioners said government and security agents occasionally called editors and instructed them not to publish stories that negatively portrayed the government. Journalists, under government pressure, practiced self-censorship. On August 1, the UPF wrote to Victoria Broad Link radio in Jinja City and instructed it not to host the opposition Democratic Party President Norbert Mao for a talk show. The UPF letter stated that hosting Mao “conflicted with COVID-19 guidelines of implementing curfew.” The UPF also noted in the letter, however, that the radio station could host Mao via a Zoom internet connection and only if the discussion topics stayed clear of politics.

Libel/Slander Laws: Authorities used libel, defamation, and slander laws to suppress criticism of government officials. On May 7, the UPF arrested human rights lawyer Isaac Ssemakadde, accusing him of breaching the law on offensive communication and criminal libel after he posted a tweet criticizing the newly installed director of public prosecutions, Jane Francis Abodo. The UPF released Ssemakadde later that day without formal charges.

National Security: Authorities cited laws protecting national security to restrict criticism of government policies. On December 9, the Ugandan Communications Commission wrote a letter to Google asking the company to block certain YouTube accounts for disseminating content “contrary” to the country’s laws after they posted videos showing security force abuses. Security agencies arrested numerous dissidents on charges of incitement of violence. On the evening of April 20, UPF officers stopped journalist Samson Kasumba outside the NBS TV offices and arrested him after he completed his evening newscast. UPF officials declared they detained Kasumba over his alleged involvement in subversive activities. The UPF kept Kasumba at the Kira Road Police Station, and on April 21, UPF officers from the Electoral and Political Crimes desk carried out a search of Kasumba’s home. The UPF released Kasumba soon thereafter.

Internet Freedom

The government restricted and disrupted access to the internet, censored online content, monitored internet communications without appropriate legal authority, and punished internet users who expressed divergent political views. On September 8, the Uganda Communications Commission announced that it had given online publishers, bloggers, and influencers until October 5 to register with them for a \$20 annual license before they continued content production for public consumption, which some criticized as an attempt to restrict online media. According to the Freedom on the Net Report, government officials openly monitored social media posts. Human rights activists, journalists, and opposition politicians reported the ruling party’s communications arm sponsored a multitude of bots and fake online accounts to attack opposition politicians and activists on social media. Authorities used laws against cyberharassment and offensive communication to intimidate critics and to stop women from publicly identifying their abusers online (see section 6). On March 5, the HRNJU reported the UPF in Kumi District arrested journalist James Odongo Akia on cyberharassment, defamation, and computer misuse charges, accusing him of using a pseudo account to defame the UPDF commander for land forces, Peter Elwelu, and a local medic, John Okure. A court remanded Akia to prison on March 10 and granted him bail on March 13. The trial continued at year’s end.

Academic Freedom and Cultural Events

The government restricted artistic presentations, including music lyrics and theatrical performances. On June 6, the government announced that on July 31 it would start to enforce a raft of regulations it had passed in 2019, which placed significant restrictions on the arts, telecommunications, and media such as the requirement to secure government permits before making film, documentary, or commercial photography content. On August 6, Minister for Information, Communications Technology, and National Guidance Judith Nabakooba indefinitely suspended implementation of the regulations to enable her ministry to carry out wider consultations with the arts industry. Authorities harassed musicians who recorded songs critical of ruling party politicians. On July 23, the UPF arrested musician Gerald Kiweewa, accusing him of defaming ruling party MP and former minister Idah Nantaba. Kiweewa had earlier recorded a song entitled “Nantaba” that alluded to the former minister’s romantic relationships. On July 29, a court ordered the UPF to release Kiweewa, which they did.

b. Freedoms of Peaceful Assembly and Association

The government restricted freedoms of peaceful assembly and association. Government failure to investigate or prosecute attacks on human rights defenders and peaceful protesters led to de facto restrictions on freedom of assembly and association.

Freedom of Peaceful Assembly

While the constitution provides for freedom of assembly, the government did not respect this right. The government used the Public Order Management Act (POMA) to limit the right to assemble and to disrupt opposition and civil society-led public meetings and rallies until March 26 when the Constitutional Court nullified sections of the law, which had granted the UPF vague powers to block gatherings. The law had placed a significant bureaucratic burden on those wishing to organize or host gatherings and afforded the UPF wide discretion to prevent an event. While the law only required individuals to “notify” police of their intention to hold a public meeting, it also gave police the power to block meetings they deemed “unsuitable.” Typically, the UPF simply failed to respond to “notifications” from opposition groups, thereby creating a legal justification for disrupting almost any gathering.

On numerous occasions between January and March, the UPF blocked presidential hopeful Kyagulanyi from holding consultative meetings with his supporters in preparation for his presidential bid. On January 6, the UPF fired tear gas and bullets to disperse one of Kyagulanyi’s consultative meetings, arguing that Kyagulanyi had not fulfilled POMA requirements, which call for holding the event in an enclosed space, providing ambulances for emergency evacuation, providing firefighting trucks, and providing toilets. After the POMA nullification, the UPF used COVID-19 restrictions to block and disperse political opposition gatherings and rallies. On March 18, the president banned political and cultural gatherings as part of the measures to prevent the spread of COVID-19. On March 24, the government published the Public Health (Control of COVID-19) Rules that made it an offense to “hold public meetings, including political rallies, conferences, and cultural related meetings,” punishable by two months’ imprisonment. Opposition politicians, however, reported the UPF blocked opposition politicians from holding meetings but allowed ruling party politicians to hold rallies and processions. On July 10 and July 16, the UPF arrested FDC MP Ibrahim Ssemujju Nganda, accusing him of violating COVID-19 restrictions when he organized a meeting of party members. The UPF fired teargas and bullets to disperse the meetings. The UPF released Ssemujju Nganda without charge. In contrast, ruling party politicians such as State Minister for Investment Evelyn Anite, Minister for Justice and Constitutional Affairs Ephraim Kamuntu, and Minister for Health Jane Ruth Aceng held large campaign rallies and processions without interruption from security forces. On August 29, however, the UPF arrested ruling party MP Sam Bitangaro for holding a rally in violation of COVID-19 rules. He was released that day without formal charges.

Freedom of Association

While the constitution and law provide for freedom of association, the government did not respect this right. The government restricted the operations of local NGOs, especially those that work on civil and political rights (see section 5). Government regulations require NGOs to disclose sources of funding and personal information about their employees and impose onerous registration and reporting requirements. They enable the NGO Bureau and its local level structures to deny registration to any organization focused on topics deemed “undesirable” or “prejudicial” to the “dignity of the people of Uganda.” The regulations also provide the NGO Bureau broad powers to inspect NGO offices and records and to suspend their activities without due process. The NGO Bureau imposed registration, permit renewal, and administrative fees that local NGOs declared were exorbitant. On December 2, local media reported that the Financial Intelligence Authority had directed commercial banks to freeze the bank accounts of four human rights civil society organizations over suspicions that they were supporting political opposition. The organizations’ bank accounts remained frozen at year’s end. Authorities harassed and blocked activities run by organizations that advocated for the human rights of LGBTI persons (see section 6, Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity).

The government also restricted the operations of opposition political parties (see section 3).

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at <https://www.state.gov/religiousfreedomreport/>.

d. Freedom of Movement

Not applicable.

e. Status and Treatment of Internally Displaced Persons

Not applicable.

f. Protection of Refugees

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to refugees, returning refugees, asylum seekers, stateless persons, or other persons of concern. The government continued to uphold its enabling asylum policies and practices toward refugees and asylum seekers from various countries, mainly from South Sudan, the Democratic Republic of the Congo (DRC), Burundi, and Somalia. Most refugees enjoyed unhindered access to asylum, freedom of movement, freedom of residence, right to registration and documentation, and access to justice, education, health care, and employment.

Abuse of Migrants, Refugees, and Stateless Persons: UNHCR and NGOs continue to receive reports that some government officials demanded bribes from refugees to process or issue paperwork. There were reports UNHCR staff demanded sex in exchange for food.

Refolement: Although there were no credible reports of refolement during the year, Rwandan and Burundian refugee groups continued to express fear that authorities were either complicit in or unable to stop extrajudicial actions by neighboring governments.

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. Individuals fleeing South Sudan and the Democratic Republic of the Congo (as long as Congolese are from eastern DRC) who enter the country through a designated border point have automatic prima facie refugee status (status without determination of individual refugee status). The local Refugee Eligibility Committee, however, determines whether individuals fleeing from Rwanda, Somalia, Burundi, and other countries are eligible for refugee status. The committee was functional, but administrative matters and the continued influx of asylum seekers continued to cause backlogs, although UNHCR and the government were working to address them.

Durable Solutions: The government did not accept third-country refugees for resettlement, but it assisted in the safe and voluntary return of refugees to their homes and supported the resettlement of third-country refugees to other countries by providing birth certificates and travel documents. A 2015 constitutional court ruling confirmed that certain long-term refugees have the right to naturalize, and in 2016 the government committed to begin processing naturalization cases for an estimated 15,000 refugees who had resided in the country for approximately 20 years. During the year there were no known cases of a refugee having completed naturalization.

Section 3. Freedom to Participate in the Political Process

The law provides citizens the ability to choose their government through free and fair periodic elections held by secret ballot and based on universal and equal suffrage. The law also allows authorities to carry out elections for the lowest-level local government officials by having voters line up behind their preferred candidate or the candidate’s representative, portrait, or symbol. Serious irregularities marred the 2016 presidential and parliamentary elections and several special parliament elections that followed.

Elections and Political Participation

Recent Elections: In 2016 the country held its fifth presidential and legislative elections since President Museveni came to power in 1986. The Electoral Commission (EC) announced the president was re-elected with 61 percent of the vote, and FDC candidate Kizza Besigye finished second with 36 percent. The ruling National Resistance Movement (NRM) party captured approximately 70 percent of the seats in the 431-member unicameral parliament. Domestic and international election observers stated the elections fell short of international standards for credible democratic elections. The Commonwealth Observer Mission’s report noted flawed processes, and the EU’s report noted an atmosphere of intimidation and police use of excessive force against opposition supporters, media workers, and the public. Domestic and international election observers noted biased media coverage and the EC’s lack of transparency and independence. Media reported voter bribery, multiple voting, ballot box stuffing, and the alteration of precinct and district results. Due to election disputes stemming from the elections, in 2016 the Supreme Court recommended changes to electoral laws to increase fairness, including campaign finance reform and equal access for all candidates to state-owned media. The government had not yet enacted laws to comply with these recommendations.

During the year the EC held several local elections, which local media reported featured incidents of intimidation by security forces and irregularities such as voters in opposition strongholds complaining their names were missing on the voter register. Political parties also held party primaries in preparation for the 2021 general election. On September 4, the ruling NRM party held its primaries, in which party members alleged widespread voter intimidation, bribery, harassment, and killings of rival supporters. On September 4-5, local media broadcast images of party members receiving 5,000 Ugandan shillings (\$1.35) each before lining up to vote. On September 5, amateur cellphone video footage emerged on social media showing State Minister for Labor Mwesigwa Rukutana in a scuffle with a rival’s supporters, before drawing a rifle from one of his bodyguards and aiming it at his rival’s vehicle. Local media reported that Rukutana fired the gun at the vehicle, injuring an occupant and damaging the car. On September 6, the UPF arrested Rukutana with his three bodyguards for inciting violence, attempted murder, and malicious damage to property. His trial continued at year’s end.

Political Parties and Political Participation: Security forces arbitrarily arrested and detained opposition leaders and intimidated and beat their supporters (see sections 1.a., 1.c., and 1.d.). On October 14, UPF and UPDF officers raided the NUP secretariat in Kamwokya and confiscated documents, property, and party insignia while accusing the NUP of being in possession of military uniforms (see section 2.a.). NUP officials reported UPF and UPDF personnel stole 25 million Ugandan shillings (\$6,800) from the party’s offices that the party had earmarked to pay nomination fees for its electoral candidates, and confiscated signatures backing Kyagulanyi’s nomination to contest for the presidency. The UPF used COVID-19 restrictions to disperse opposition meetings and rallies but allowed similar meetings by the ruling party to proceed unhindered (see section 2.b.). The law prohibits candidates from holding official campaign events more than four months prior to an election, although the ruling NRM party operated without restriction, regularly holding rallies and conducting political activities. In December 2019 the EC announced it had closed its update of the voter register in preparation for the 2021 election, effectively blocking more than one million citizens who would have turned 18 years old—the required minimum age to vote—by February 2021 from participating in the electoral process. Local civil society organizations criticized the action and stated the EC closed the voter register early to lock out potential Kyagulanyi supporters. The UPF used COVID-19 restrictions regularly

to block opposition politicians from appearing on radio and television talk shows (see section 2.a.). Opposition politicians also accused the ruling party of gerrymandering when the parliament approved 46 new legislative districts.

Participation of Women and Members of Minority Groups: No laws limit the participation of women or members of minority groups in the political process, and they did participate. Women comprised 35 percent of the members of parliament and occupied 34 percent of ministerial positions. Cultural factors, high costs, and sexual harassment, however, limited women’s ability to run for political office. Female activists reported the official fees required to secure a nomination to run for elected office were prohibitively high and prevented most women from running for election. Gender rights activists reported violence from the security agencies discouraged women from participating in electoral activities. Gender rights activists also reported an affirmative action policy, which reserved a legislative position for women in each district, instead discouraged women from running against men in the other positions not reserved for women. Election observers reported that holding party primaries and some local government elections by having voters line up behind their selected candidate effectively disenfranchised women, because they could be discouraged from participating in a process that could bring them into conflict with their domestic partners if they voted for the opposing candidate.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties of up to 12 years’ imprisonment and confiscation of the convicted persons’ property for official corruption. Nevertheless, transparency civil society organizations stated the government did not implement the law effectively. Officials frequently engaged in corrupt practices with impunity, and many corruption cases remained pending for years.

Corruption: Media reported numerous cases of government corruption, most notably the April 7 arrest of four senior Office of the Prime Minister officials managing relief aid for the COVID-19 response, following an investigation by the Anti-Corruption Unit. The state charged the four, including the Permanent Secretary, Christine Guwatudde and Commissioner for Disaster Preparedness and Management Martin Owor, in the Anti-Corruption Court with inflating prices of COVID-19 food relief items. As part of the investigation, on April 11, police searched Owor’s private residence and found food and nonfood relief items, including items the government had designated for 2019 mudslide victims.

President Museveni dismissed or moved a number of high-level officials following corruption allegations. For example, on July 21, Museveni ordered the dismissal of eight senior EC officials. Media reported the firings were a result of corruption by the individuals during the procurement of election materials for the 2021 election. Opposition politicians, however, told media that Museveni actually fired the individuals because they did not procure the services of the company he preferred, alleging electoral malpractice. The EC chairperson denied all allegations, stating the eight had chosen to retire. Anticorruption activists said while high-profile individuals were fired, the government had not initiated legal proceedings, so the officials faced few material consequences.

Financial Disclosure: The law requires public officials to disclose their income, assets, and liabilities, and those of their spouses, children, and dependents, within three months of assuming office, and every two years thereafter. The requirement applies to 42 position classifications, totaling approximately 25,000 officials, including ministers, members of parliament, political party leaders, judicial officers, permanent secretaries, and government department heads, among others. Public officials who leave office six or more months after their most recent financial declaration are required to refile. The Inspector General of Government is responsible for monitoring compliance with the declaration requirements, and penalties include a warning, demotion, and dismissal.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups operated with government restrictions. The president continued repeatedly to accuse civil society of accepting funding from foreign donors interested in destabilizing the country.

NGOs reported the government’s measures to address the COVID-19 pandemic, particularly restrictions on the use of private and public vehicles from March to May, made community-level work especially difficult. NGOs continued to report subtle intimidation by government officials at the district level. In particular, NGOs reported having to pay fees to local government officials that are not required by law. Local government officials insisted on these payments before allowing NGOs to conduct activities in their respective areas. The law continued to hinder NGOs’ operations. In particular, the requirement for local authorization through district-level memoranda of understanding proved difficult for many NGOs to execute and threatened their compliance with the law.

Following advocacy from the NGO Forum, an organization that represents NGOs in the country, the Ministry of Internal Affairs continued to allow NGOs that had missed a 2019 deadline to register (despite its premature November 2019 announcement that it had shut down 12,000 NGOs that had not done so), and by the end of the year, the ministry had not shut down any NGOs.

Government Human Rights Bodies: The UHRC is the constitutionally mandated institution with quasi-judicial powers authorized to investigate allegations of human rights abuses, direct the release of detainees, and award compensation to abuse victims. The president appoints its board, consisting of a chairperson and five commissioners.

The UHRC pursues suspected human rights abusers, including in the military and police forces. It visits and inspects places of detention and holds private conferences with detainees on their conditions in custody. It investigates reports of human rights abuses, reports to parliament its annual findings, and recommends measures to improve the executive's respect of human rights. The UHRC reported the executive did not always implement its recommendations.

In November 2019 the UHRC chairperson died suddenly of natural causes, and by year's end, the UHRC had not yet appointed a permanent replacement. Members of parliament and NGOs expressed concern that although there was an acting chairperson, the lack of an official chairperson hindered the work of the UHRC. The UHRC's annual report cannot be publicly released without the chairperson first presenting it to parliament—without a chairperson, this report remained pending. On July 30, parliament's Public Accounts Committee questioned the UHRC regarding 1.3 billion Ugandan shillings (\$351,000) of unspent funds in the 2018/19 fiscal year. The UHRC responded that with only two commissioners, the lack of a fully constituted committee meant they had been unable to conduct tribunal sessions and hear cases.

The UHRC provided human rights guidance to the government during the COVID-19 pandemic, reporting on March 27 that the measures the government imposed did not infringe on the human rights of citizens. On June 23, the acting UHRC chairperson told reporters that through UHRC helplines they had received 283 complaints of torture perpetrated by security forces since the March implementation of COVID-19 countermeasures began. Of these, 150 complaints listed the UPF as perpetrators, 83 cited the UPDF, and five the Uganda Prison Service. The UHRC investigated these claims, referring them to the COVID-19 task force and district authorities as needed. Throughout the implementation of COVID-19 measures, the UHRC cautioned security forces to reduce their use of force, and citizens to follow the government regulations.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: The law criminalizes rape of women, which is punishable by life imprisonment or death. The law does not address spousal rape. The penal code defines rape as “unlawful carnal knowledge of a woman or a girl without her consent.” Men accused of raping men are tried under a section of the penal code that prohibits “carnal knowledge of any person against the order of nature.” The law also criminalizes domestic violence and provides up to two years' imprisonment for conviction.

Rape remained a common problem throughout the country, and the government did not effectively enforce the law. Local media reported numerous incidents of rape, often involving kidnapping and killings of women, but authorities were often unable to investigate and hold perpetrators accountable. Local media often reported that perpetrators of rape included persons in authority, such as religious leaders, local government officials, UPF and UPDF officers, health-care workers, media personalities, teachers, and university staff. According to local media and local civil society organizations, rape victims often believed they were powerless to report their abusers, in part to avoid stigmatization. Civil society organizations and local media reported that, even when women reported cases of rape to the police, UPF officers blamed the women for causing the rape by dressing indecently, took bribes from the alleged perpetrators to stop the investigation and to pressure the victims into withdrawing the cases, or simply dismissed the accusations and refused to record them. According to civil society organizations, UPF personnel lacked the required skills for collection, preservation, and management of forensic evidence in sexual violence cases. Civil society organizations also reported that some police stations lacked female officers on the staff, which discouraged rape victims from reporting their cases. For example, on January 1, several women posted that radio presenter and employee of the state-owned Vision Group Charles Denzel Mwiyeretsi had raped or attempted to rape them. Vision Group's chief executive said on January 2 that Mwiyeretsi would face a company disciplinary committee, but the company had not revealed details of its investigations by year's end.

Women's rights activists reported the government used the law to silence women and stop them from identifying their abusers online. On February 20, the UPF arrested university student Sheena Bageine, accusing her of cyberharassment and offensive communication after she posted the names of numerous men she alleged were rapists. The UPF released Bageine on February 21 without formally charging her.

Gender-based violence was common and became increasingly prevalent after March, when the government enforced a lockdown to combat the COVID-19 pandemic. Civil society organizations reported the lockdown saw an increase in violent resolution of domestic disputes, which adversely affected women. On August 1, a 46-year-old teacher, Simon Shimanya, struck his wife with a pickaxe at their home in Kasangati, Kampala and killed her. On August 13, the UPF arrested Shimanya 200 miles from Kampala. On August 25, a court found Shimanya guilty of manslaughter and later sentenced him to 17 years in prison.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C and establishes a maximum penalty of 10 years' imprisonment for convicted perpetrators, or life imprisonment if the victim dies. According to the 2016 Demographics and Health Survey, 0.3 percent of the female population younger than age 50 had undergone FGM/C. On February 5, State Minister for Gender, Labor, and Social Development Peace Mutuuzo reported that persons

practicing FGM/C had co-opted health-care workers, who allowed them to carry out the procedures in hospitals, to create the impression that it was safer. Minister Mutuuzo also reported that persons aspiring to political office in the 2021 general elections made public statements in support of FGM/C. Minister Mutuuzo also reported the government allocated 200 million Ugandan shillings (\$54,000) to combat FGM/C but declared that this was only one-sixth of the required sum.

Other Harmful Traditional Practices: According to local media and NGOs, violence against widows and acid attacks were prevalent. NGOs reported that widows in remote areas experienced sexual violence at the hands of their deceased husband’s family and lost their rights to property.

Sexual Harassment: The law criminalizes sexual harassment and provides for penalties of up to 14 years’ imprisonment, but authorities did not effectively enforce the law. Sexual harassment was a widespread problem in homes, schools, universities, workplaces, public transport, public spaces, and in the music and entertainment industry. Local media reported numerous incidents of senior executives, public servants in the legislature and judiciary, and music producers who demanded sexual favors from female subordinates in exchange for job retention, promotion, and nomination for official trips. In March numerous emerging women musicians reported on television that music producer and songwriter Andrew Ojambo, also known as Daddy Andre, had attempted to or had forced them into sexual relationships with him at a studio in his bedroom as a precondition for recording or promoting their songs. Ojambo denied the allegations.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization on the part of government authorities.

Discrimination: The law provides women the same legal status and rights as men, but the government did not enforce the law effectively. Local NGOs reported numerous cases of discrimination against women, including in divorce, employment, education, and owning or managing businesses and property. Many customary laws discriminate against women in adoption, marriage, divorce, and inheritance. Under customary laws in many areas, widowed women cannot own or inherit property or retain custody of their children. Local NGOs reported that the government occasionally paid significantly less compensation to women than men in exchange for land it repossessed, while in some cases, it forcefully evicted women without compensation. Traditional divorce law in many areas requires women to meet stricter evidentiary standards than men to prove adultery. In some ethnic groups, men can “inherit” the widows of their deceased brothers. The law does not recognize cohabiting relationships, and women involved in such relationships have no judicial recourse to protect their rights.

Children

Birth Registration: The law accords citizenship to children born inside or outside the country if at least one parent or grandparent is a citizen at the time of birth. Abandoned children younger than age 18 with no known parents are considered citizens, as are children younger than 18 adopted by citizens.

The law requires citizens to register a birth within three months. Lack of birth registration generally did not result in denial of public services, although some primary schools, especially those in urban centers, required birth certificates for enrollment. Enrollment in public secondary schools, universities, and other tertiary institutions required birth certificates.

Education: The law provides for compulsory education through the completion of primary school by age 13, and the government provided tuition-free education in select public primary and secondary schools (ages six to 18 years). Parents, however, were required to provide lunch and schooling materials for their children, and many parents could not afford such expenses. Local media and civil society organizations reported that child, early, and forced marriages and teenage pregnancy led to a higher rate of school dropouts for girls than for boys.

Child Abuse: The law prohibits numerous forms of child abuse and provides monetary fines, five years’ imprisonment, or both for persons convicted of abusing children’s rights. Victims’ parents, however, often opted to settle cases out of court for a cash or in-kind payment. Corporal punishment in schools is illegal and punishable by up to three year’s imprisonment. The law also provides for protection of children from hazardous employment and harmful traditional practices, including child marriage and FGM/C. Despite the law, a pattern of child abuse existed in sexual assault, physical abuse, ritual killings, early marriage, FGM/C, child trafficking, infanticide, and child labor, among other abuses. Traditional healers (witch doctors) kidnapped and killed children to use their organs for ancestral worship. Local NGOs reported cases in which wealthy entrepreneurs and politicians paid traditional healers to sacrifice children to ensure their continued wealth and then bribed police officers to stop the investigations. On August 3, local media reported that a community in Soroti Town had lynched Thomas Ekwaru, 25, after he confessed to killing his three-year-old niece in ancestral worship. Ekwaru said he had killed his niece to cleanse her deaf parents of evil spirits. Local media reported that in the vast majority of schools, beating with a cane was the preferred method of discipline. A 2018 UNICEF report stated that three in four children had experienced physical violence both at home and in school. Government statistics also showed that more than one in three girls experienced sexual violence during her childhood, and that most did not report the incidents because they feared they would be shamed or embarrassed. Local media, civil society organizations, and the government reported they registered an increase in child abuse after the government closed schools in March as part of a lockdown to prevent the spread of COVID-19. Civil society organizations reported that children experienced increased violence at home through beatings by their parents and guardians as a disciplinary measure.

The Lord’s Resistance Army, an armed group of Ugandan origin operating in the DRC, South Sudan, and the

Central African Republic, continued to hold children against their will.

Child, Early, and Forced Marriage: The legal minimum age for marriage is 18, but authorities generally did not enforce this law. According to UNICEF in 2017, 40 percent of girls were married before age 18 and 10 percent were married before age 15. Local media, civil society organizations, and government officials reported that after the country instituted a lockdown in March to combat COVID-19, families married off children between the ages 13 and 17 to raise revenue through dowry payments to replace income lost during the pandemic. The minister of education and sports, the minister of gender, labor, and social development, and the minister of information and communications technology each called separately on communities to report child marriages and for police to investigate them adequately.

Sexual Exploitation of Children: The law prohibits commercial sexual exploitation, the sale and procurement of sexual services, and practices related to child pornography. It sets the minimum age for consensual sex at 18 years. The law defines “statutory rape” as any sexual contact outside marriage with a child younger than 18, regardless of consent or age of the perpetrator, carrying a maximum penalty of death. The government did not enforce the law effectively, however, and the problem was pervasive. Local media reported that pimps along major cargo transit towns worked in tandem with bar and motel owners to place children on their premises as sex workers to a largely truck driver clientele. Civil society organizations also reported that pimps placed children to work as sex workers in places that tourists frequented.

Infanticide or Infanticide of Children with Disabilities: On September 14, media reported that some parents of children with disabilities abandoned them in the bush or threw them in pit latrines to die.

Displaced Children: Local civil society organizations and media reported that poverty and famine drove families in the remote northeast Karamoja region to send many children to Kampala to find work and beg on the streets. Civil society organizations reported that traffickers often manipulated families in Karamoja to sell their children to traffickers for 50,000 Ugandan shillings (\$13.50) with promises the children would obtain a good education or a profitable job. Instead, traffickers forced the children to beg on the streets of Kampala or other major cities and gave them almost none of what they earned. Kampala City authorities worked with civil society organizations to return Karamojong street children to their families, but often the families soon returned the children to the streets because they partly depended on their collections to maintain their households.

Institutionalized Children: Local NGOs reported the UPF often detained child and adult suspects in the same cells and held them beyond the legal limit of 48 hours prior to arraignment.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State’s *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data/reported-cases.html>.

Anti-Semitism

The Jewish population had approximately 2,000 members centered in Mbale District, in the eastern part of the country. There were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities. It provides for access to education, employment, health services, information, communications, buildings, transportation, and the judicial system for persons with disabilities, but the government did not effectively enforce the law. Local media and activists for persons with disabilities reported that persons with disabilities experienced social prejudice and discrimination in social service delivery and in access to public spaces. Disability rights activists reported government requirements for every person to wear a face mask as part of its public health regulations to mitigate the spread of COVID-19 discriminated against deaf persons, who needed sign language—often accompanied by mouthing words—to communicate. Disability rights activists also highlighted that the president issued important policy speeches on television regarding COVID-19 without providing sign language interpretation for deaf persons. Local media reported some parents with children with disabilities hid them from the public out of shame, while some physically restrained them by tethering them to tree trunks. Local civil society organizations reported the government neither ran any support programming for persons with albinism, nor made an effort to establish the number of those with albinism or their concerns.

Members of National/Racial/Ethnic Minority Groups

There were reports that authorities used violence to displace an ethnic community from disputed land. According to local media and opposition politicians, authorities continued to harass and evict members of the Acholi community from the disputed village of Apaa as they had in prior years. Media reports noted that more than 2,000 Acholi whom the UPDF and the Ugandan Wildlife Authority had evicted since 2017 remained displaced, with no access to farming land. On several occasions the government announced that all residents should vacate Apaa village to make way for a wildlife reserve but reversed the decision after uproar from the community’s leaders. In July a

parliamentary committee recommended that the government halt all evictions until it secured adequate land to which it would relocate the community. A committee the president instituted in 2019 to devise a peaceful solution to the issue did not report its findings by year’s end.

Indigenous People

Indigenous minorities continued to accuse the government of marginalization that disabled them from participating in decisions affecting their livelihood. Civil society organizations reported the government continued in its refusal to compensate the Batwa people, whom it displaced from lands it designated as forest reserves. The government, however, announced in August that it would compensate and return game park land in the eastern part of the country back to the Batwa people, whom it had evicted in the 1920s. Civil society organizations reported government failed to protect the Batwa people from discrimination, exploitation at work, and sexual violence. Civil society organizations reported that persons from other communities raped Batwa women because they believed that sexual intercourse with one cured HIV/AIDS.

Acts of Violence, Criminalization, and Other Abuses Based on Sexual Orientation and Gender Identity

Consensual same-sex sexual conduct is criminalized according to a colonial-era law that criminalizes “carnal knowledge of any person against the order of nature” and provides for a penalty of up to life imprisonment. Attempts to “commit unnatural offences,” as laid out in the law, are punishable with seven years of imprisonment. The government occasionally enforced the law. Although the law does not restrict freedoms of expression or peaceful assembly for those speaking out in support of the human rights of LGBTI persons, the government severely restricted such rights. The law does not prohibit discrimination against LGBTI persons in housing, employment, nationality laws, or access to government services.

LGBTI persons faced discrimination, legal restrictions, harassment, violence, and intimidation. Authorities incited, perpetrated, and tolerated violence against LGBTI individuals and blocked some meetings organized by LGBTI persons and activists. On July 19, local government authorities in Kyenjojo Town disrupted a meeting of LGBTI persons organized by the Western Uganda Faith-based Organizations Network, accusing it of breaching COVID-19 rules. Local civil society organizations reported that public and private health-care services turned away LGBTI persons who sought medication and some health-care providers led community members to beat LGBTI persons who sought health care. Local civil society organizations reported that some LGBTI persons needed to pay bribes to public health-care providers before they received treatment. According to civil society organizations, UPF and LDU officers—together with local government officials—raided the Children of the Sun Foundation shelter in Kyengera Town on March 29 and arrested 20 LGBTI persons, accusing them of violating COVID-19 public health guidelines by gathering in a closed space. Activists said the mayor of Kyengera, Abdul Kiyimba, personally beat two of the suspects “as he questioned them about their homosexuality.” Lawyers for the group reported prison authorities repeatedly denied them access to their clients while in pretrial detention, citing government restrictions on movement aimed at combatting COVID-19. On May 15, after the LGBTI persons’ lawyers filed suit, the UPS granted the lawyers access to the 20 LGBTI persons, two of whom stated UPS wardens subjected them to forced anal exams. On May 19, the UPS released 19 LGBTI persons, after the Office of the Director of Public Prosecution dropped all charges on May 15. The UPS released the final person on May 27. LGBTI activists reported on July 21 that they had sued the Kitalya prison deputy commander, Philemon Woniala, and Kyengera mayor Abdul Kiyimba for torture and inhuman treatment. The case continued at year’s end.

HIV and AIDS Social Stigma

Although the law prohibits discrimination against persons with HIV/AIDS, discrimination and stigma were common and inhibited these persons from obtaining treatment and support. Local civil society organizations reported the stigma resulted from limited public knowledge about the methods of HIV transmission as well as “the belief that having HIV is shameful.” Civil society organizations reported that stigma pushed persons with HIV to exclude themselves from social services and employment opportunities, including care programs. Local media and civil society organizations reported numerous incidents of parents who abandoned children with HIV and of persons, particularly men, who abandoned spouses who had HIV. The UPF, UPS, and UPDF regularly refused to recruit persons who tested positive for HIV, claiming their bodies would be too weak for the rigorous training and subsequent deployment.

In cooperation with the government, international and local NGOs sponsored public awareness campaigns to eliminate the stigma of HIV/AIDS. Government and HIV/AIDS counselors encouraged the population to test for and share information concerning HIV/AIDS with their partners and family. Persons with HIV/AIDS formed support groups to promote awareness in their communities.

Other Societal Violence or Discrimination

Mob violence remained a problem. Communities often resorted to mob violence due to a lack of confidence in the UPF and the judiciary to deliver justice. They attacked and killed persons suspected of robbery, homicide, rape, theft, ritual sacrifice, and witchcraft, among other crimes. Mobs often beat, lynched, burned, and otherwise brutalized their victims. On May 3, local media reported that a community in Kakiri Town attacked a man they found in possession of a stolen handbag, beat him, and cut off one of his legs.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for workers, except members of the armed forces, to form and join independent unions, bargain collectively, and conduct legal strikes. The Ministry of Gender, Labor, and Social Development (Ministry of Labor) must register unions before they may engage in collective bargaining.

The law allows unions to conduct activities without interference, prohibits antiunion discrimination by employers, and provides for reinstatement of workers dismissed for union activity. The law also empowers the minister of labor and labor officers to refer disputes to the Industrial Court if initial mediation and arbitration attempts fail. The law, however, gives government labor officers power to declare industrial actions illegal if a given officer has taken steps to resolve the labor dispute in question through conciliation.

The government did not effectively enforce the law. Civil society organizations stated the Ministry of Labor did not allocate sufficient funds to hire, train, and equip labor inspectors to enforce labor laws effectively. Employers who violated a worker’s right to form and join a trade union or bargain collectively faced penalties that were not commensurate with similar violations. Administrative and judicial procedures were subject to lengthy delays and appeals. Wage arrears were common in both the public and private sectors.

The government generally did not protect the constitutionally guaranteed rights to freedom of association and collective bargaining. Antiunion discrimination occurred, and labor activists accused several private companies of deterring employees from joining unions. The National Organization of Trade Unions reported an increase in antiunion activities during the lockdown period.

The NGO Platform for Labour Action (PLA) reported an increase in employers laying off workers during the COVID-19 lockdown period. Between March and June, they were handling 50 cases of low-wage workers who were not paid wages when they were dismissed.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, but does not prohibit prison labor. The law states that prison labor constitutes forced labor only if a worker is “hired out to, or placed at the disposal of, a private individual, company, or association.” The government did not effectively enforce the law. Those convicted of using forced labor are subject to minor penalties that were not commensurate with those for similar violations.

Local civil society organizations and media reported that many citizens working overseas, particularly in the Gulf States, became victims of forced labor. Civil society organizations reported that traffickers and legitimate recruitment companies continued to send mainly female jobseekers to Gulf countries where many employers treated workers as indentured servants, withheld pay, and subjected them to other harsh conditions. The closure of airports as part of the government’s COVID-19 countermeasures resulted in a reduction in reporting on transnational trafficking cases, although local NGOs reported that trafficking victims remained stranded abroad.

Also see the Department of State’s *Trafficking in Persons Report* at <https://www.state.gov/trafficking-in-persons-report/>.

c. Prohibition of Child Labor and Minimum Age for Employment

Although the law purports to prohibit the worst forms of child labor, it allows children as young as 12 years of age to do some types of hazardous work under adult supervision. Children are required to attend school until age 13. This standard makes children ages 13 to 15 vulnerable to child labor because they are not required to attend school but are not legally permitted to do most types of work. The law bans the employment of children between 7 p.m. and 7 a.m. and provides for occupational safety and health restrictions for children. The government did not effectively enforce the law, and small penalties were not commensurate with those for similar crimes. The government did not prosecute any cases of child labor during the year. Most employers did not keep required registries of child workers or comply with the requirement for regular medical exams of child workers.

According to local NGOs, media, and government officials, child labor and trafficking—already common in the country—increased as a result of the COVID-19 lockdown. This was the result of widespread job loss, restrictions on movement, and 15 million children being out of school following the March 19 closure of schools. One antitrafficking NGO reported a marked increase in trafficking for purposes of child sexual exploitation specifically.

In a May survey of 24 districts, Save the Children Uganda found that of the 116 cases of violence against children reported in the previous month, the highest share—42 cases—were related to child labor. For example, in Karamoja, in the north, girls were working in gold mines, while in Rwenzori, in the west, boys were mainly involved in herding cattle. Local NGOs also reported an increase in children selling goods at markets; an increase in children working in farms, in mines, and as domestic workers; and an increase in the worst forms of child labor, including child sexual exploitation and working in hazardous conditions.

Child labor was common, especially in the informal sector. Local civil society organizations and the UHRC reported that children worked in fishing, gold and sand mining, cattle herding, grasshopper collecting, truck loading, street vending, begging, scrap collecting, street hawking, stone quarrying, brick making, road construction and repair, car washing, domestic services, service work (restaurants, bars, shops), cross-border smuggling, and commercial farming (including the production of tea, coffee, sugarcane, vanilla, tobacco, rice, cotton, charcoal, and palm oil). Local civil society organizations and media reported poverty led children to drop out of school to work on

commercial farms, while some parents took their children along to work in artisanal mines to supplement family incomes. According to government statistics, children from nearly half of all families living on less than \$1 a day dropped out of school to work. Local civil society organizations reported that orphaned children sought work due to the absence of parental authority. Local civil society organizations and local media also reported commercial sexual exploitation of children (see section 6).

Local NGOs reported that children who worked as artisanal gold miners were exposed to mercury, and many were unaware of the medium- to long-term effects of the exposure. They felt compelled to continue working due to poverty and a lack of employment alternatives. Children also suffered injuries in poorly dug mine shafts that often collapsed.

Also see the Department of Labor’s *Findings on the Worst Forms of Child Labor* at <https://www.dol.gov/agencies/ilab/resources/reports/child-labor/findings>, and the Department of Labor’s *List of Goods Produced by Child Labor or Forced Labor* at <https://www.dol.gov/agencies/ilab/reports/child-labor/list-of-goods>.

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination based on race, sex, religion, political opinion, national origin or citizenship, social origin, refugee or stateless status, disability, age, language, and HIV or communicable disease status, but it does not prohibit discrimination based on sexual orientation or gender identity.

The government did not effectively enforce the law. Penalties were not commensurate with those for similar violations and were seldom applied. LGBTI persons faced social and legal discrimination. Women’s salaries lagged those of men, and women faced discrimination in employment and hiring, and broad economic discrimination (see section 6). Persons with disabilities faced discrimination in hiring and access to the workplace.

e. Acceptable Conditions of Work

The law technically provides for a national minimum wage much lower than the government’s official poverty income level. This minimum wage standard was never implemented, and the level had not changed since 1984. In 2019 parliament passed a law that created mechanisms for determining and reviewing the minimum wage per sector, but parliament reported in August that the president had still declined to sign the bill, arguing that the existing law was sufficient.

The maximum legal workweek is 48 hours, and the maximum workday is 10 hours. The law provides that the workweek may be extended to 56 hours per week, including overtime, with the employee’s consent. An employee may work more than 10 hours in a single day if the average number of hours over a period of three weeks does not exceed 10 hours per day, or 56 hours per week. For employees who work beyond 48 hours in a single week, the law requires employers to pay a minimum of 1.5 times the employee’s normal hourly rate for the overtime hours, and twice the employee’s normal hourly rate for work on public holidays. For every four months of continuous employment, an employee is entitled to seven days of paid annual leave.

The law establishes appropriate occupational safety and health standards and regulations for all workers. The law authorizes labor inspectors under the Ministry of Labor’s Department of Occupational Safety and Health to access and examine any workplace unannounced, issue fines, and mediate some labor disputes. While the law allows workers to remove themselves from situations that endanger their health or safety without jeopardizing their employment, legal protection for such workers was ineffective. According to PLA and the National Organization of Trade Unions, most workers were unaware of their employers’ responsibility to ensure a safe working environment, and many did not challenge unsafe working conditions, due to fear of losing their jobs.

Authorities did not effectively enforce labor laws on wages, hours, or safety standards, and penalties were not commensurate with those for similar violations. The legal minimum wage was never implemented, and civil society organizations reported that most domestic employees worked all year without leave. With 81 labor inspectors covering more than 130 districts, the number of inspectors was insufficient to enforce the law. The labor officers often depended on complainants and local civil society organizations to pay for their travel to inspection sites. PLA reported many of the labor officers were in fact dual-hatted as social workers and only did labor-related work when a complainant reported an abuse.

Labor officials reported that labor laws did not protect workers in the informal economy, including many domestic and agricultural workers. According to government statistics, the informal sector employed up to 86 percent of the labor force. The formal pension systems covered less than 10 percent of the working population.

PLA reported that violations of standard wages, overtime pay, or safety and health standards were common in the manufacturing sector. Workers in the mining, construction, and textile sectors faced hazardous and exploitive working conditions. During the COVID-19 lockdown, companies were given the option to house their staff onsite to reduce the movement of persons. According to staff at the Chinese-owned textile factory in Jinja, employers forced more than 400 men and women to sleep in a crowded hall, asking them to work double shifts without increasing wages and immediately firing those who complained. Staff also said their employers refused to allow them to leave the factory for the four months of lockdown. One woman accused her employer of attempting to rape her, saying she was unable to follow up on reporting the matter to police because she was confined to the factory.

There were several reports of deaths at building construction sites. On January 6, local media reported that six construction workers died and three were injured when a building under construction in Kampala caved in. Police stated it would investigate circumstances that led to the collapse but had not reported the findings by year’s end.

ecoi.net summary:

Annual report on human rights
in 2020

Country:

Uganda

Source:

USDOS – US Department of State

Original link:

<https://www.state.gov/reports/2020-country-reports-on-human-rights-practices/uganda/>

Document type:

Periodical Report

Language:

English

Published:

30 March 2021

Document ID:

2048175

Austrian Red Cross
Austrian Centre for Country of Origin and Asylum
Research and Documentation (ACCORD)

Wiedner Hauptstraße 32, 1041 Wien
T (Telefon) +43 1 589 00 583
F (Fax) +43 1 589 00 589
info@ecoi.net

Contact
Imprint & Disclaimer
F.A.Q.
Data Protection Notice

ecoi.net is run by the Austrian Red Cross (department ACCORD) in cooperation with Informationsverbund Asyl & Migration. ecoi.net is funded by the Asylum, Migration and Integration Fund, the Austrian Ministry of the Interior and Caritas Austria. ecoi.net is supported by ECRE & UNHCR.

