

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	155
Land:	Uganda
Kilde:	US Department of State.
Titel:	Country Report on Human Rights Practices – 2008.
Udgivet:	25. februar 2009
Optaget på baggrundsmaterialet:	24. marts 2009

Title	2008 Country Reports on Human Rights Practices - Uganda
Publisher	United States Department of State
Country	Uganda
Publication Date	25 February 2009
Cite as	United States Department of State, <i>2008 Country Reports on Human Rights Practices - Uganda</i> , 25 February 2009. Online. UNHCR Refworld, available at: http://www.unhcr.org/refworld/docid/49a8f144b3.html [accessed 24 March 2009]

2008 Country Reports on Human Rights Practices - Uganda

Bureau of Democracy, Human Rights, and Labor
February 25, 2009

Uganda, with a population of 30 million, is a constitutional republic led by President Yoweri Museveni of the dominant National Resistance Movement (NRM) party. The 2006 presidential and parliamentary elections generally reflected the will of the electorate; however, both were marred by serious irregularities. Violence in the Karamoja region was fueled by an influx of small arms and resulted in deaths and injuries. Lord's Resistance Army (LRA) terrorist leader Joseph Kony refused to sign a final peace agreement mediated by the Government of Southern Sudan; however, there were no reports of LRA attacks or kidnappings or reports of government killings of suspected LRA rebels within the country during the year. On December 14, the governments of Uganda, Southern Sudan and the Democratic Republic of Congo (DRC) launched a joint military operation against the LRA, which was based in the DRC's Garamba National Park; the operation was ongoing at year's end. While civilian authorities generally maintained effective control of the security forces, elements of the security forces occasionally acted independently of government authority.

The government's human rights record remained poor. Although there were improvements in a few areas, serious problems remained, including unlawful killings by security forces; mob violence; torture and abuse of suspects by security forces; poor prison conditions; official impunity; arbitrary arrest; incommunicado and lengthy pretrial detention; restrictions on the right to a fair trial and on freedoms of speech, press, assembly, association, and religion; sexual abuse of internally displaced persons (IDPs) in camps; restrictions on opposition parties; electoral irregularities; official corruption; violence and discrimination against women and children, including female genital mutilation (FGM) and sexual abuse of children; trafficking in persons; violence and discrimination against persons with disabilities and homosexuals; restrictions on labor rights; and forced labor, including child labor.

The LRA, which relocated to the DRC in 2005, was responsible for killing, raping, and kidnapping hundreds of persons in the DRC, Central African Republic (CAR), and Sudan. The LRA continued to hold children it had forcibly abducted from Uganda.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings; however,

security forces were responsible for killings during apprehension and for deaths in custody, some due to torture. The government generally punished perpetrators appropriately.

On January 20, Special Police Constables (SPCs) Simon Kirabira and Peter Serukwaya killed Jovina Busulwa and Patrick Maale Sentumbwe while trying to arrest a suspect in Nansana, a Kampala suburb. Eyewitnesses reported that the SPCs shot indiscriminately into the suspect's home. An investigation into the incident was ongoing at year's end.

On September 26, the Kampala High Court found SPCs Moses Byansi, Jackson Kashaija, Mesach Tumuhairwe, Nathan Karungi, George Lwali, and John Rungulu guilty of the March 25 killing of Edward Nyamwihura, a suspect in the killing of a resident of Nalukonge Kyankwanzi village in Kiboga District; all six were sentenced to death.

On September 16, Uganda People's Defense Forces (UPDF) soldiers Muzamir Angufi, John Opio, Martin Menya, and Edward Pyenkya tortured to death Muron Lomunan, the Local Council I chairman of Lokitaleb Village, during a cordon and search operation in Kotido District, Karamoja region. On October 13, the Kotido District Third Division Court Martial sentenced each of the four soldiers to 12 years' imprisonment and dismissed them from the army with disgrace. On October 15, the court martial sentenced Lieutenant Richard Watum to 14 years' imprisonment for ordering the torture and dismissed him from the army.

During the year several security force members were punished for 2007 and 2006 killings. For example, on January 22, the Moroto District Third Division Court Martial found UPDF private John Achilam guilty of killing a civilian during a cordon and search operation in November 2007. He was sentenced to six months in prison.

On February 29, the Moroto District Third Division Court Martial found UPDF Presidential Guard Brigade (PGB) member Zepha Muhumuza guilty of killing Rukia Nandago, Collins Nabende, and Moses Kiwani in April 2007. Muhumuza was sentenced to death.

On June 28, the Gulu District Fourth Division Court Martial found UPDF soldiers Michael Ocwir, Richard Baguma, and Geoffrey Lubwama guilty of killing suspected chicken thieves Wilfred Kinyera and Joel Orem in 2006. All three were sentenced to death.

Several 2007 cases involving security force killings remained ongoing at year's end, including the trial of Peter Ahimbisibwe, who was arrested for the April killing of presidential office official Nelson Ssendegeya; the May death of Faizal Kirunda from injuries inflicted by authorities at the Malukhu Prison in eastern Uganda; the October killing of suspect Ronald Bukyayanga by three Nabbingo SPCs; the October killing of Rogers Mugenyi by a Kampala traffic police officer; and the October rape and killing of a woman by UPDF soldier Ochen Obonyo.

Local Defense Unit (LDU) members were responsible for killings during the year. For example, on July 2, LDU member Kenneth Albino killed civilians David Olah, Ismail Okello, and Obina Torit in a nightclub following a quarrel over a woman in Omiya-Nyima IDP camp, Kitgum District. On July 15, police arrested Albino, who pled guilty to three counts of murder before a court martial in Kitgum. The case was pending at year's end.

Murusi Katusabe, an LDU member arrested for the April 2007 killing of two civilians, remained at large.

Mob attacks against persons suspected of committing crimes resulted in deaths. Witnesses rarely cooperated with police, making investigation of such incidents difficult.

For example, on July 10, a mob in Mukono District burned to death Alex Sendawula, who had reportedly tried to steal a bicycle in Lugazi Town.

On September 10, a mob in Luweero District burned to death suspected thieves Godfrey

Matovu, Yusuf Kasozi, and Fred Kiwanuka. On October 1, police arrested Musa Mungomaon for suspected involvement in the incident, and the case remained pending at year's end.

There were no developments in 2007 cases of mob violence.

In the Karamoja region, there were fewer interclan cattle raids between Karamojong tribes in the east; however, violence in the region continued. Deaths from cattle raids, the UPDF's response to those raids, and the government's forced disarmament campaign resulted in 74 deaths during the year, according to UPDF records. In October the UN Office for the Coordination of Humanitarian Affairs (OCHA) reported that incursions of illegally armed Karamojong in neighboring districts decreased during the year, which OCHA attributed to the deployment of police units to the area to prevent cattle theft.

While there were no reports of LRA attacks within the country during the year, the group killed numerous persons in the DRC, CAR, and Sudan. For example, on June 6, an LRA attack on the Sudanese People's Liberation Army (SPLA) resulted in the deaths of 14 SPLA soldiers and nine civilians. Between September 4 and 5, rebels killed two residents of Dimba, DRC, and raped 16 women from the village.

b. Disappearance

There were no reports of politically motivated disappearances during the year; however, some disappearances from earlier years remained unresolved. The Forum for Democratic Change (FDC) reported that the whereabouts of party member Robert Mugenyi, who disappeared in 2006, remained unknown at year's end.

There were no reports of LRA abductions in northern Uganda; however, an estimated 5,000 of the 40,000 children and young adults abducted by the LRA in previous years remained unaccounted for, according to the international nongovernmental organization (NGO) Save the Children. The LRA continued to abduct children and adults in the DRC, CAR, and Sudan.

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

The constitution and law prohibit such practices; however, there were credible reports that security forces tortured and beat suspects, and that detainees died as a result of torture. Torture generally occurred in unregistered detention facilities and was intended to force confessions. The Uganda Human Rights Commission (UHRC) received 197 complaints of torture during the year.

The UHRC, Human Rights Watch (HRW), the Foundation for Human Rights Initiative (FHRI), and other human rights organizations reported incidents of torture by security forces, including caning; severe beating with rifle butts, sticks, and electric cables; removal of fingernails; hammering needles into the body; electric shock; use of snakes, ants, and chemical substances; rape; and inflicting pain to the genitals. From January to August, the African Center for Treatment and Rehabilitation of Torture Victims (ACTV) registered 10 cases of torture against SPCs, eight against the UPDF and its Chieftaincy of Military Intelligence (CMI), and three against the Violent Crime Crack Unit (VCCU) or Rapid Protection Unit. Torture victims included political activists and detainees.

In October SPC Eric Kiirya shot and injured Masaba Bakari, who defied traffic police directives to stop in Mazulu village, Namutumba District. A police investigation was ongoing at year's end.

Police use of excessive force to disperse opposition politicians and demonstrators resulted in injuries. (See section 2.b.)

For example, on June 10, in Kampala, police arrested, assaulted, and nearly stripped naked Kampala District Member of Parliament (MP) Nabilah Sempala for allegedly

conducting an illegal rally in her district; Sempala was subsequently released. The Parliamentary Committee on Defense and Internal Affairs was investigating the case at year's end.

The UHRC tribunal made 19 rulings on torture cases from previous years, including awarding 20 million shillings (\$10,666) to Constable Sam Etimu Opio as compensation for the 2004 torture death by the defunct Arrow Boys, a paramilitary group, of his brother Richard Okello. During the year the tribunal also awarded 28 million shillings (\$14,776) to Charles Omony for having been tortured by UPDF soldiers in Gulu in 2003.

Mobs attacked persons suspected of stealing and other crimes, resulting in deaths and injuries. Motivated in part by lack of confidence in law enforcement and the judicial system, mobs beat, lynched, and otherwise mistreated their victims.

Prison and Detention Center Conditions

Prison conditions remained harsh and frequently life threatening. In addition there were reports that security forces and guards tortured inmates, although the September FHRI report noted improved treatment of inmates by wardens and fewer incidents of corporal punishment. Unlike in the previous year, there were no reports that prison officials raped detainees. Forced labor in prisons countrywide remained a problem and resulted in one death during the year.

Prison conditions came closest to meeting international standards in Kampala, where medical care, running water, and sanitation were provided; however, these prisons also were among the most overcrowded. There were an estimated 26,000 prisoners in the prison system at the end of July, approximately three times the capacity. Severe overcrowding was also a problem at juvenile detention facilities and in female wings of prisons. The Kampala remand home, designed for 45 persons, held 131 children. The reception center, designed for 30 prisoners, held 63 juveniles under the age of 12. Serious problems in prisons outside of Kampala included congestion, inadequate staff, and lack of food, water, medical care, and bedding, although FHRI reported that access to medical care improved during the year, especially for HIV/AIDS patients in prisons in Lira, Apac, and Lusira.

Overcrowding, malnutrition, poor sanitation, disease, overwork, and lack of medical care resulted in 149 prisoner deaths nationwide, according to the Prisons Service.

On April 8, Isaac Apungia, an inmate at Amuria prison in northern Uganda, collapsed and died after he was subjected to harsh conditions on a prison farm. Apungia was reportedly forced to dig after he complained of health problems. A police investigation was ongoing at year's end.

On June 29, prisoners Geoffrey Akandwanaho, Fred Mugisha, and Ephraim Nankunda were found dead in Kiruhura prison. A Prisons Service investigation determined that severe overcrowding had caused all three to suffocate. No action was taken against prison authorities.

Female prisoners in central prisons were held in separate facilities; however, services and facilities for female prisoners in local prisons, including separate cells, were lacking in some parts of the country. The Prisons Service had no budget for pregnant women or mothers of infants, although the number of infants in female prisons increased during the year, according to FHRI. Due to lack of space in juvenile facilities, minors were held in prisons with adults. Pretrial detainees in Kampala prisons were separated from convicted prisoners, but pretrial detainees and convicted prisoners in the rest of the country were sometimes held together.

During the year the government permitted access to prisons by the International Committee of the Red Cross (ICRC), foreign diplomats, and local NGOs, principally FHRI and the Uganda Prisoners' Aid Foundation. However, authorities required advance

notification of visits.

d. Arbitrary Arrest or Detention

The constitution and law prohibit such practices; however, members of the security forces arrested and detained citizens arbitrarily during the year.

Role of the Police and Security Apparatus

The Uganda Police Force (UPF), under the Ministry of Internal Affairs, has primary responsibility for law enforcement. The UPDF is the key armed force charged with external security but has had partial responsibility for maintaining order in the north, where it was deployed to protect civilian IDPs from rebel attacks and to prevent violence resulting from interclan cattle raids in the Karamoja region. The Internal Security Organization (ISO) and External Security Organization (ESO), key security agencies and intelligence-gathering entities under the direct control of the president, occasionally detained civilians. The CMI, under UPDF authority although it often acted as a semi-autonomous unit, detained civilians suspected of rebel and terrorist activity, as did the ISO and ESO. LDUs reinforced government efforts to protect civilians from LRA attacks; they also sometimes participated in offensive military operations and carried out police functions.

The UPF continued to be constrained by limited resources, including low pay and lack of vehicles, equipment, and training. Corruption and impunity were problems. Nineteen police officers faced charges of corruption, and their cases were pending at year's end. No police officers were discharged or dismissed for accepting bribes. The UPF Human Rights Desk investigated complaints of police abuses, including mismanagement of case papers; torture and harassment; unlawful arrest and detention; abuse of office; irregular or discreditable conduct; and corrupt practices.

During the year the UPDF continued efforts to transfer responsibility for law enforcement in the north and in the Karamoja region to the UPF. In conjunction with the UHRC and international organizations such as the ICRC and the UN Office of the High Commissioner for Human Rights (UNHCR), the UPDF, and the police continued a training program to educate military officers on internationally recognized human rights standards. In April 500 UPDF soldiers and 173 police officers attended human rights information sessions. During the year 25 UPDF instructors and legal officers, including military media and medical staff, attended the seventh two-week "Training of Trainers" course in Jinja. The police, UPDF, and Prisons Service also used human rights manuals in their training programs.

LDUs, which were poorly equipped and trained, were responsible for numerous human rights abuses.

Arrest and Detention

The law requires that judges or prosecutors issue search warrants before arrests are made; however, in practice, suspects often were taken into custody without warrants. Until March 26, when the Constitutional Court nullified the provision, the law required suspects to be charged within 48 hours of arrest; suspects frequently were held longer. Suspects arrested under the Antiterrorism Law must be brought to trial or released on bail within 120 days (360 days for a capital offense); however, if the case is presented to the court before the expiration of this period, there is no limit on pretrial detention. Detainees must be informed immediately of the reasons for their detention, although authorities did not always enforce these procedural protections in practice. The law provides for bail at the discretion of the judge, and bail was generally granted with stringent conditions. Detainees are required by law to have access to a lawyer; however, many went without legal representation. Indigent defendants accused of capital offenses are provided attorneys at state expense. The law provides for family visitation, but incommunicado detention remained a problem during the year.

Mass arrests during police sweeps for criminals remained a problem, as did arrests based on treason charges. Treason suspects were subjected to numerous abuses, such as detention without charge, detention in unregistered and unofficial locations, and mistreatment, including torture. The Prisons Service held 33 pretrial treason suspects during the year. The UHRC received 72 complaints during the year from persons who claimed they were arbitrarily arrested, 13 of which were confirmed by the UHRC tribunal. The government paid compensation to victims of arbitrary arrest during the year, but government compensation was often slow in coming. On April 23, UHRC Chairperson Margret Sekaggya petitioned parliament to establish a national fund to pay victims; past compensation payments have been made from general government funds administered by the Ministry of Justice and Constitutional Affairs.

Human rights groups reported that civilians were detained in military facilities and unregistered detention facilities known as safe houses. Human rights groups continued to receive credible allegations that CMI ordered detainees held incommunicado at police stations or in so-called safe houses. According to the FHRI, the CMI held two civilians incommunicado during the year, one of whom died; the Joint Antiterrorism Task Force held 14 incommunicado. None of the detainees had been released by year's end.

Police arbitrarily arrested activists and demonstrators during the year. (See section 2.b.)

No action was taken in the 2006 case of Muwanga Kivumbi, the national coordinator of Popular Resistance Against Life Presidency, who was arrested, interrogated for seditious remarks, and released.

Case backlogs in the judicial system contributed to pretrial detentions of between two and three years but sometimes as long as seven years. The Prisons Service reported that over half of its 29,000 inmates were pretrial detainees. The UHRC heard several cases brought by prisoners challenging the length of their detention. In May the government appointed 12 judges to expedite adjudication, following notification by parliament's Internal Affairs Committee that 29 inmates at the Kigo Prison in Kampala were on remand for over five years for lack of judges to hear their cases. Judges on circuit rides to the north heard 331 of the 384 cases before them resulting in the release of 103 prisoners during the year.

In October CMI denied reports that 300 UPDF soldiers attached to the PGB had been detained without charge for one to five years in Luzira, Makindye, and Katabi prisons.

Amnesty

The government has offered a blanket amnesty since 2000 to former combatants for treason charges to encourage defection from the LRA and other rebel groups. Almost 23,000 individuals benefited from the law since its implementation, over half of whom were former LRA combatants.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected this provision in practice; however, the president has extensive legal powers of judicial appointment. The president appoints Supreme Court, High Court, and Court of Appeal judges with the approval of parliament. The president also nominates, for the approval of parliament, members of the Judicial Service Commission, who make recommendations on appointments to the judiciary. The judiciary ruled against the government on several high-profile cases during the year. Lower courts remained understaffed, weak, and inefficient.

Judicial corruption was a problem, and in May the Judicial Service dismissed Gaster Mugoya, Mwanga II Court Chief Magistrate, for corruption and abuse of office.

The corruption case against Solicitor General Lucien Tibaruha and acting Director for

Litigation Joseph Matsiko, who were indicted by the Inspectorate General of Government (IGG) in May 2007 for mismanaging cases that resulted in financial loss to the government, remained pending. In June 2007 the High Court invalidated Tibaruha's indictment, but in September 2007 President Museveni ordered Tibaruha to vacate his office. Both Tibaruha and Matsiko remained out of office, despite the High Court's decision, at year's end.

The highest court is the Supreme Court, followed by the Court of Appeal, which also functions as the Constitutional Court, the High Court, magistrate's courts, and local council (LC) subcounty courts, parish courts, and village courts. The LC courts have the authority to settle civil disputes, including land ownership and debt cases, and criminal cases involving children. These courts, often the only ones available to villagers, reportedly exceeded their authority by hearing criminal cases not involving children. Decisions made by LC courts can be appealed to magistrate's courts, but there often were no records at the village level, and some defendants were not aware of their right to appeal.

The military court system often did not assure the right to a fair trial. Although the accused has the right to legal counsel, some military defense attorneys were untrained. The law establishes a court martial appeals process; however, a sentence passed by a military court, including the death penalty, could be appealed only to the senior leadership of the UPDF. Under circumstances deemed exigent, a field court martial could be convened at the scene of the crime. The law does not permit appeal of a conviction under a field court martial. The military general court martial can try civilians charged with crimes listed under the UPDF Act.

On October 13, the Supreme Court reversed a lower court ruling that Henry Tumukunde, the former director of the ISO, had violated army rules and regulations when he criticized the government and the army on radio talk shows. The Supreme Court noted that the lower court had ignored constitutional provisions of free expression and speech and provisions of the Parliamentary Elections Act on procedures to elect or remove army MPs from parliament. The Supreme Court directed the government to pay Tumukunde the court costs of both suits, which were estimated at one billion shillings (\$560,000).

Trial Procedures

An inadequate system of judicial administration and a lack of resources resulted in a serious backlog of cases and limited the right to a fair trial. All nonmilitary trials are public, but juries are not used. Defendants have the right to be present and to consult with an attorney in a timely manner, but cases may proceed without defendants in civil cases. The law requires that the government provide an attorney for indigent defendants accused of capital offenses, but there were rarely funds to retain adequate counsel. By law defendants may confront or question witnesses against them and present witnesses and evidence on their behalf, but this right was not respected in practice. On March 8, the Constitutional Court ruled that suspected criminals have a right to demand the disclosure of documentary evidence the state intends to use against them before the start of their trial. The ruling struck down the practice of "trial by ambush." However, the ruling stated that the right of disclosure is not absolute in highly sensitive cases. There is a presumption of innocence, and defendants have the right of appeal.

Political Prisoners and Detainees

There were reports of a number of political prisoners and detainees during the year, but reliable statistics were unavailable.

On May 29, FDC opposition party members Asaph Ntanda, Yusuf Mukwate, Proscovia Naikooba, Cathey Ayebare, Olive Mbabazi, and Daniel Katumba were arrested on allegations of engaging in paramilitary training. All six were released on May 31 without charges. One week before the arrest, in Kawempe, the FDC held a workshop which the government alleged was intended to teach young members how to overthrow

governments by force; the FDC claimed the workshop was to mobilize young members.

Charges of treason remained pending in the High Court against FDC opposition leader Kizza Besigye and nine other FDC members; a hearing in the Constitutional Court on Besigye's petition challenging the constitutionality of the treason charges was scheduled for December 2008. Besigye and five of the nine FDC members were released on bail and one died in 2007; the remaining four were released on bail during the year. The charge of unlawful possession of firearms against all but Besigye was pending at year's end.

Bright Gabula Africa, whose death sentence for treason was upheld by the Supreme Court in 1995, remained imprisoned pending the outcome of his appeal to the Advisory Committee on the Prerogative of Mercy, a largely autonomous constitutional body.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters. In the case of a human rights violation, there is access to the UHRC, which has the powers of a court under the constitution. These powers include the authority to order the release of detainees, payment of compensation to victims, and other legal remedies. There were problems enforcing domestic court orders.

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

The constitution and law prohibit such actions and the government generally respected these prohibitions. At times the police did not obtain search warrants, as required by law, to enter private homes and offices.

On December 22, a High Court judge ruled that the government in 2006 had violated the privacy rights of Juliet Mukasa, chair of the Sexual Minorities of Uganda Group (SMUG). (See section 5.)

The Antiterrorism Act authorizes certain law enforcement officials to intercept communications to detect and prevent terrorist activities. The government continued to monitor telephone conversations.

2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and of the press; however, the government at times restricted these rights, and the law criminalizes offenses by the media and limited the media's ability to function effectively. The government at times harassed and intimidated journalists, who continued to practice self-censorship.

Government officials used libel laws and cited national security as grounds to impede freedom of speech, and detained and interrogated politicians and activists who made public statements critical of the government. The President's Office reportedly monitored political talk show debates closely, and the government occasionally attempted to block participation of opposition members on radio talk shows. Opposition politicians reported difficulties securing media outlets to convey their messages in Gulu and Hoima.

On March 31, Makindye West Parliamentarian Hussein Kyanjo was charged with sedition and promoting sectarianism. Kyanjo stated on an October 2007 radio talk show that President Museveni and other government officials used their positions to displace persons in the Kisozi region and to promote hostility among the Baganda and the Balaalo ethnic groups. As with several other cases involving sedition charges, no further action was taken pending a 2005 petition filed by Andrew Mwenda, the managing editor of *The Independent* newspaper, challenging the constitutionality of the sedition law.

On July 18, Buganda Deputy Minister of Information Medard Seggona Lubega, Buganda Central Civic Education Committee Chairperson Betty Nambooze, and Minister for Information and Cabinet Affairs Charles Peter Mayiga were arrested and charged with sedition and promoting sectarianism; the three had publicly criticized the government's proposed amendments to the 1998 Land Act. On July 23, a Kampala court ordered their release after no charges had been filed within 48 hours. On July 24, the police released and immediately rearrested Lubega, Nambooze, and Mayiga, for a new 48-hour detention period. On July 25, Lubega and Nambooze were charged with sedition and promoting sectarianism and released on bail; Mayiga was released on bond pending investigation. On August 13, a court in Kampala stayed the sedition charges against Nambooze and Lubega, pending a ruling on the sedition law.

The August 2007 case against Makindye East Parliamentarian Hussein Kyanjo for inciting public violence through seditious statements was pending in court at year's end.

The government established a special committee in May to explore avenues for managing the media. Human rights groups criticized the action as a move to crack down on media freedom.

There were many privately owned publications and broadcast stations, and the independent media were generally active and expressed a wide variety of views, although they faced obstacles. Media laws require that journalists be licensed and possess a university degree in journalism or the equivalent. The law also grants the Media Council the power to suspend newspapers. The *Daily Monitor* and *The Weekly Observer* continued to publish articles critical of the government despite pending sedition cases against members of their staff. The government owned several daily and weekly newspapers.

Government restrictions on the press increased, but cases involving such restrictions were suspended during the year pending a Constitutional Court ruling on the 2005 petition challenging the constitutionality of the sedition law. On February 17, the Constitutional Court postponed the hearing of the 2005 petition on the law's constitutionality filed by Andrew Mwenda. The court ordered Mwenda and the East Africa Media Institute, which filed a similar petition challenging the sedition law in 2007, to submit a joint petition. The case was pending at year's end.

On January 29, former *Daily Monitor* editors Joachim Buwembo and Bernard Tabaire were charged with sedition for printing stories alleging that IGG Faith Mwondha made bogus salary claims. The case was stayed pending a ruling on the sedition law.

On April 26, police detained Mwenda, contributing editor Charles Bichachi, and reporter John Njoroge for publishing an article alleging UPDF atrocities during 2003 in the LRA conflict, including first-person accounts of torture in government safe houses. The three journalists, who were interrogated for three hours and released, were charged on May 9 with sedition. On May 23, a lower court suspended the trial pending a ruling on the sedition law.

The police forwarded one media case involving criticism of the state to the Media Council during the year; the council ordered the *Red Pepper* newspaper to apologize to former MP and conservative party leader Ken Lukyamuzi.

Independent television and radio stations that hosted opposition political candidates critical of the government were sometimes subject to government interference. The government continued to ban new radio stations in Kampala, reportedly because of limited available frequencies; however, the ban was widely disregarded without penalty.

The government arrested, harassed, and assaulted radio and television journalists during the year.

For example, on January 14, police in Kabarole District arrested Life Radio station

presenters Steven Rwagwer, William Gonza, Gerald Kankya, Joram Bintamanya, and Prosper Busingye on allegations of threatening violence. The arrest followed critical comments the detainees had made about the Tooro Kingdom government on a radio talk show.

On August 27, police in Kampala harassed and assaulted Wavah Broadcasting Station journalists Francis Tumwekwazize and Timothy Sibasi, who were on assignment at Namboole Stadium in Kampala. The police accused the journalists of negative reporting about the police. On September 1, the journalists filed a petition with the UHRC, and an investigation was ongoing at year's end.

On January 8, Regional Police Commander Martin Abiru banned the *Peoples' Rights and Awareness* program on Life FM Radio because it had criticized Tooro Kingdom leaders. On March 14, the High Court in Kabarole District ruled that the show should be reinstated because the ban violated the constitutional provisions for free speech and expression. However, Life Radio owner, Pastor K. L. Dickson, suspended the show following pressure from the government's local security forces in June. In October 2007 security agents allegedly poured acid on the station's radio transmitter after a controversial broadcast.

No action was taken against perpetrators in the March 2007 assault by security forces in Kampala of Sam Mateka of Simba FM, Richard Ssemakula of the government-owned *Bukedde* newspaper, Charles Sekajja of Ddembe FM, and Chris Ahimbisibwe of the government-owned *New Vision*; the journalists were covering the trial of People's Redemption Army (PRA) suspects. No action also was taken against security force members who raided Life Radio in October 2007.

Internet Freedom

Individuals and groups could generally engage in the peaceful expression of views via the Internet, including by e-mail; however, at times the government restricted access. The 2006 ban on access to radiokatwe.com, an antigovernment gossip Web site, remained in place. Access to the Internet continued to increase during the year, although only approximately 5.7 percent of the population used the Internet at least monthly due to lack of infrastructure.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom; however, research clearance was required in certain academic areas, such as history and political science, and was difficult to obtain.

In May the Media Council blocked the screening of two films – *Watermelon Woman* and *Rag Tag* – at a film festival in Kampala for perceived promotion of homosexuality.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law restricts freedom of assembly. As a result of a September 2007 declaration by the Ministry of Internal Affairs, police permits are required for all public meetings, demonstrations, and processions. On May 27, the Constitutional Court nullified section 32 (2) of the Police Act, which had abolished the government's requirement to obtain written permission before holding an assembly or demonstration of 25 or more persons and permitted the inspector general of police to stop a public rally, demonstration, or procession. However, on May 30, the Ministry of Justice and Constitutional Affairs appealed the court decision, which in effect stayed any action on the court's ruling.

Security forces forcibly dispersed and arrested demonstrators; unlike in the previous year, there were no reported deaths.

On February 12 and 13, following the Kampala City Council's decision to award a contract to develop the Kisekka market to a private company without consulting the market vendors association, Kisekka market vendors conducted another violent demonstration. Mobile patrol police armed with AK-47 rifles shot at the demonstrators, who began throwing stones and other objects. Four demonstrators were injured, and 14 were imprisoned. Three police officers were under investigation at year's end for use of excessive force. The city council subsequently invalidated the contract with the private company and agreed that the traders should be given first right to develop the market.

On June 10, Democratic Party (DP) members Domic Matovu Savio, Emmanuel Mugandusi, Samuel Mulindwa, Margret Wazemba, and Ben Kiwanuka were arrested and charged with emitting noise in excess of permissible levels, taking part in a riot, assault, and carrying arms during an "illegal" rally at their party headquarters. The DP members were released on bail, and the case was pending at year's end.

On August 6, police in Hoima District arrested 25 students of Mandela Secondary School for participating in a demonstration; the students were protesting the school's harsh punishments, banning of nightclubs, and other grievances. The suspects were charged with malicious damage to property and staging an unlawful demonstration. The case was pending at year's end.

On August 12, a parliamentary select committee opened investigations into allegations of police brutality following incidents in which parliamentarians were allegedly assaulted by police during "illegal" political rallies. (See section 1.c.) For example, on June 9, in Kampala, Rubaga South MP Susan Nampijja was injured from tear gas used by police to disperse a meeting that Nampijja had organized for Kibuye Market residents.

There were no developments in the following 2007 cases of forcible dispersion or arrest of demonstrators: the January unlawful assembly case against DP members Vincent Kabuubi, Deo Ssekitoleko, Fred Sebyoto, and Geoffrey Tomusange; the inquiry ordered by the inspector general of police, Major General Kale Kayihura, into the death of a child as a result of Kampala police firing tear gas at FDC leader Besigye and 200 supporters during a March demonstration; the April arrests and subsequent release on bail of parliamentarians Beatrice Atim Anywar, Hussein Kyanjo, and 24 others during a demonstration against the proposed sale of the Mabira Forest Reserve; the June arrest and subsequent release of 12 students in Bugembe for unlawful assembly and rioting; and the July injury of five student demonstrators by three police officers, who were charged but not tried for the offence.

No action was taken against police officers responsible for injuring protesters during forcible dispersions of demonstrators in 2006.

Freedom of Association

The constitution provides for freedom of association, and the government generally respected these rights.

On January 15, in response to NGO criticism and after consultation with civil society, the government established a committee to review the 2006 NGO Registration Act, which requires most NGOs, including religious organizations, to renew their registration permits annually. Discussions were ongoing at year's end, and enforcement of the law was temporarily suspended.

c. Freedom of Religion

The constitution and law provide for freedom of religion, and the government generally respected this right in practice with some restrictions. The law requires religious groups and foreign missionaries to register with the government under the same law as NGOs, and failure to register is a criminal offense; following NGO criticism, however, the government established a committee to review the law, and enforcement was

temporarily suspended. There were no reports of violence by the government or its agents against religious groups, leaders, or individual members, but there were reports that the government restricted worship by certain religious groups.

Local officials imposed minor restrictions on nighttime congregating to curb violence, criminal activity, and noise, which indirectly impeded the activity of some religious groups. Groups considered cults experienced extra scrutiny and restrictions.

On April 29, the Kamwenge District deputy resident commissioner ordered the arrest of 11 members of the Nyangakaibo cult. The suspects were charged with holding an illegal assembly on April 30 and remanded to prison. The case was pending at year's end.

Societal Abuses and Discrimination

There were no reports of societal abuses or discrimination based on religious belief or practice, and prominent social leaders took positive steps to promote religious freedom. However, some members of traditional religious groups accused evangelical groups of practicing "witchcraft."

The Jewish community was very small, and there were no reports of anti-Semitic acts.

For a more detailed discussion, see the [2008 International Religious Freedom Report](#).

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of movement, foreign travel, emigration, and repatriation; however, the government at times limited these rights in practice. A married woman must obtain her husband's written permission on her passport application if children are to be listed on her passport. There were reports that government agents blocked the travel of opposition party members.

The country has no law on forced exile; however, the government did not use forced exile during the year.

Internally Displaced Persons (IDPs)

Improved security in the north and the government's launch of the Peace, Recovery, and Development Plan to rebuild infrastructure in the north encouraged the return of most of the 1.8 million persons displaced in the LRA-affected north by year's end. As of November, 39 percent of the original 1.1 million IDPs in the Acholi districts of Amuru, Gulu, Kitgum, and Pader had moved either to transit sites within commuting distance of their farms (30 percent) or to their villages of origin (41 percent). An estimated 437,000 IDPs in the LRA-affected north remained in camps at year's end. Insecurity in the Karamoja region continued to result in the displacement of non-Karamojong residents in neighboring districts.

While the government and international humanitarian organizations provided assistance to IDPs in camps, health and living conditions remained precarious in areas of return, and many former IDPs, particularly women and children, were deprived of access to education, basic health care, safe water, and protection. Some landlords forcibly evicted IDPs. The government continued to work with UNHCR and other international organizations to prepare IDPs to return to their home areas.

There were isolated reports that UPDF troops raped IDPs.

Protection of Refugees

The laws provide for the granting of asylum or refugee status in accordance with the

1951 UN Convention relating to the Status of Refugees and its 1967 protocol, and the government has established a system for providing protection to refugees. The government granted refugee status or asylum. The government cooperated with the UNHCR and other humanitarian organizations in providing protection and assistance to IDPs, refugees, asylum seekers, and other persons of concern.

The government also provided protection against the expulsion or return of refugees to countries where their lives or freedom would be threatened.

The government provides temporary protection to individuals who may not qualify as refugees under the 1951 Convention and 1967 protocol; however, no individuals received such protection during the year.

During the year the government assisted UNHCR in the voluntary repatriation of 46,984 refugees to Southern Sudan.

3. Respect for Political Rights: The Right of Citizens to Change Their Government

The constitution and law provide citizens with the right to change their government peacefully; however, the ruling party's domination of the government and some restrictive constitutional and statutory provisions limited citizens' effective exercise of this right.

Elections and Political Participation

The 2006 presidential and parliamentary elections, the first multiparty general elections since President Museveni came to power in 1986, generally reflected the will of the people, although serious irregularities occurred. The police recorded 450 cases of violence during the electoral period. More than 100 election challenges were filed in the High Court and the Constitutional Court following the 2006 elections, including charges of bribery, intimidation, incidents of violence, multiple voting, and ballot stuffing. The High Court nullified the results of 18 elections. A total of 11 election appeals were pending before the Constitutional Court and nine at the Supreme Court at year's end. Five by-elections were held during the year to fill the seats declared vacant by the High Court in 2007; election monitors reported numerous irregularities.

The ruling NRM party operated without restriction, regularly holding rallies and conducting political activities. Approximately 33 other parties were registered and allowed to function, although members of some parties were subject to political violence, and authorities sometimes restricted opposition parties' ability to meet or demonstrate. Political involvement was primarily concentrated within the elite. Membership in the NRM conferred greater access to government positions and resources.

There were no developments in the January 2007 case in which the Masaka District Court charged DP President John Sebaana Kizito and MPs Erias Lukwago and Issa Kikungwe with falsifying documents that implicated the government in the 1987 murder of Andrew Kayiira, a former energy minister and leader of the defunct Uganda Freedom Movement.

There were 102 women in the 333-member parliament. Of these, 80 held seats designated for women. There were 14 female ministers in the president's 66-member cabinet. The deputy speaker, the deputy chief justice of the Supreme Court, and the IGG were all women.

The law requires elections through electoral colleges for the seats reserved for special interest groups in parliament: 80 seats were reserved for women; five for organized labor; five for persons with disabilities; five for youth; and 10 for the army, selected by the UPDF High Command and President Museveni.

Government Corruption and Transparency

The law provides criminal penalties for official corruption, and the government investigated offenders, but officials engaged in corrupt practices with impunity, and corruption was a serious problem. The government selectively enforced financial disclosure laws. Government agencies responsible for combating corruption include the IGG, parliamentary accounting committees, the police Criminal Investigation Department (CID), the Office of the Auditor General, and the Directorate for Ethics and Integrity. Political will to combat corruption at the highest levels of government remained weak, and corruption cases remained pending for years.

On November 19, the IGG released the results of the third National Integrity Survey, which characterized corruption as so rampant that it was commonly viewed as a minor offence or none at all. New forms of corruption included syndicated efforts by groups of employees and others to defraud the government. Among those rated the most corrupt entities were the Kampala City Council, the electric company, and the police.

In August press reports exposed influence peddling, conflict of interest, and fraud in a land deal involving Minister of Security Amama Mbabazi and Finance Minister Ezra Suruma. The two ministers used their influence to pressure the National Social Security Fund (NSSF) to buy land and deposit the funds into a bank in which they both owned significant shares. The Parliamentary Committee on Commissions, Statutory Authorities, and State Enterprises held public hearings and recommended that the two ministers resign, repay the money, and that a new NSSF board be constituted. When the report reached the floor of parliament for debate, the attorney general said parliament had no right to enforce the leadership code. On December 4, President Museveni ordered the investigation of top NSSF managers David Chandi Jamwa and his deputy Mondo Kangoyera and an audit of NSSF transactions during their tenure.

During the year the CID charged several individuals in connection with the investigation of stolen money from the global fund to fight AIDS, tuberculosis, and malaria. On October 22, police in Kampala arrested Teddy Cheeye, director of economic affairs in the President's Office, over the mismanagement of 120 million shillings (\$63,993) of global fund money for HIV/AIDS vaccines. A court in Kampala found Cheeye guilty on eight counts of forgery, nine of making false entry, eight of uttering a false document, and one of embezzlement. Cheeye, who pled guilty to all counts, was remanded to Luzira Prison, and his case remained pending at year's end. On October 22, the same court convicted Fred Kavuma, the former production manager of Uganda Television, on 14 counts of misuse of global fund money and sent him to prison; his case remained pending at year's end.

The Parliamentary Committee on Public Accounts (PAC) continued to examine the June 2007 auditor general's report, which revealed that the government lost a significant portion of its 2005-06 budget to loans not recorded, irregular procurements, payments to nonexistent public service staff, and other irregular transactions. A report of the findings of the committee was pending at year's end.

The Parliamentary Committee for Legal and Parliamentary Affairs continued to investigate the IGG's interventions in public tendering processes and allegations that her salary was higher than that to which she was entitled. The IGG had not appeared before the committee at year's end.

PAC findings in the November 2007 case involving Martin Odwedo, the permanent secretary of the prime minister's Office, and three others for failure to account for 1.3 billion shillings (\$776,000) had not been released at year's end.

In June the court exonerated deputy passport officer Chris Ongyero of 2006 charges of abuse of office and irregular conduct; Ongyero was reinstated to his former office.

On November 17, the Magistrates' Court in Kampala acquitted Uganda Muslim Supreme Council Mufti Sheikh Shaban Ramadhan Mubajje, his deputy, Sheikh Twaib Mukuye, and businessman Hassan Basajjabalaba of mismanaging council affairs in October 2006.

In September the National Council of Sports reported that staff members Nicholas Muramagi and Timothy Magala had refunded 14 million shillings (\$8,490) in connection with 2006 charges of fraud, forgery, and false accountability.

The 2006 case against Zoe Bakoko, the former minister of gender, labor and social affairs; former NSSF board chairman Geoffrey Onegi Obel; former NSSF director Leonard Mpuuma; and James Isabirye remained pending at year's end; all were charged with causing financial loss of more than eight billion shillings (\$4.5 million) and abuse of office. Onegi Obel, Mpuuma, and Isabirye remained on bail, and the arrest warrant for Bakoko, who reportedly fled the country, remained outstanding at year's end.

The law provides for public access to government information, and the government provided such access in practice to citizens and noncitizens, including foreign media.

4. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were receptive to their views. Active, independent domestic groups included FHRI, Human Rights Focus, Human Rights Network, Human Rights and Peace Center of Makerere University, the International Federation of Human Rights, the Justice and Peace Commission, the Uganda Journalist Safety Committee, the Uganda Prisoner's Aid Foundation, and the Uganda Association of Women Lawyers. Government officials continued to attend conferences and seminars hosted by NGOs on social problems and cooperated with NGOs on legal and prison reforms.

On January 15, in response to NGO criticism and after consultation with civil society, the government established a committee to review the 2006 NGO Registration Act, which requires most NGOs, including religious organizations, to renew their registration permits annually. Committee discussions were ongoing at year's end, and enforcement of the law was temporarily suspended.

The government cooperated with international governmental organizations and permitted visits by UN representatives and organizations such as the ICRC.

The UHRC is a permanent independent body with quasi judicial powers, although the president appoints the UHRC's eight-member board. Under the law, the UHRC may subpoena information, order the release of detainees, and order the payment of compensation for abuses. The UHRC continued to pursue suspected human rights abusers, including in the military and security, and had branches countrywide; however, the UHRC did not have adequate resources to investigate all complaints it received.

The government continued bilateral discussions with the DRC on reparations that the International Court of Justice ordered it to pay to the DRC in 2005.

5. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status; however, the government did not enforce the law in matters of locally or culturally prevalent discrimination against women, children, persons with disabilities, or certain ethnic groups.

Women

The law criminalizes rape; however, the government did not consistently enforce the law. Although the government arrested, prosecuted, and convicted persons for rape during the year, the problem was underreported, and most cases were not investigated. Of the 477 rapes that police recorded, 115 were taken to court; there were no

convictions.

Domestic violence against women, including spousal abuse, remained common, and reports of such incidents continued to increase. The law prohibits assault and battery with penalties of one to five years in prison depending on the seriousness of the assault; however, there are no laws that specifically protect women from spousal abuse. Many law enforcement officials viewed wife-beating as a husband's prerogative, as did the majority of the population, and rarely intervened in cases of domestic violence. According to a September 2007 report on the status of women by Akina Mama Wa Afrika, a local women's organization, 70 percent of women had been physically or sexually abused, and 60 percent of women had experienced physical violence by a husband or partner.

The law requires that bride prices be nonrefundable gifts to the parents of the bride. The constitutional amendments approved by parliament in 2007 did not include a provision to abolish bride prices, despite 2003 recommendations to do so from civil society groups.

Prostitution is illegal but common. In April the Uganda AIDS Commission reported an increase in prostitution in some communities in the north and noted that teachers were taking up prostitution to supplement their salaries.

Sexual harassment was a common problem; although it was prohibited by law with penalties up to 14 years' imprisonment, the government did not enforce the law effectively.

In May Makerere University set up committees to investigate complaints by female students that male lecturers coerced them into sexual acts for good grades.

A team from the Ministry of Health was deployed to Nakaseke to investigate allegations of sexual harassment that 30 nurses filed in October 2007 against a senior staff member in Nakaseke Hospital; no report had been issued by year's end.

Discrimination against women continued to be widespread, especially in rural areas where it was part of traditional culture. Many customary laws discriminate against women in the areas of adoption, marriage, divorce, and inheritance. Under local customary law in many areas, women cannot own or inherit property or retain custody of their children. Traditional divorce law in many areas requires women to meet stricter evidentiary standards than men to prove adultery. Polygamy is legal under both customary and Islamic law, and, in some ethnic groups, men can "inherit" the widows of their deceased brothers. Women also experienced economic discrimination. For example, they did most of the agricultural work but owned only 7 percent of the agricultural land. Women experienced economic discrimination in access to employment, credit, pay, and in owning or managing businesses.

Eliminating gender inequality remained a high priority for the government, which, in conjunction with NGOs and women's rights groups, sponsored workshops and training throughout the country to increase awareness of women's rights.

Children

The government was committed to improving children's welfare, and education received the largest percentage of the national budget. However, the government did not effectively enforce laws protecting children, due in part to cultural norms.

According to Save the Children Uganda, only 4 percent of births were registered; however, this generally did not result in denial of public services.

On August 29, parliament passed a law that provides for free and compulsory education for the first seven years of primary school or through high school for underprivileged

students. Students, except for the underprivileged, still had to pay for school supplies and some school costs, and many parents could not afford the school fees.

Several districts, including Tororo and Amuru, passed by-laws to punish parents who did not send their children to school. On July 25, police in Mbarara District arrested one hundred parents for failure to take children to school and charged them with child neglect and abuse of children's rights. Boys also were more likely to finish primary school. The highest level of education achieved by most children was the fourth year of primary school.

Child abuse remained a serious problem, particularly rape and other sexual abuse of girls, although reported incidents of corporal punishment in schools continued to decrease since the August 2006 ban on the practice. In September local NGO Concern for Children and Women Empowerment (COFCAWE) reported that 60 percent of children were abused. Sexual contact outside of marriage with girls under 18 years of age, regardless of consent or the age of the perpetrator, was called "defilement" under the law and carried a maximum sentence of death; however such cases often were settled by a payment to the girl's parents.

Perpetrators of sexual abuse often were family members, neighbors, or teachers. In an effort to clear the backlog of cases, the government in May 2007 amended the 2006 Magistrate's Courts Bill, giving chief magistrates the authority to hear rape cases of girls between the ages of 14 and 17; the High Court continued to try cases involving rape of girls under 14 years. On June 30, the Uganda Media Women's Association launched a code of conduct on reporting cases of child sexual abuse and exploitation.

On September 25, the High Court in Rukungiri District sentenced primary school teacher Fudera Ntegyereize to 12 years in prison for defiling a seven-year-old pupil in October 2005.

The following 2007 defilement cases remained pending: the March case of Bright Academy Primary School teacher Abdul Kyeyune, who allegedly defiled a student in Masaka District; and the July case of Good Hope Primary School teacher David Wildong, who allegedly defiled a student in Kibaale District.

There was no national law against FGM, which was practiced by the Sabiny ethnic group in rural Kapchorwa District and the Pokot ethnic group along the northeastern border with Kenya; however, in 2006 the subcounties of Kapchorwa and Bukwo districts passed by-laws to make FGM illegal. On October 10, Kapchorwa District passed another by-law that provides for the arrest and prosecution of FGM practitioners and collaborators. The government, women's groups, and international organizations continued programs to combat the practice through education. These programs, which received some support from local leaders, emphasized close cooperation with traditional authority figures and peer counseling. In June the UN Population Fund, with the cooperation of local charity Reproductive Education and Community Health and the Uganda Muslim Supreme Council, organized a seminar in Kapchorwa District to educate youth and female leaders on the dangers of FGM.

Marriage of young girls by parental arrangement was common, particularly in rural areas, although the legal age for marriage is 18. COFCAWE reported that acute poverty forced some parents to give away their children, including girls as young as 14 years, into early marriage and sexual arrangements.

There were increased reports of the ritual sacrifice of children during the year.

For example, on December 4, in Masaka District, the Magistrates' Court charged businessman Godfrey Kato Kajuba with the October 26 ritual murder of 12-year-old Joseph Kasirye. Kajuba was remanded to prison. On October 27, police also arrested Moses Musisi, Umar Kateragga, and Mariam Nabukeera after they confessed that they had killed Kasirye on Kajubi's orders. The case was pending at year's end.

The August 2007 case of family members Laston Muyaga, Jane Magezi, Elizabeth Kantono, and Aidah Kasubo, who reportedly sacrificed a two-year-old female relative, was pending at year's end.

In May the Ministry of Gender, Labor and Social Affairs reported that child prostitution had increased with an estimated 7,000 to 12,000 juveniles engaged in commercial sex activities. The most vulnerable children were girls, child heads of families, and child street hawkers.

Unlike in the previous year, there were no reports of underage recruitment by the UPDF.

There were no reports during the year that the LRA abducted and conscripted children within the country. On July 31, Save the Children Uganda Deputy Country Director John Reinstein demanded the immediate and unconditional release of children in LRA captivity; the LRA abducted and conscripted approximately 40,000 children in previous years for use as laborers, soldiers, guards, and sex slaves, and more than 5,000 were reportedly still missing.

There were numerous reports of LRA abductions of children in the DRC, CAR, and Sudan during the year.

Trafficking in Persons

The law does not specifically prohibit trafficking in persons; however, the law does prohibit trafficking-related offenses. Trafficking in persons was a problem, and there were reports that men, women, and children were trafficked to, from, and within the country.

Trafficking in persons primarily occurred internally for labor, commercial sexual exploitation, and criminal activities, but trafficking of Asian and Chinese laborers to the country also occurred. There were reports that children were trafficked for labor to Pakistan, Egypt, Turkey, the United Arab Emirates, Saudi Arabia, and Iraq.

The media reported on September 6 that four Ugandan girls – Catherine, Patricia, Grace, and Faith Namisango – were stranded in Iraq after their employers confiscated their passports. The girls were reportedly taken to Iraq by a businessman only identified as Gordon, whom they met in Muyenga. The agent had promised to get them employment for a monthly pay of \$400. When they arrived, however, they were taken to work for Arab families as house helpers for \$200 a month. Security agencies were investigating the case.

On December 18, the Government of Yemen and an international organization repatriated Ugandan citizen Sara Aisha Abdulkhim, also known as Florence Kampi; Abdulkhim had been kidnapped from Uganda in 1982 and taken to Yemen as a child slave.

Immigration and police officials highlighted a new trend in trafficking involving the use of legal means to take children out of the country for illicit purposes. NGOs reportedly locate children and convince their families that the children will receive an education or better life. An expatriate then enters the country on a tourist visa and gets a guardianship order through the courts, usually with the permission of the family. The magistrates, at the insistence of the guardian, require the passport office to issue the child a passport. In one case involving two young boys taken to South Africa, immigration officials learned that one boy had died after his kidneys were harvested for a transplant. Immigration officials formed a task force to examine the trend and make recommendations to the ministries of internal affairs and justice.

Victims of internal trafficking were subjected to hazardous working conditions, and commercial sex victims were subjected to physical abuse and the risk of contracting sexually transmitted diseases. Victims of commercial sex trafficking in urban centers

often came from small rural villages. According to NGOs, women and girls often willingly placed themselves in the hands of intermediaries offering false promises to seek employment in other areas of the country, only to find themselves in situations of commercial sexual or labor exploitation. NGOs also found evidence of a well-connected network of traffickers who facilitated the movements of victims to prospective buyers, negotiated their salaries in advance, and received a percentage of their monthly wages. One study found that women and girls could be purchased for approximately 5,000 to 30,000 shillings (\$3 to \$18) and used as domestic workers. In the case of child trafficking for labor and commercial sexual exploitation, intermediaries such as pimps, employment bureaus, churches, transporters, NGOs, fishermen, and peers lure children and facilitate their travel with accommodations and travel documents.

The penal code specifies penalties for several trafficking-related offenses; for example, the maximum penalty for the procurement of women for purposes of prostitution or detention with sexual intent is seven years' imprisonment, and the maximum penalty for trading in slaves is 10 years' imprisonment. Ministry of Gender, Labor, and Social Development (MGLSD) is the lead agency on child trafficking issues, the national police force are responsible for investigating trafficking-related crimes, and the Justice Ministry and the Directorate of Public Prosecutions prosecute cases.

The government arrested suspected traffickers during the year and assisted with international trafficking investigations or extradited citizens accused of trafficking in other countries.

On January 9, police in Mbarara arrested Burundi national Noel Gasamunyiga on suspicion of trafficking 12 persons, including three girls; the victims reportedly were being trafficked to the USA, Canada, Belgium, and France. On January 15, a court in Mbarara charged Gasamunyiga with illegal entry into the country and sentenced him to several months' imprisonment, after which he was to be deported. The police handed over the 12 victims to the UNHCR.

In September the International Labour Organization (ILO) reported that 124 children were trafficked in 2007, most for sex slavery, child labor, and labor exploitation.

The government's prosecution of child defilement cases included an undetermined number of cases involving trafficked children.

There were no reports of developments in the June 2007 case in which Nickson Owiny was arrested for kidnapping with intent to enslave or the July 2007 case of child trafficker Susan Amekebe, who was charged with inducing a person to give himself or herself as a slave.

The government and NGOs worked together to identify and provide assistance to persons at risk for trafficking. However, the government deported victims of foreign origin, unless the minister of internal affairs granted an extended stay to aid in prosecution of the case. The UPDF has child protection units in all districts and, along with government agencies, continued to work with NGOs to reintegrate thousands of former LRA abductees into society.

The national police maintained a Child and Family Protection Unit to train local police on women and children's rights, including identification of trafficking victims and prevention of trafficking. The police also allowed an NGO to place its social workers in police stations to assist children and other trafficking victims. Parliamentary committee hearings on comprehensive antitrafficking legislation occurred during the year.

See also the State Department's [2008 Trafficking in Persons Report](#).

Persons with Disabilities

The law prohibits discrimination against persons with disabilities in employment,

education, access to health care, and the provision of other state services; however, the government did not enforce the law effectively. Persons with disabilities also faced societal discrimination and limited job and educational opportunities. There was no statutory requirement that buildings be accessible to persons with disabilities; however, the law requires that children with disabilities be given necessary special facilities.

During the year the UHRC received complaints of discrimination in employment and access to transport, mobile telephone, and other public services from persons with disabilities. On February 20, MP Alex Ndeezi reported to the parliamentary Committee on Equal Opportunities that 40 persons with hearing impairment were in prison without trial due to inability to communicate. Ndeezi added that the lack of communication skills also denied such persons access to health services and education.

The government supported the right of persons with disabilities to vote and participate in civic affairs; five seats in parliament were reserved for representatives of persons with disabilities. Government agencies responsible for protecting the rights of persons with disabilities included the Ministry of State for Disabled Persons and MGLSA, but both lacked sufficient funding to undertake or support any significant initiatives. The parliamentary Equal Opportunities Committee seeks to ensure compliance with all laws that protect persons with disabilities.

Other Societal Abuses and Discrimination

Homosexuals faced discrimination and legal restrictions. It is illegal for homosexuals to engage in sexual acts, based on a legal provision that criminalizes "carnal acts against the order of nature" with a penalty of life imprisonment, although no homosexual has been charged under the law. Public resentment of homosexuality sparked significant public debate during the year. The government took a strong position against the practice. The local NGO SMUG protested alleged police harassment of several members for their vocal stand against sexual discrimination.

On June 4, police arrested SMUG activists Pepe Julian Onziema, Valentine Kalende, and Usaam Mukwaya for trespassing. The activists, who did not have the required conference credentials, bypassed security at the HIV/AIDS Implementers' Conference in Kampala to protest the government's lack of funding to combat HIV/AIDS in the homosexual community. On June 6, the three were charged with criminal trespass and released on bail. On August 15, the government dropped the case.

On July 25, police in Kampala arrested SMUG activist Usaam Mukwaya without charge and released him the following day. On September 24, Mukwaya filed a complaint with the UHRC, alleging that he was tortured and humiliated during his detention in a safe house and that the arrest was arbitrary. The case, which received international attention, was pending before the UHRC tribunal at year's end.

On September 10, security forces arrested SMUG members George Oundo and Brenda Kiiza from Nansana, a Kampala suburb. On September 18, the suspects were charged with indecent practices and released on police bond.

On December 22, a High Court judge ruled that the government in 2006 had violated the privacy rights of SMUG chair Juliet Mukasa, who claimed that local government officials illegally searched her home in 2005. The High Court directed the government to pay 3 million shillings (\$1,500) to compensate Mukasa for violation of privacy and 10 million shillings (\$5,000) to her partner Yvonne Oyoo for humiliation, injury, and trauma. The court also ordered the state to pay for their court costs.

International and local NGOs, in cooperation with the government, sponsored public awareness campaigns that aimed to eliminate the stigma of HIV/AIDS. In April the ILO reported in its publication "Saving Lives, Protecting Jobs" that workers in the country were becoming more supportive of their HIV-positive colleagues. However, a July meeting of HIV/AIDS-positive teachers, officials from the Ministry of Education and Sports, and the National Teachers Union concluded that HIV positive teachers suffered

stigma and discrimination inside and outside of school settings; the meeting was sponsored by UNESCO, the World Health Organization, and other organizations.

Counselors encouraged patients to be tested with their partners and family so that they all received information about living with HIV/AIDS. Persons living with HIV/AIDS formed support groups to promote awareness in their communities.

6. Worker Rights

a. The Right of Association

The law allows workers to form unions, but all unions must be registered either under the National Organization of Trade Unions or the Confederation of Trade Unions. Except for "essential" government employees, including police, army, and management-level officials, workers exercised the right of association. The law allows unions to conduct their activities without interference. Union officials estimated that over 855,000 workers were unionized, representing approximately 8 percent of workers.

The law provides for the right to strike, and workers exercised this right; however, government policy required labor and management to make "every effort to reconcile labor disputes before resorting to strike action." The government did not always protect the right to strike, and police forcibly arrested persons engaged in organizing strikes.

On August 24, police in Jinja arrested and later released 70 Kakira sugar cane cutters during a strike to protest low pay and poor working conditions.

Four workers from Kakonde Tea Estate, who were arrested in June 2007 for organizing a strike, remained missing at year's end.

b. The Right to Organize and Bargain Collectively

The law provides for collective bargaining; however, the government did not protect this right in practice. Some employers ignored the legal requirement to enter into collective bargaining agreements with registered unions, and no public service unions, including medical staff and teachers, were allowed to negotiate their salaries and employment terms. The government fixed the terms and conditions for all civil service workers.

The law criminalizes any effort by an employer to obstruct the right of association; however, the government generally did not enforce this provision.

There were reports that the government took no action and did not investigate reports that employers suppressed union activity in the printing, mineral, and informal sectors. For example, on June 4, the management of Kasese Cobalt, a copper mining company, fired 100 workers after they demanded a salary increase. The Mines Union, which represents the workers, reported the dismissals to the MGLSA Commissioner of Labor; however, the commissioner took no action, and the workers lost their jobs.

On February 6, the Uganda Fisheries and Allied Workers Union petitioned Speaker of Parliament Edward Ssekandi over the dismissal of 100 workers by Hwansung Ltd. for allegedly signing forms to join a union. There were no reports of government action at year's end.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children; however, there were reports that such practices occurred, particularly in prisons. While the law does

not expressly prohibit prison labor, it states that such labor becomes forced if the worker is "hired out to or placed at the disposal of a private individual, company, or association." NGOs and the UHRC reported that forced labor was a problem in local prisons nationwide. Prison officials hired out prisoners to work on private farms and construction sites where the prisoners were often overworked. Prison officials routinely supplemented wages with cash crops grown by prisoners on prison grounds. Male prisoners performed arduous physical labor while female prisoners produced marketable handicrafts such as woven basketry. Juvenile prisoners performed manual labor, often for 12 hours per day. Compensation, when paid, generally was very low.

d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits employers from hiring workers below the age of 18; however, statutory orders issued by the MGLSD permit the employment of children between the ages of 14 and 18, and 13-year-olds are allowed to engage in "light work" provided it does not interfere with education. Children under the age of 12 are prohibited from being employed in any business or workplace, and all children are prohibited from being employed during school hours. Nevertheless, child labor was common, especially in the informal sector.

Many children left school and went into agricultural or domestic work to help meet expenses or perform the work of absent or infirm parents, a situation common throughout the country. The problem was particularly acute among the large orphan population. In June the MGLSD estimated that approximately 2.7 million children were employed.

In urban areas children sold small items on the street, worked in shops, begged for money, and were involved in the commercial sex industry. Children were also employed in the tea-harvesting sector, sugarcane fields, commercial farming of tobacco and rice, other crop farming, and stone quarries. The MGLSD reported new incidents of the worst forms of child labor, including children involved in illicit activities such as cross-border smuggling. Government officials noted that child exploitation in the informal sector was of particular concern and was difficult to investigate. Children were known to be working as subsistence farmers, domestic servants, and prostitutes.

The ILO and the Federation of Uganda Employers sponsored a January survey on child labor in the fisheries and tobacco industries that found that most of the 291 children sampled worked long hours and that 71 percent were involved in hazardous work. Of the children involved with fisheries, 31 percent worked at night, and all were subjected to waterborne diseases, chest pains, fatigue, a high risk of contracting HIV/AIDS, and injuries. Children on tobacco farms worked long days, dropped out of school during peak periods of tobacco production, and were exposed to dangerous chemicals, smoke, and dust.

Institutions responsible for enforcing child labor laws and policies include the National Council of Children, the police force's Child and Family Protection Unit, the Industrial Court, and the MGLSD; however, financial constraints limited efforts. The MGLSD continued to offer social services to children working in the worst forms of child labor and other target groups, and it conducted training for staff, local leaders, and district labor inspectors. Sixty MGLSD district labor officers reported on child labor issues at the local level. The government coordinated its efforts to stop child labor through the National Steering Committee on Child Labor, which included representatives of the MGLSD, the Ministry of Education and Sports, the Ministry of Local Government, the Federation of Uganda Employers, the National Organization of Trade Unions, NGOs, journalists, and academics. However, due to lack of funds and logistic support, district labor officials have not conducted child labor inspections since 2004.

The government organized a number of child labor awareness workshops, disseminated printed information, and sponsored radio and television discussions to educate the public on child labor issues. The government also cooperated with the ILO, foreign governments, and NGOs on several initiatives to combat child labor, including the

education and reintegration of children into their communities. Several human rights NGOs continued programs to remove children from hazardous work situations.

e. Acceptable Conditions of Work

The minimum legal wage was 6,000 shillings (\$3.60) per month, a rate set in 1984 that did not provide a decent standard of living for a worker and family and was not effectively enforced. The government and the private sector negotiated a new rate in 2003; however, no minimum wage legislation had been passed by year's end.

The law includes provisions for district labor inspectors to "secure the enforcement of legal provisions relating to conditions of work and the protection of workers while engaged in their work"; however, no inspections were carried out during the year, due in part to financial constraints.

In industries that employed workers on an hourly basis, the normal workweek was 40 hours. The legal maximum workweek is 48 hours; however, exceptions can be made with agreement of the employer and employee. The law provides for an employee who works in excess of 48 hours per week to be remunerated at the minimum rate of 1.5 times the normal hourly rate and two times the hourly rate on public holidays. The law also states that working hours may not exceed 10 hours per day or 56 hours per week, including overtime hours; however, an employee may work in excess of 10 hours a 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. Employees are granted a 30-minute break for every eight-hour work shift. For every four months of continuous employment, an employee is entitled to seven days of paid annual leave per calendar year. Many industries paid workers annual increments or bonuses as payoffs to avoid overtime.

The law establishes occupational health and safety standards, and the MGLSD's Department of Occupational Health was responsible for enforcement of occupational safety regulations. In practice inspections were very rare, primarily due to the lack of vehicles and funding for inspection trips, and standards were not effectively enforced. The law also provides workers the right to remove themselves from situations that endanger their health or safety without jeopardy to their employment and, unlike in previous years, there were no reported cases of workers being dismissed for refusal to perform dangerous work. Strong unions in certain dangerous industries protected some such workers; however, the MGLSA recorded 27 deaths due to poor safety practices at several construction projects during the year.
