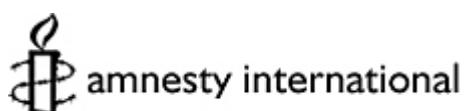


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Amnesty International Annual Report 2011 - Uganda

Head of state and government: **Yoweri Kaguta Museveni**

Death penalty: **retentionist**

Population: **33.8 million**

Life expectancy: **54.1 years**

Under-5 mortality (m/f): **129/116 per 1,000**

Adult literacy: **74.6 per cent**

Law enforcement officials committed human rights violations, including unlawful killings and torture, and perpetrators were not held to account. There were concerns about electoral violence and human rights abuses ahead of general elections in early 2011. A number of new and proposed laws threatened the rights to freedom of expression and freedom of assembly. Gender-based violence was widespread and was committed with impunity. Lesbian, gay, bisexual and transgender (LGBT) people continued to face discrimination and violence.

Background

In October, eight presidential candidates, including President Museveni, were cleared by the Electoral Commission to run for the presidency in general elections scheduled for February 2011. Fears of electoral violence were raised by lingering perceptions that the electoral body was not impartial and concerns over the transparency of the voter registration process.

A major corruption case in which a former health minister, two deputies and a government official faced criminal charges of embezzlement and abuse of office continued. The charges relate to the management of the Global Fund against HIV/AIDS, Tuberculosis and Malaria.

In a September letter to the UN, Uganda rejected the findings of the UN mapping exercise documenting the most serious violations of human rights and international humanitarian law committed within the Democratic Republic of the Congo between March 1993 and June 2003 by different armed forces and groups including the Ugandan army – the Uganda People's Defence Forces. The government took no action to institute investigations into the allegations of human rights violations and crimes committed by the army.

Election-related abuses

Throughout the year, numerous instances of electoral violence and human rights abuses were recorded. These were not investigated and suspected perpetrators were not brought to justice.

- In January, the police arrested 35 female activists from the Inter-Party Cooperation Coalition – an alliance of opposition parties – who were protesting against the Electoral Commission, accusing it of partiality. The activists complained of ill-treatment by the police – including being forced to undress and being held overnight with men in the same police holding cells – and the use of excessive force. They were subsequently charged with holding an unlawful assembly.
- In June, the police and a group of men armed with sticks and locally known as "the Kiboko squad" disrupted a rally in Kampala by opposition leader Kizza Besigye and beat him, as well as officials and supporters of his party. The government promised an investigation but no announcement was made of any progress by the end of the year.

Key opposition leaders had public rallies and media events, particularly radio talk shows, cancelled or blocked by the police and government representatives. An opposition leader, Olara Otunnu, faced criminal charges of sectarianism for discussing alleged government complicity in human rights abuses during the war in northern Uganda.

The government proposed a Public Order Management Bill which would, if enacted into law, unduly restrict the rights to peaceful assembly and to freedom of expression. The Bill had not been submitted for debate in Parliament by the end of the year.

Unlawful killings, torture and other ill-treatment

Dozens of people in the north-eastern Karamoja region were reported to have been killed during the year in disputed circumstances by government soldiers engaged in security and disarmament operations. Army personnel were also accused of committing torture and other ill-treatment in the course of these operations. The government did not institute credible investigations into alleged human rights violations and no one was brought to justice.

In October, the Uganda Human Rights Commission reported that torture and ill-treatment by the police, other law-enforcement officials and the military remained widespread.

A number of suspects detained in connection with the July bomb attacks in Kampala (see below) reported that they were tortured and ill-treated by police.

Violence against women and girls

In October, following consideration of Uganda's state report, the UN Committee on the Elimination of Discrimination against Women expressed concern that violence against women and girls remained widespread. The Committee noted the inordinately high prevalence of sexual offences against women and girls. Female victims of rape and other forms of sexual and gender-based violence continued to face economic and social obstacles to justice, including the costs of criminal investigations and discrimination by government officials.

In April, the President gave assent to the Domestic Violence Act, a law specifically criminalizing domestic violence. However, domestic violence remained rampant and perpetrators were rarely brought to justice.

In July, Uganda ratified the Protocol to the African Charter on the Rights of Women in Africa.

Trial of Kizza Besigye

In October, the Constitutional Court declared that charges of treason and murder against Kizza Besigye and others were unconstitutional, mainly on the grounds that the state had failed to uphold the right to a fair trial. The Court noted an incident in 2007 when security personnel re-arrested the accused in the High Court despite a court order granting them bail.

Armed conflict

Northern Uganda was relatively calm; the region had previously been affected by the long-term conflict between the government and the Lord's Resistance Army (LRA). LRA forces in the Central African Republic, the Democratic Republic of Congo and Sudan continued to commit human rights abuses, including unlawful killings and abductions.

International justice

In June, the International Crimes Act, 2010, which incorporates the Rome Statute of the International Criminal Court (ICC) into domestic law, came into effect.

Arrest warrants issued in 2005 by the ICC for Joseph Kony, leader of the LRA, and three LRA commanders remained in force, but the men remained at large.

Bomb attacks

In July, at least 76 people were killed and hundreds injured in bomb attacks by unknown people at two different public venues in Kampala. Following criminal investigations, 17 people of different nationalities including Ugandans, Kenyans and Somalis were charged with terrorism and murder and committed to stand trial in November in connection with the attacks. The trial process was continuing at the end of the year.

Up to 12 suspects were transferred from Kenya to Uganda outside established legal processes in both countries (see Kenya entry).

- In September, Al-Amin Kimathi, head of the Muslim Human Rights Forum, an NGO in Kenya, was arrested in Uganda, along with Kenyan lawyer Mbugua Mureithi. The two had travelled from Kenya to Uganda to observe the trial of six Kenyans charged with terrorism in connection with the bomb attacks. Mbugua Mureithi was held incommunicado for three days then deported to Kenya. Al-Amin Kimathi was held incommunicado for six days and charged with terrorism and murder in connection with the July bomb attacks. The Ugandan authorities gave no details of the allegations against him; he appeared to have been arrested and charged solely for carrying out his legitimate work. He remained in prison at the end of the year.

Freedom of expression

The Regulation of Interception of Communications Act, 2010 became law in September. It gives the government far-reaching discretion in surveillance and interception of all forms of communication. The law lacks adequate safeguards and threatens freedom of expression.

The government proposed a Press and Journalists (Amendment) Bill which would, if enacted, significantly restrict freedom of expression by allowing the authorities to refuse to grant licences to print media outlets on broad and loosely defined grounds such as "national security". The Bill had not been submitted to Parliament by the end of the year.

Dozens of journalists faced various criminal charges related to their media work and

materials critical of government policy and practice.

In September, the Constitutional Court declared the offence of sedition in the Penal Code Act to be unconstitutional on the basis of section 29 of the Constitution which guarantees freedom of expression.

Refugees and asylum-seekers

In July, a joint operation between the governments of Uganda and Rwanda resulted in the forcible return to Rwanda of around 1,700 Rwandan asylum-seekers from two refugee settlements in Uganda. Police officers fired shots into the air when some of the asylum-seekers tried to escape. In the ensuing panic and stampede, people were reportedly injured and children separated from their parents. Most of the affected refugees complained that they had not been allowed a fair and satisfactory determination of their applications for refugee status. The operation resulted in the death of at least one man who jumped off a truck en route to Rwanda and injuries to over 20 people.

There were cases of refugees living in settlement camps and urban areas being arbitrarily arrested, unlawfully detained and tortured or ill-treated. Perpetrators, usually the police and other law enforcement officials, were rarely brought to justice.

The authorities threatened to return at least three Somali asylum-seekers to southern and central Somalia despite the risks they would face there.

Discrimination – lesbian, gay, bisexual and transgender people

The Anti-Homosexuality Bill, 2009 which would further entrench discrimination and lead to other human rights violations against LGBT people remained pending in Parliament.

In October and November a local publication, *The Rolling Stone*, published front page articles identifying people it said were homosexuals; one included the words "Hang them". The articles contained names, pictures and in some cases addresses and other details. The people named included activists and human rights defenders. A number of people named in the publication complained of harassment and threats by people known to them. In November, some of the individuals named filed a civil law case in the High Court against the publishers, alleging violation of their rights to life, dignity and privacy. The Court's decision was pending at the end of the year. However, the authorities did not condemn the publication or take any measures to protect the people placed at the risk of violence by the articles.

LGBT individuals and rights activists continued to face arbitrary arrests, unlawful detention, torture and other ill-treatment by the police and other security personnel.

Death penalty

Civilian and military courts continued to impose the death penalty for capital offences. There were no executions.

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