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UGANDA

President Yoweri Museveni, elected to a 5-year term in 1996 under the 1995 Constitution, continued to dominate the Government. He has ruled since 1986 through the National Resistance Movement (NRM), legislatively reorganized and renamed as "The Movement" in 1995. The Constitution provides for a 276-member unicameral parliament and an autonomous, independently elected president. The Constitution formally extended the one-party movement form of government for 5 years and severely restricted political activities. A national referendum on the role of multiple political parties is scheduled for 2000, following a 1-year campaign period. The Parliament acted with increasing independence and assertiveness during the year, although Movement supporters remained in control of the legislative branch. Parliamentarians were elected to 5-year terms in 1996. The 1996 presidential and parliamentary elections were peaceful and orderly, but election conditions, including restrictions on political party activities, led to a flawed election process. The judiciary generally is independent, but is understaffed and weak; the President has extensive legal and extralegal powers.

The Uganda People's Defense Force (UPDF) is the key security force. The Constitution provides for civilian control of the UPDF, with the President designated as commander in chief. The UPDF was more active, in part due to the continued instability in the north and west but mostly because of the country's involvement in the conflict in the neighboring Democratic Republic of Congo (DROC). UPDF soldiers and members of local defense units (LDU's) assist the police in rural areas, although the LDU's continued to operate without a legal mandate. The Internal Security Organization (ISO) remained under the direct authority of the President. Although the ISO primarily is an intelligence-gathering body, its operatives occasionally detained civilians. The Directorate of Military Intelligence (DMI), under UPDF control, also detained civilians suspected of rebel activity. The police are organized as a national force under the authority of the Ministry of Internal Affairs. The UPDF, police, LDU's, and the DMI all committed serious human rights abuses.

The economy grew at a rate of approximately 7 percent during the year. Annual gross domestic product is \$330 per capita; foreign economic assistance provides approximately 48 percent of government revenues. The agriculturally based economy continued to rely on coffee as its chief export. Foreign investment slowed amid growing corruption, a troubled macroeconomic reform process, and concerns about regional security in the wake of the country's intervention in the DROC. The privatization process slowed significantly, following a series of mismanagement and corruption scandals that led to parliamentary investigations and to the resignation of the Minister of State in charge of the process in late 1998. The financial sector was shaken badly by mismanagement that led to the closure of several banks and a general loss of depositor confidence. The stock exchange remained severely underutilized.

The Government's human rights record was poor, and there continued to be numerous, serious problems; however, its record improved in a few areas. Movement domination of the political process limited the right of citizens to change their government. Security forces used excessive force, at times resulting in death. Government forces committed or failed to prevent some extrajudicial killings of suspected rebels and civilians. Police, UPDF, LDU, and DMI forces regularly beat and sometimes tortured suspects, often to force confessions. A highly publicized judicial commission of inquiry into police corruption uncovered numerous serious abuses committed by senior officers, resulting in the arrest of several officers on charges of extortion. Prison conditions remained harsh and

life-threatening. Members of the security forces sometimes arbitrarily arrested and detained civilians. There were a number of cases in which the Government detained and charged UPDF and LDU members for human rights abuses. Authorities used incommunicado detention and detention in unregistered and unofficial places of remand without notification to family members. Despite measures to improve the discipline and training of security forces, and despite the punishment of some security force officials guilty of abuses, abuses by the security forces remained a problem throughout the country. Prolonged pretrial detention remained a problem. Poor judicial administration, lack of resources, a large case backlog, and lengthy trial delays circumscribed due process and the right to a fair trial. The UPDF at times infringed on citizens' privacy rights; it often invaded citizens' homes without warrants. The Government demonstrated continued respect for freedom of speech and of the press; however, there were some instances in which restrictions continued. The Government restricted freedom of assembly and association, and the constitutional restrictions on political activity effectively limit these rights further. Security forces continued to harass Muslims. There were some limits on freedom of movement. The Movement Secretariat, supported with government funds, oversaw internal organizational activity, strategy, and mobilization, and the Government continued its Movement political education courses. Domestic violence against women, rape, and abuse of children remained serious problems. Discrimination against women, the disabled, and ethnic minorities persisted. The Government worked with NGO's to combat the practice of female genital mutilation (FGM), which occurred on a limited basis. Violence against ethnic minorities was a problem. There were some limits on worker rights. Forced labor, including by children, occurred, and child labor was common, mostly in the informal sector. There have been reports of trafficking in persons. Vigilante justice also was a problem.

Insurgent forces committed numerous serious abuses, although on a significantly reduced scale. The Allied Democratic Forces (ADF), a rebel group active in the west, killed, tortured, maimed, and abducted many persons, including children. The Lord's Resistance Army (LRA), led by Joseph Kony and supported by the Government of Sudan, operated in the north from bases in southern Sudan. The LRA continued to kill and abduct civilians, including children, although such abuses decreased considerably from the previous year. Rwandan Hutu rebels, the Uganda National Rescue Front-II (UNRF-II), and the Uganda Salvation Front/Army (USF/A) also claimed responsibility for terrorist attacks that resulted in fatalities.

RESPECT FOR HUMAN RIGHTS

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

a. Political and Other Extrajudicial Killing

There were no confirmed reports of politically motivated killings by government forces; however, members of the security forces and the police committed extrajudicial killings. In the course of official operations, police, UPDF, LDU, and DMI personnel sometimes used excessive force, resulting in deaths (see Section 1.g.). In January 15 UPDF soldiers in Kabarole district allegedly killed 5 youths between the ages of 13 and 19. The soldiers were arrested at the end of January, and three of the soldiers appeared in a Kampala court in March on murder charges. Their cases still were pending at year's end, as was an investigation of the other 12 soldiers. In May police shot and killed an unarmed youth after mistaking him for a robber. In July police reportedly beat to death a prisoner in Soroti (see Section 1.c.). There was a report that UPDF soldiers in Kileleshwe, Apac District engaged in murder, torture, and looting in July. The matter was reported to the Minister of Security, but could not be confirmed. In August UPDF soldiers executed two rebel suspects in Lira; a UPDF inquiry is ongoing. On September 9, UPDF troops conducting a pacification campaign in the Karamoja region opened fire on members of two Karamojong clans that were engaged in a gun battle. Reports suggest that hundreds of Karamojong warriors were killed in this incident. There was no investigation into this incident by year's end. On October 10, a man died after having been beaten by the police while in custody the previous day (see Section 1.c.).

Muslim groups complained of extensive mistreatment by security officials in Kampala and in the west. There were unconfirmed reports that some Muslims suspected of being ADF rebel collaborators or involved in terrorist activities died as a result of torture by DMI officials (see Sections 1.c. and 1.d.).

A judicial commission of inquiry into corruption in the police force began operation in May and was ongoing at year's end. During the course of the investigation the commission uncovered incidents of killings, brutality, theft, and robbery by police in general, and by the CID in particular. The commission's proceedings were open to the public and received extensive press coverage. The commission report had not been submitted to the Government by year's end.

Harsh conditions, some intentional mistreatment, and lack of adequate medical treatment caused many deaths in prison (see Section 1.c.).

The LDU commander responsible for the August 1998 death of two civilians in Kyankwanzi while in custody was arrested and remained in detention awaiting trial at year's end.

Police continued investigations into the June 1998 incident in which police fired on students at the Kabalega secondary school, killing one student; into the January 1998 death in police custody after being tortured of a 25-year-old suspect accused of stealing a bicycle in Tororo; and into the August 1998 incident in which a prison official in Masaka beat to death a suspect on remand for defaulting on tax payments. There were no prosecutions in connections with these incidents by year's end. On February 1, the Uganda Human Rights Commission (UHRC) referred for prosecution the case of three police officers accused of killing four robbery suspects in 1998.

Investigations into the 1997 deaths by torture of Paul Kollo and Stephan Baryakaijika were completed, and the government-sponsored UHRC heard the cases. In February the UHRC handed the cases over to the courts for prosecution (see Section 1.c.). A suspect arrested for the 1997 killing of Modesta Kabaranga, a leading organizer for the Democratic Party, still was on remand awaiting trial at year's end. There has not yet been a police investigation in the 1997 killings of Abdullah Buwuula, Mubarek Mawejje, and Amir Sinai at year's end.

The rebel ADF committed at least 350 extrajudicial killings, including that of children (see Section 1.g.). The LRA was responsible for the killing of approximately 30 civilians, including children (see Section 1.g.). Rwandan Hutu rebels were responsible for the killing of 19 persons, including the killings of 9 persons in March in the Bwindi Impenetrable Forest park (see Section 1.g.). UNRF-II, USF/A, and the Citizens Army for Multiparty Politics (CAMP) may have been responsible for the death of civilians (see Section 1.g.).

Vigilante justice was a problem (see Sections 1.c. and 5). Authorities rarely prosecuted persons engaged in mob violence, which frequently resulted in death. A police official announced in September that vigilante justice was occurring at a rate of two incidents per day. On January 2, four of eight suspected thieves were lynched when a mob broke into the Nyaburara subcounty jail in Kabarole district. On February 2, a UPDF soldier was lynched in Luwero district after being accused of robbery. On May 25, a suspected thief was burned to death by a mob in Mukono, central Buganda. On August 11, a thief was beaten into a coma by a mob in Kampala after grabbing money from a vehicle.

Urban bombings remained a problem. On February 14, two bomb blasts killed 4 persons and injured 35 others in Kabalagala. On April 11, a bomb exploded at Kampala's old taxi park, killing 3 persons and injuring 13 others. On April 24, a bomb blast injured six persons at a bar in Makindye. On May 7, a bomb exploded in a Kampala marketplace, killing one person. On May 30, a bomb blast in a suburb of Kampala killed three persons

and injured nine others. The ADF is suspected of involvement in these bombings.

There was a growing number of reports of ritual murders of children. On February 15, a 2-year-old child was murdered after being kidnaped from his home. His body was found burned and coated with a traditional medicine. On July 23, a traditional healer and his assistant were sentenced to death for the April 4 murder and mutilation of a girl in Mukono district.

b. Disappearance

There were no confirmed reports of politically motivated disappearances due to action by government forces; however, a number of Muslims whom the authorities suspected of supporting the ADF insurgency still are missing and it is believed that they were detained by security officials (see Section 1.c.).

ADF, LRA, and UNRF-II rebels abducted civilians. Both the ADF and the LRA abducted civilians for training as guerrillas; most victims were children and young adults. NGO's estimated that the ADF abducted over 800 persons, including children. The LRA abducted approximately 250 persons, including young girls abducted as sex and labor slaves (see Sections 6.c. and 6.f.). Amnesty International reported in 1998 that without child abductions, the LRA would have few combatants. While some later escaped or were rescued, the United Nations Children's Fund (UNICEF) estimated that 4,802 children abducted by the LRA since 1987 remain missing, and approximately 100 children abducted by the ADF remain missing (see Section 1.g.). The UNRF-II abducted 56 persons.

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

The Constitution prohibits "any form of torture, cruel, inhuman, or degrading treatment or punishment"; however, security forces commonly beat and sometimes tortured criminal suspects, often to force confessions. On May 17, a former security guard who was charged with terrorist activity told a Kampala court that he was tortured by the police at Kampala's central police station. UPDF forces in the north on occasion beat and abused civilians, although there were significantly fewer reports of such abuse during the year.

In January a UPDF officer in Jinja tortured a photographer who attempted to take a picture after the officer had pointed his gun at a civilian. The officer subsequently was arrested and detained at Makindye barracks. In February family members found the badly mutilated body of Patrick Ocan, who last was seen in UPDF custody. There was an unconfirmed report that in July UPDF soldiers in Kole county, Apac district, engaged in murder, torture, and looting (see Section 1.a.). On October 9, police beat a man while in custody in Buwenge, Jinja District; the man died after being released the following day.

In September antiriot police fired guns to disperse a strike attempt at the Sugar Corporation of Uganda, although there were no reported casualties as a result of police action (see Section 6.a.).

The police occasionally treat criminal suspects in an inhuman and degrading manner. On May 11, a newspaper published a picture of a naked woman being shaved forcefully by a group of men in military uniform. Kandida Lakony subsequently claimed that she was the woman in the picture, and that UPDF soldiers in Gulu were responsible. Kandida was arrested in June and charged with giving false information to the police. In highly publicized testimony in August, Kandida alleged that during her detention she was forced to remain naked in a cell for 2 days. During the trial, army officials from the north stated that women regularly are punished at army facilities by having their heads shaved with blunt razors. In October a court rejected Kandida's claims, found her guilty of giving false information to the police, and sentenced her to 12 months' imprisonment. Her case was under appeal at year's end. The newspaper's senior editorial staff was charged with sedition for having printed the story (see Section 2.a.).

Muslim groups complained of extensive mistreatment by security officials in Kampala and in the west. There were unconfirmed reports that DMI officials tortured some Muslims detainees (see Section 1.a.).

There continued to be unconfirmed reports that UPDF mobile forces regularly beat civilians and raped women (see Section 1.g.).

During the conflict with the LRA, government forces used threats to compel citizens to leave their homes and move to areas under government protection (see Sections 1.f. and 1.g.).

LDU's, which frequently lack training, often mistreat prisoners and detainees. For example, on February 9, two teenaged girls reportedly were raped by two LDU personnel at Kabujogera police post in Fort Portal. The accused were arrested pending a police investigation. In August an LDU member shot and wounded a businessman in Kisenyi, a suburb of Fort Portal. The LDU member reportedly was apprehended and detained by the UPDF.

The Government investigated some cases of abuse, and tried and punished some offenders. In May the Government launched a Judicial Commission of Inquiry into police corruption, which remained ongoing at year's end (see Section 1.a.). The Commission probed a wide range of police abuses, including abuses committed by senior police officials. The inquiry resulted in the arrests of several police officers on charges of abuse, rape, extortion, and robbery including a police officer accused of raping a 16-year-old girl. In September three police officers were arrested on charges of torturing and extorting money from persons in Mbale.

The police Human Rights Desk, established in 1998 received 620 new complaints, including allegations of excessive force, torture, assault, rape, and murder. Of these, 205 cases were resolved, some resulting in disciplinary actions including reductions in rank, fines, halted promotions, and dismissals. A total of 50 cases were referred to the criminal courts.

In conjunction with the UHRC, the police force continued a training program for police officials to foster respect for internationally recognized human rights standards. The UHRC and NGO's conducted similar programs with UPDF officials throughout the year.

The investigations into the 1997 torture of Corporal Twasha Kaushera and the 1997 deaths by torture of Paul Kollo and Stephan Baryakaijika were completed, and the cases were heard by the UHRC. In February the Commission handed the cases over to the courts for prosecution (see Section 1.a.). On March 10, the UHRC awarded \$400 (600,000 shillings) to Mary Iripoit for torture, degradation, and deprivation of her personal liberty at the hands of a former ISO officer in Soroti in August 1998.

The ADF continued to maim civilians, and loot and burn private homes. The LRA engaged in looting and destruction of private property. The ADF and LRA also abducted children to be guerrillas and tortured them by beating them, forcing them to witness atrocities, forcing them to march until collapse, and denying them adequate food, water, or shelter (see Section 1.g.).

There were numerous instances in which mobs attacked suspected thieves and other offenders caught in the commission of crimes (see Section 1.a.). Often motivated by widespread distrust of the justice system, these mobs engaged in stonings, beatings, and other forms of mistreatment, such as tying suspects' wrists and ankles together behind their backs, stripping suspects of their clothes and parading them through the streets, or forcing suspects to hop painfully on the sides of their ankles. Vigilantes also have stripped prostitutes who dress "indecently" or "provocatively."

Urban bombings remained a problem, and resulted in numerous casualties (see Section 1.a.). Bombs were detonated in Iganga, Busia, Ntungamo, Makindye, a new taxi park in Kampala, and a marketplace in Kampala, injuring numerous persons but causing no fatalities. The Uganda Peoples Freedom Movement claimed responsibility for the nonfatal bombing in Iganga, and the USF/A claimed responsibility for the nonfatal bombing in Busia. The ADF is suspected of involvement in the other bombings.

Prison conditions remained harsh and life threatening. Conditions for the estimated 5,000 inmates in local police cells and in the 162 local prisons particularly were bad. Authority over the local prison system, formerly operated by the Ministry of Local Government, was scheduled to be transferred to the state-funded and operated prison system, run by the Ministry of Internal Affairs in 1998. The transfer had not taken place by year's end due to funding problems and lack of enabling legislation. Both civilian and military prisons have high mortality rates from overcrowding, malnutrition, diseases spread by unsanitary conditions, and HIV/AIDS.

No accurate estimates are available on the number of deaths in detention due to the harsh conditions and lack of medical care, although many such deaths have occurred. The UHRC reported severely inadequate medical services, seriously unhygienic conditions, and a situation of "semi-starvation" among prisoners in many prisons. Of a group of 30 persons arrested for treason in 1986 and held in Luzira prison, 29 have died of various diseases including malaria, meningitis, and cholera. In April a court in Masindi heard that five inmates died in detention. There were no reports of the cause of death. On June 28, Matia Kiwanuka Mulama, an inmate of Buikwe prison in the eastern part of the country, reportedly was found dead after having been tortured by the chief warden. A district police official confirmed reports that Mulama's body was left at Kawolo hospital mortuary with its eyes gouged out (see Section 1.a.). A police investigation was ongoing at year's end.

The harsh conditions largely result from the Government's seriously inadequate funding of prison facilities. Most of the prisons grow maize, millet, and vegetables, although the UHRC accused prison farms of overworking inmates. Prisoners received only \$0.0007 (1 shilling) per day for their labor, a rate established in the early 1960's. Prison conditions come closest to meeting minimum international standards in Kampala, where prisons provide medical care, running water, and sanitation; however, these prisons also are among the most overcrowded. By one estimate, the country's prisons--all of which predate independence in 1962--hold about three times their maximum planned capacity. Human rights groups, including the Uganda Law Reform Commission and the Uganda Prisoners Aid Foundation, continued to call for expanded noncustodial sentencing--an effort generally blocked by strongly punitive attitudes among judges, in part motivated by fear of accusations of corruption if prisoners appear to be treated leniently. Although the law provides for access to prisoners by their families, ignorance of this right and fear of prison authorities often limit family visits. The UHRC reported that it had received allegations that officers in charge of police cells sometimes demanded bribes to allow visits.

Women have segregated wings with female staff in most, but not all prisons. According to human rights advocates, rape generally is not a problem, although female prisoners also suffer from severely substandard conditions. Due to lack of space in juvenile facilities, juveniles often are kept in prisons with adults. The central prison system maintains one juvenile prison and four lower security remand homes. School facilities and health clinics in all five institutions are defunct; prisoners as young as age 12 perform manual labor from dawn until dusk. Severe overcrowding also is a problem at juvenile detention facilities and in women's wings. The remand home in Kampala, designed for 45 inmates, holds 120 children.

The central prison system continued to work with NGO's and the donor community to improve prison buildings, water and sanitation systems, food, and uniforms. Progress has been marginal.

Government agencies have sponsored or participated in numerous conferences on the justice system and prison conditions, and worked closely with international and domestic human rights organizations on prison reform efforts.

Media access to prisons remained limited, but the Government permitted full access to prisons by the International Committee of the Red Cross (ICRC) and local NGO's, principally the UHRC, the Foundation for Human Rights Initiative, and the Uganda Prisoners' Aid Foundation. UHRC access to prison facilities initially was granted in mid-1997; since that time, the organization has carried out numerous prison visits and reported on its findings publicly. Prison authorities require advance notification of visits, a process that often is subject to administrative delays.

d. Arbitrary Arrest, Detention, or Exile

Members of the security forces at times arrested and detained citizens arbitrarily. According to the Constitution, a suspect must be charged within 48 hours of arrest and be brought to trial or released on bail within 120 days (360 days for a capital offense). If the case has been committed to the court before the expiration of this period, the Constitution does not limit pretrial detention. The Constitution also provides that detainees should be informed immediately of the reasons for their detention; however, in practice the authorities enforced none of these procedural protections. Some laws conflict with the Constitution, for example, the Public Order and Security Act of 1967 (the Detention Order), which provides for unlimited detention without charge; however, these laws never have been invoked formally by the Government. Legal and human rights groups, including the UHRC, sharply criticized the excessive length of detention without trial--in many cases amounting to several years--for alleged offenses under other laws, which both violated the constitutional rights of the detainees and contributed substantially to prison overcrowding.

Arbitrary arrest is a problem. In particular, arbitrary mass arrests known as "panda gari" were conducted following bomb scares. On April 28, UPDF soldiers, LDU personnel, and police arrested 200 persons in Fort Portal following an 8-hour security operation. On May 2, a combined UPDF, LDU, and police force detained approximately 500 persons in Mbarara during a security operation. On July 28, approximately 70 persons were arrested in Kampala in a joint operation mounted by police and LDU's. Most persons arrested were released within 24 hours.

In September President Museveni called for the arrest of homosexual individuals who engaged in "abominable acts", 2 weeks after a rumored "wedding" between two men. Subsequently, the two men were called in by the police for questioning. Police arrested and detained at least one person during the year because of sexual orientation, although the charges eventually were dismissed.

On October 28, approximately 200 people were arrested by police and ISO officers in Kampala in order to prevent a planned strike by taxi drivers (see Section 6.a.). All were released later.

Police at times harassed and detained journalists and opposition politicians (see sections 2.a. and 3). In January officials detained an opposition Member of Parliament, Wasswa Lule, after he made public remarks suggesting that President Museveni should be investigated for corruption. Lule was released the following day without charge. Also in January, police detained for 48 hours three officials from the Foundation for African Development during a seminar in Moyo district. In November police briefly detained a district chair of the Uganda Young Democrats for campaigning against the multiparty referendum. He was released the following day without charges.

Complaints from Muslim groups regarding arrests targeted at young Muslims on suspicion that they supported rebel groups continued during the year. There were reports

that most of the 30 to 40 Muslim men believed to be detained at the end of 1998 were released during the year; however, no details were available.

The rearrest of Muslim suspects following either their release on bail or acquittal was a problem. Following their acquittal on murder charges in June, 28 members of the Islamic Tabliq group were rearrested and charged with the same offense. Another group of 53 treason suspects was granted bail in June but later rearrested and detained.

On June 28, opposition politician Karuhanga Chapaa, arrested in 1998 for remarks made at a public seminar, was convicted of sedition and sentenced to a fine of approximately \$35 (50,000 shillings) (see Section 2.a.).

Although they have no legal authority to make arrests, LDU's continued to arrest citizens on a regular basis.

Pretrial detainees comprise nearly three-fourths of the prison population. The average time in pretrial detention is from 2 to 3 years. Over 10,000 of the 16,000 persons being held in the central prisons are pretrial detainees, and the problem is particularly serious in the local government-run prisons, which hold a total of 6,649 detainees. A census of the central prison population conducted in March indicated that at least one-sixth of the inmates were being detained beyond constitutional limits. Congestion and delay in the legal system have resulted in an increasing number of detainees each year. In November more than 400 prisoners held without trial since at least 1997 staged a protest at Luzira prison in Kampala. The prisoners refused to return to their cells until they received assurances from the director of public prosecutions that their cases would be brought to court.

In September the Human Rights and Peace Center Prisons Project reported that 31 Congolese and Sudanese refugees arrested in March 1997 on suspicion of aiding West Nile Bank Front (WNBK) rebels still had not been charged with a crime (see Section 2.d.). The UHRC heard several cases during the year brought by prisoners challenging the length of their detention. At least one prisoner was awarded monetary compensation for being detained beyond the constitutional limit.

NGO's monitoring prison conditions reported that, unlike in past years, there were no detentions of civilians in military barracks; however, security forces held civilians in unofficial, unregistered places of remand, mostly on suspicion of collusion with rebel groups and participation in terrorist attacks (see Section 1.c.).

The Constitution does not prohibit forced exile; however, the Government does not use exile as a means of political control. A presidential amnesty for former LRA and WNBK rebels was superseded in December when Parliament enacted an amnesty law covering all current and former rebels. In October 146 former UNRF II rebels were released from prison.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the President has extensive legal and extralegal powers that influence the exercise of this independence. The President nominates, for the approval of Parliament, members of the Judicial Service Commission, which makes recommendations on appointments to the High Court, the Court of Appeal, and the Supreme Court. The courts remained understaffed and weak.

The highest court is the Supreme Court, followed by (in descending order) the Court of Appeal (which also functions as the Constitutional Court for cases of first instance involving constitutional issues), the High Court, the chief magistrate's court, and local council (LC) level three (subcounty) courts, LC level 2 (parish) courts, and LC level 1 (village) courts. A minimum of six justices may sit on the Supreme Court and the Court of Appeal or Constitutional Court. In addition there are a few specialized courts that deal

with industrial and other matters. The Industrial Court (IC), which arbitrates labor disputes, is structurally parallel to the chief magistrate's court. There is also a military court system.

Although once considered a useful innovation, the LC courts often are thought to be sources of injustice due to such factors as bribery and male dominance in rural areas. The LC courts have authority to settle civil disputes, including land ownership and payment of debts, and criminal cases involving children. These courts, often the only ones available to villagers, frequently exceed their authority by hearing criminal cases, including murder and rape. LC court decisions may be appealed to magistrate's courts, but often there are no records made at the village level, and many defendants are not aware of their right to appeal.

The civilian judicial system contains procedural safeguards, including the granting of bail and the right of appeal to higher courts; however, an inadequate system of judicial administration and a lack of resources, resulting in a serious backlog of cases, have circumscribed the right to a fair trial for many years. The courts, like other branches of government, were impaired by a 4-year civil service hiring freeze, which was relaxed only somewhat in 1998. As a result, criminal cases may take 2 or more years to reach the courts. The case backlog remains extremely large, in particular, the backlog of criminal cases in the High Court, which has increased every year since 1993. Attorneys working in the Office of the public prosecutor can be assigned several new cases each day. Some courts continued to observe the constitutionally prescribed limits on pretrial detention, but that practice was not widespread.

Many defendants cannot afford legal representation. The Constitution requires that the Government provide an attorney for indigent defendants accused of capital offenses, but there is rarely enough money to retain adequate counsel. The Uganda Law Society (ULS) operates legal aid clinics in four regional offices. It assists military defendants as well as civilians. The local chapter of Federacion Internacional de Abogados (FIDA) and the Foundation for Human Rights Initiative also practice public-interest law from offices in Kampala. In March the Law Development Center established a legal aid clinic to address cases involving children and those accused of petty crimes. A public defense service also was established in March, but did not receive any government funding. It relied solely on donor support.

The military court system does not assure the right to a fair trial. Although the accused has the right to retain legal counsel, military defense attorneys often are untrained and may be assigned by the military command, which also appoints the prosecutor and the adjudicating officer. The sentence passed by a military court, which can include the death penalty, may be appealed to the High Command but not to the High or Supreme Courts. A court-martial appeals process was established in 1997.

The Government continued to arrest and charge persons for treason, especially captured rebel fighters, in numbers greater than the judicial system could manage. In the past, numerous human rights abuses were committed in connection with treason cases, including political detention, detention without charge, detention in unregistered and unofficial places of remand, and mistreatment, including torture. There were reports that at times such abuses continued during the year. At the end of the year, prison officials put the number of those on remand on the charge of treason at 309, none of whom were children. Detainees included members of the Islamic Tabliq group suspected of supporting ADF rebels. Between August and December, 892 suspected WNBF members were acquitted of treason charges and released. On October 12, the Government released, without condition, 147 persons detained since 1997 on suspicion of belonging to the rebel UNRF-II. In November more than 400 prisoners held without trial since at least 1997 held a protest at Luzira prison (see Section 1.d.).

The number of political prisoners is unknown but believed to be small. Bright Gabula Africa, whose death sentence for treason was upheld by the Supreme Court in 1995, remains imprisoned pending the outcome of his appeal to the Advisory Committee on the

Prerogative of Mercy, a largely autonomous constitutional body that recommends whether presidential clemency powers should be exercised in a given case.

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

The Constitution provides for the protection of privacy, which the Government generally observes; however, there were some exceptions. The law requires that police have search warrants before entering private homes or offices, and the police generally observed this law in practice; however, in its effort to combat rebels in the north, the UPDF often invaded private homes without warrants. LDU's arrest citizens without authority. The police sometimes searched vehicles without prior warrants. Prison officials routinely censor prisoners' mail.

The Government required that employees in the President's office register their political affiliation in writing (see Section 3).

During the conflict with the LRA, government forces used threats to compel citizens to leave their homes and move to areas under government protection (see Section 1.g.). Hundreds of thousands of persons remain internally displaced as a result of rebel activity (see Section 2.d.).

There were unconfirmed reports in the north that the Sudan People's Liberation Army (SPLA), supported by UPDF forces, forcibly recruited Sudanese refugees for service in Sudan.

Female members of the police force are required to obtain permission from the police Inspector General before getting married. Male police officers are not subject to the same restriction.

g. Use of Excessive Force and Violations of Humanitarian Law in Internal Conflicts

Reports of violations of humanitarian law continued to decrease in the north, but remained a problem in the west. In the north, government forces continued their policy of maintaining so-called protected villages with UPDF detachments nearby as a means of protecting civilians and denying support to the LRA. Although substantial NGO and donor community assistance has improved the overall conditions in the villages, conditions still remain poor. This policy of maintaining protected villages continues to be attacked by parliamentarians from the area, although less vehemently than before since many persons have returned to their home villages; however, while the UPDF did not coerce persons to remain in most protected villages, in February two new protected villages, Patika A and Patika B, were created near the Sudanese border and villagers in the surrounding area were forced to evacuate their homes and move to these villages.

The UHRC opened an investigation into a 1998 incident in which UPDF forces, while combating suspected LRA rebels, reportedly killed 30 Acholi children abducted by the LRA in Ogok village, Kitgum district.

In December the Parliament offered a 6-month amnesty to rebel fighters. Under the terms of the amnesty, rebels would have 6 months from the date President Museveni signed the amnesty to give themselves up and turn in their weapons. Museveni's signature was pending at year's end.

In the west and southwest, the ADF continued to attack civilian targets, trading centers, and private homes, resulting in hundreds of deaths and abductions. The ADF killed at least 350 persons and abducted an estimated 200 children, half of whom remain missing (see Sections 1.a. and 1.b.). In May ADF rebels killed four persons in Kibale National Park. On August 24, ADF rebels in Kabarole district killed eight persons and kidnaped one person who remained unaccounted for at year's end. On September 6, ADF rebels killed five persons, including a 2-year-old child, in Kabarole district. In December ADF

rebels attacked Katojo prison in the west and abducted or freed 365 prisoners. The rebels killed five persons, including two civilians, during the attack. Subsequently, several dozen inmates returned to the prison; it remains unclear whether the ADF forced some prisoners to leave the prison.

In the north, forces of the LRA, led by Joseph Kony, continued to attack civilian targets, as well as some refugee camps. After a year of few major attacks, the LRA began a series of assaults on civilian targets in late December. Attacks by the LRA during the year caused about 30 deaths and the destruction of homes and property. The LRA abducted about 250 civilians, some of whom later were released. No new incidents of mutilation were reported. The LRA continued to abduct children and, at clandestine bases, terrorized them into virtual slavery as guards, concubines, and soldiers (see Sections 6.c. and 6.f.). In addition to being beaten, raped, and forced to march until exhausted, abducted children were forced to participate in the killing of other children who attempted to escape. UNICEF estimated the number of abducted children still held captive by the LRA at almost 5,000; other estimates vary widely (see Sections 1.b. and 6.f.).

In March Rwandan Hutu rebels killed 19 persons, including 9 persons who were killed in an attack in the Bwindi Impenetrable Forest national park. UNRF-II killed 7 persons and abducted 56 civilians, mostly school children, in an attack in Arua district in mid-January. USF/A and CAMP each were responsible for the death of one civilian. There were no reports of new attacks by the WBNF (see Section 1.b.).

At year's end, approximately 560,000 citizens remained displaced internally by violence in the north and west (see Section 2.d.).

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government generally respected these rights; however, there were instances in which the Government infringed on these rights. Police at times harassed journalists by holding them at police stations for several hours of questioning. Three editors of the Monitor newspaper were arrested in May and charged with sedition and publication of false news in connection with a case in which a woman, Kandida Lakony, claimed to have been abused by the UPDF (see Section 1.c.). Their case was pending before the courts at year's end. A correspondent for the Luganda-language edition of the New Vision newspaper was arrested in April after filing a story on corruption in Bugiri district. On June 22, the news editor of privately owned Simba radio was detained and questioned for 4 hours by the police and Internal Security Organization operatives after the station published stories on the murder of three Makerere University students. In November the police detained and questioned the editor of the Monitor and two reporters after the Monitor published a story alleging that Angolan insurgent leader Jonas Savimbi had visited the county.

In January officials detained an opposition Member of Parliament after he made public remarks suggesting that President Museveni should be investigated for corruption (see Section 1.d.). On June 28, opposition politician Karuhanga Chapaa, arrested in 1998 for remarks made at a public seminar, was convicted of sedition and sentenced to a fine of approximately \$35 (50,000 shillings--see Section 1.d.). In November police briefly detained a district chair of the Uganda Young Democrats for campaigning against the multiparty referendum (see Section 1.d.).

The New Vision, a government-funded daily newspaper with a daily circulation of 40,000 (and up to 10 readers sharing each copy), and the government-controlled Radio Uganda, continued to play major roles in the media. These news sources were of a fairly high quality and sometimes included reporting critical of the Government.

The media generally are free and outspoken, with widespread availability of privately

owned publications. The independent Monitor newspaper, with a daily circulation of 28,000, demonstrated strong and consistent independence. The East African, a Nairobi, Kenya-based weekly publication that provides extensive reporting on the country, continued to circulate without government hindrance.

The editor of the Crusader, an independent newspaper that subsequently went bankrupt, was detained in 1998 and charged with "promoting sectarianism," following the publication of reports critical of some government policies in the President's home tribal area of Ankole. In November the Government withdrew the charges against him.

The cases against journalists Muasazi-Namiti, Hassan Kato, Charles Onyango-Obbo, and Andrew Muanda for disseminating false information were dismissed for lack of evidence.

The Government controls one television station and Radio Uganda, the radio station with the largest audience. At year's end, there were more than 15 radio stations throughout the country. There are four local television stations and more than a dozen private television stations available via satellite. The number of independent media broadcast sources increased during the year. Several independent media outlets broadcast daily political talk shows in several languages, often very critical of the Government and individual officials, including the President. High-ranking officials often participated in these programs and debated issues with political opponents. There was no censorship of these programs.

The Press and Media Law, which took effect in 1995, requires journalists to be licensed and to meet certain standards, including holding a university degree. The law provides for a Media Council that can suspend newspapers and deny access to state information. Government officials do not enforce the law vigorously; 3 years after its enactment, its provisions have not been used against any journalist.

Uncensored Internet access is widely available in major cities through three commercial service providers, although the cost for connectivity is prohibitive for all but the most affluent noninstitutional users. There also are at least three cyber cafes in Kampala and several NGO's offer Internet access.

A considerable degree of academic freedom exists at the two public and six private universities, with no government interference in teaching, research, or publication. Students and faculty have sponsored wide-ranging political debates in open forums on campus.

Political education and military science courses known as "Chaka Mchaka" continued during the year. These courses are criticized as indoctrination in Movement political philosophy. There continued to be reports that the techniques used in some of the courses included intimidation, and physical and mental abuse. There also were reports that some instructors demanded payment for the courses, and that persons were coerced to take them.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for some degree of freedom of assembly for non-political groups; however, the Government restricts this right in practice. The Constitution bans political parties from holding national conventions, issuing platforms, endorsing candidates, or opening branch offices outside the capital until 2000. The Constitution also forbids other activities that would interfere with the Movement system, an elastic provision that the Government, in the past, has interpreted adversely to political groups' interests. Police interfered with several seminars organized by FAD, including one in January in Moyo district in which three FAD officials were detained for 28 hours (see Section 1.d). On June 5, the Free Movement, a civic organization advocating pluralism, defied police orders not to hold an anti-referendum seminar in Mbarara. Policemen and plainclothes security officials stormed the meeting and ordered the organization to call it off. After a heated exchange, the seminar was allowed to go on.

In November police briefly detained a district chair of the Uganda Young Democrats for campaigning against the multiparty referendum (see Section 1.d.). Nevertheless, on January 11, opposition leaders met without hindrance in Kampala to discuss a common position on the 2000 referendum. On February 20, the Democratic Party National Council held a meeting in Rubaga to elect new officers. On July 31 a faction of the Uganda People's Congress Party held a national delegates conference in Kampala without interference. On September 4, the Uganda Young Democrats held a meeting in Jinja without interference. On November 27, police prevented the Feparty political party from holding a rally in Kampala; however the party was allowed to hold a rally on December 15.

The Constitution provides for freedom of association; however, the Government restricts this right in practice. NGO's are required to register with the Nongovernmental Organizations Board, which includes representation from the Ministry of Internal Affairs as well as other ministries. The Government generally approves NGO registration; however, the Government continues to refuse registration to the Uganda National NGO Forum, a broad consortium of domestic and international NGO's.

c. Freedom of Religion

The Constitution protects freedom of religion, and the Government generally respects this right in practice; however, security forces continued to harass and detain Muslims. There is no state religion. Foreign missionary groups, like foreign nongovernmental organizations, must register with the Government. There were no reports that the Government refused to grant registration to any foreign missionary groups. Permits are necessary for the construction of facilities, including religious facilities. There were no reports that the Government refused to grant such permits to any religious organization. Mosques operate freely, Koranic schools are common, and Muslims occupy positions of authority in local and central government. Prisoners are given the opportunity to pray on the day appropriate to their faith. Muslim prisoners usually are released from work duties during the month of Ramadan.

In 1998 approximately 100 Muslim men were detained and some were tortured, on suspicion that they supported rebel groups. Many of those detained were released, but the whereabouts of some remain unknown (see Sections 1.a., 1.c., and 1.d.). There was no clear indication that religion was the sole factor in their arrests.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights, and the Government generally respected them in practice, although there were some limits. Some local officials reportedly demanded payment of fees for permission to change a place of residence. A married woman must obtain her husband's written permission on her passport application if children are traveling on her passport (see Section 5).

During the conflict with the LRA, government forces used threats to compel citizens to leave their homes and move to areas under government protection (see sections 1.f. and 1.g.).

At year's end, approximately 560,000 citizens remained displaced internally by violence in the north and west.

There are no laws that provide for the granting of refugee and asylee status in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol; however, the Government does grant such status in practice. The Government cooperates with the Office of the U.N. High Commissioner for Refugees (UNHCR) and with other humanitarian organizations in assisting refugees. As it has done

repeatedly in past years, the Government continued to provide first asylum as well as land for temporary resettlement to citizens from neighboring countries, extending this practice to approximately 196,000 refugees during the year, including Sudanese, Congolese, Rwandans, and Somalis. The majority of refugees continue to be from southern Sudan, but there are smaller numbers from other neighboring countries as well. In early January, UPDF troops in Kisoro district forcibly repatriated several hundred refugees out of a group of approximately 3,000 Congolese Hutu refugees (see Section 1.d.).

The Government maintained security in refugee camps during the year. While there were no reports of large-scale attacks by rebel groups on the camps, there were several instances of attacks and abductions by rebels directed at refugees, causing serious injuries and death. For example, on June 4, suspected LRA rebels abducted 30 refugees from the Mahazi refugee camp in Adjumani district. On June 10, ADF rebels abducted at least 15 Ugandan refugees from Manipopia village in north Kivu, Congo (see Section 1.g.).

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

Movement domination of the Government and the political process, and some restrictive constitutional provisions, limited citizens' effective exercise of the right to change their government. The President dominates the Government, and Movement supporters remained in control of the Parliament, although the legislature conducted business in a more independent and assertive manner during the year. The 1996 presidential and parliamentary elections were peaceful and orderly, but election conditions, including restrictions on political party activities, led to a flawed election process.

The Government maintained, at government expense, the Movement Secretariat, an organization that roughly parallels government institutions and is limited to those professing support for the Movement. Political education classes called Chaka Mchaka continued to be offered to the public (see Section 2.a.). The Government prohibited all non-Movement political gatherings, required that employees in the President's office register their political affiliation in writing (see Section 1.f.), and attempted to break up political meetings not sanctioned by the Movement (see Section 2.b.). The Constitution bans political parties from holding national conventions, issuing platforms, endorsing candidates, or opening offices outside of the capital. A referendum is scheduled to be held in 2000 to consider lifting these restrictions.

Authorities at times harassed and arrested opposition politicians. In January officials detained an opposition Member of Parliament after he made public remarks suggesting that President Museveni should be investigated for corruption (see Section 1.d.). On June 28, opposition politician Karuhanga Chapaa, arrested in 1998 for remarks made at a public seminar, was convicted of sedition (see Section 1.d.). In November police briefly detained a district chair of the Uganda Young Democrats for campaigning against the multiparty referendum (see Section 1.d.)

Universal suffrage is accorded to adults 18 years of age and older. Contrary to the Constitution, the right to vote was denied to prisoners in the 1998 local government elections. Ten seats in Parliament are reserved for members of the UPDF.

The Constitution provides for five seats in Parliament for representatives of persons with disabilities, as well as five seats for youth representatives, and three seats for representatives of organized labor (see Section 5). Individual parliamentarians who claim non-Movement party affiliation fully participate in the legislature.

Women play a visible role in national affairs; however, they are underrepresented in government and politics. The Government used quotas in an aggressive effort to place women in positions of authority. Women continued to make stronger contributions in Parliament and inside the Movement. The Vice President is a woman, as are 5 ministers and 11 junior ministers in the President's 60-member Cabinet. In addition, 39 of the nation's 45 districts selected a woman to fill a National Assembly seat reserved for women

by the provisions of the Constitution. By-elections for female parliamentarians have not yet been held in six new districts created in 1997. Women additionally won 6 nonreserved seats for the 276-member Parliament in the 1996 election.

Five seats are reserved in Parliament for the disabled.

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

Numerous human rights groups are active. Among them are: The Foundation for Human Rights Initiative; a chapter of FIDA; the Prisoners' Aid Foundation, which monitors prison conditions; the National Organization for Civic Education and Election Monitoring, which deals with problems related to civil society and political rights; Human Rights Focus, based in the northern town of Gulu; the National Association of Women's Organizations of Uganda (NAWOU), an umbrella group; the International Federation of Human Rights; and the Human Rights and Peace Center, based at Makerere University. These groups operate without government restriction, investigating and publishing their findings on human rights cases. Hurinet, a human rights network and an umbrella organization for nine human rights organizations active in the country, also continued to be active.

The Government continued to refuse registration to the Uganda National NGO Forum, a broad consortium of domestic and international NGO's (see Section 2.b.).

The Government allowed visits by international human rights NGO's, including Amnesty International and the ICRC. The Government also cooperated with the UNHCR.

Government officials generally were cooperative and responsive to NGO views. They frequently attended conferences and seminars hosted by NGO's on social problems. The Government continued to cooperate with NGO's on legal and prison reforms.

The Constitution established the UHRC as a permanent independent body with quasijudicial powers. Under the Constitution, the UHRC may subpoena information and order the release of detainees and the payment of compensation for abuses. The UHRC Human Rights Court continued to function, and received 1260 complaints during the year, including ones in which the accused were senior government leaders and military and police officials. Of these complaints, 913 were resolved; 276 were referred to the criminal courts; 400 were referred to other bodies, such as the Inspector General of Government; 171 were dismissed because they occurred before 1995; 22 were found not to be human rights violations; and 44 were resolved through mediation and intervention. At year's end, 100 cases were under review and 122 still were pending at year's end. On March 10, the UHRC awarded \$400 (600,000 shillings) to Mary Iripoit for torture, degradation, and deprivation of her personal liberty at the hands of a former ISO officer in Soroti in August 1998. The UHRC does not have the power to intervene in cases pending before a court. The UHRC inspected numerous detention facilities and publicly reported on its findings. The UHRC's 1998 report was submitted as required by law to the Speaker of Parliament; however, it did not release it publicly by year's end. The President appoints the UHRC's eight-member board.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution prohibits discrimination based on these factors; however, the Government does not enforce the law effectively in matters of locally or culturally accepted discrimination against women, children, people with disabilities, or certain ethnic groups. Race was not a factor in national politics. The continued instability in the north led to violations of the rights of some Acholi, an ethnic group that comprises a significant part of the population. Most violations of Acholi rights resulted from LRA actions.

Women

Violence against women, including rape, remained common. There are no laws that specifically protect women from battery, although there is a general law concerning assault. The Government continued to implement the Children's Statute, which provides extensive protection for families and children; however, implementation proved exceedingly difficult due to manpower and judicial constraints, and in reality, little was done to enforce the statute's provisions. Law enforcement officials, reflecting general public opinion, continued to view wife beating as a husband's prerogative and rarely intervened in cases of domestic violence. Women remained more likely to sue for divorce than to file assault charges against their husbands. These problems received growing public attention. Numerous women's rights NGO's sponsored conferences, empowerment sessions, and training programs throughout the country. In a prominent 1997 case in which an Asian woman, Renu Joshi, allegedly was murdered by her relatives, including her husband, court proceedings had not concluded by year's end. Her husband (the principal defendant), remained on remand awaiting trial at year's end. Public protests were instrumental in keeping him in remand. Delays in bringing capital offense cases to trial in situations where a husband killed his wife remained common (see Section 1.d.).

Traditional and widespread societal discrimination against women continued, especially in rural areas, despite constitutional provisions to the contrary. Many customary laws discriminate against women in the areas of adoption, marriage, divorce, and inheritance. In most areas, women may not own or inherit property, nor retain custody of their children under local customary law. Divorce law sets stricter evidentiary standards for women to prove adultery. Polygyny is legal under both customary and Islamic law, and a wife has no legal status to prevent her husband from marrying another woman. Men also may "inherit" the widows of their deceased brothers. Women do most of the agricultural work but own only 7 percent of the agricultural land. There are limits on a married woman's ability to travel abroad with her children (see Section 2.d.).

Unlike their male counterparts, female members of the police force are required to obtain permission from the police Inspector General before getting married (see Section 1.f.).

There are active women's rights groups, including FIDA, Action for Development, the National Association of Women Judges (NAWJ), Akina Mama Wa Afrika, the Forum for Women in Democracy, and NAWOU, which promote greater awareness of the rights of women and children. FIDA is in the 2nd year of a 3-year project to draft proposed reforms of outdated and discriminatory laws, and the NAWJ continued to disseminate its guidebook on women's rights and options concerning domestic violence to women throughout the country.

An undetermined number of women were victims of abduction and rape by rebel forces (see Sections 1.c. and 1.g.).

Children

Although it has devoted only limited funds to children's welfare, the Government demonstrated a commitment to improving children's welfare. The Universal Primary Education (UPE) program continued to expand its reach. The program is intended to provide free education through seventh grade for a maximum of four children per family. The UPE program remains only partially implemented due to strained finances, instability in some areas, infrastructure problems, and inadequate teacher training. Although the UPE program makes education more accessible financially, parents still must pay for books, uniforms, and some school costs. Implementation of the UPE has caused some financial problems for the country's large, often polygynous families. Girls and boys theoretically have equal access to education, and lower grades are divided almost evenly by sex; however, the proportion of girls in higher school grades remains low since families traditionally have favored boys when making financially related educational decisions.

Only 53 percent of females are literate compared with 61 percent of males. Parents' inability to afford schooling has correlated highly with the occurrence of child labor in rural areas (see Section 6.d.). About 55 percent of school-age children are in school.

The Government has not yet implemented effectively the 1996 Children's Statute, which outlines broad protection for children. Government efforts to enforce the statute's provisions were hampered by the large proportion of the population that is below 18, manpower and fiscal constraints on the judiciary, and cultural norms. The law stipulates parents' responsibilities and provides extensive protection for children in a wide variety of areas, including financial support, foster care placement, adoption, determination of parentage, and treatment of children charged with offenses. It also includes concise provisions on the rights of the child, including a provision that a child shall not be made to work or take part in any activity, whether for pay or not, that is likely to injure the child's health, education, or mental, physical, or moral development. However, the Government has been unable to enforce prohibitions on child labor, particularly in the informal sector (see Section 6.d.).

Estimates place the number of orphaned children (children missing either parent are considered orphans) at up to 1.7 million. This large number of orphans resulted from previous civil wars, the internal displacement of persons, and HIV/AIDS.

Child abuse remained a serious problem, particularly the rape of young girls (known locally as "defilement"). Only a small fraction of these incidents is reported, especially when the perpetrator is a family member, neighbor, or teacher--as is often the case. Increasing numbers of accusations reach the courts, although neither conviction nor punishment was common. Cases were reported frequently in newspapers, but a payment to the girl's parents often ended the matter. Despite these obstacles, an increasing number of cases are being prosecuted. While defilement carries a maximum sentence of death, that punishment has never been meted out to a convicted rapist. Defilement applies to all cases of sexual contact outside of marriage involving girls younger than 18 years of age, regardless of consent or the age of the perpetrator. The marriage of young girls by parental arrangement is common, especially in rural areas.

Most schools use corporal punishment, although in 1997 the Government banned the beating of secondary school students. On June 27, a 14-year-old student, Peter Masanja of Kakungulu Memorial Islamic Institute, died at Kibuli hospital in Kampala after a beating by the school's director, Hamidulah Llukwago. The case was being investigated at year's end. The Government did not release details of the investigation of a 1996 case in which a teacher in Masaka beat to death a 15-year-old student.

Female genital mutilation, which is widely condemned by international health experts as damaging to both physical and psychological health, is practiced only by the Sabiny tribe, located in the highly rural Kapchorwa district in the east, whose members number fewer than 10,000. Among the Sabiny, initiation ceremonies involving FGM have been carried out every 2 years for girls between the ages of 14 and 16 years. Such a ceremony was held in 1998. An NGO based in Kapchorwa registered 965 females who were subjected to FGM in 1998, nearly double the figure that the Government reported in 1996. There is no law against the practice, but government and women's groups working with the U.N. Population Fund continue to carry out a program to combat the practice through education. The program has received strong government support and some support from local Kapchorwa leaders. The program emphasizes close cooperation with traditional authority figures and peer counseling. Significant press attention to these ongoing efforts brought public attention to the problem throughout the year.

The Children's Statute provides that children with disabilities be treated and given necessary special facilities--a provision hampered in execution by inadequate funding.

The legal recruitment age for military service is 18 years; however, in practice, some recruiters have allowed 17-year-olds to enlist.

The ADF and LRA abducted many children, using them as guards, laborers, soldiers, and, in the case of the LRA, for forced sex. (see Sections 1.g., 6.c., and 6.f.).

People with Disabilities

The Constitution provides that persons with disabilities have "a right to respect and human dignity" and requires that authorities take appropriate measures "to ensure that they realize their full mental and physical potential;" however, despite this provision, there is no statutory requirement for government services or facilities, such as accessibility of buildings for the disabled. Most buildings have one story, but in larger towns with multistory buildings, there often are no elevators; even where they do exist, they rarely are reliable. Widespread discrimination by society and employers limits job and educational opportunities for those with physical disabilities. In 1998 the Government appointed a Minister of State for Disabled Persons. A Department for Disabled Persons also exists under the Ministry of Gender, Labor, and Social Development; however, these bodies and positions have little funding to undertake or support any initiatives.

National/Racial/Ethnic Minorities

Civil strife in the north led to the violation of the rights of members of the Acholi tribe, which is largely resident in the northern districts of Gulu and Kitgum. Both government forces and the LRA rebels--who themselves largely are Acholi--committed abuses. LRA fighters in particular were implicated in the killing and kidnaping of Acholi tribe members, although the number and severity of their attacks decreased greatly compared with 1998 (see Section 1.g.). Similar abuses were inflicted upon members of the Bakonjo tribe in the west at the hands of ADF rebels, including ethnic Bakonjo.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right of every person to join workers' associations or trade unions, and the law allows unionization if a majority of the work force supports it. In practice the Government respects the right to form unions; however, the Government has not responded yet to a 1997 application for registration by the Uganda Allied Teachers' Union. Since 1993 the right to form unions has extended to civil servants; however, many "essential" government employees are not permitted to form unions; these include police, army, permanent secretaries in the ministries, heads of departments and state-owned enterprises, school principals, and other management-level officials. The Government has failed to enforce the rights of some employees to join unions in recently privatized industries and factories. Organized labor has three reserved parliamentary seats.

The National Organization of Trade Unions (NOTU), the largest labor federation, includes 17 unions and is independent of the Government and political parties. Among its members are medical workers, including doctors, and the civil service union. The NOTU's influence on the overall economy remains small, since about 90 percent of the work force are peasant farmers. Even in areas in which cash crops are significant, unionization has remained practically nonexistent. NOTU membership has declined steadily from some 500,000 in the 1970's to about 100,000.

The Constitution confirms the right to strike; however, government policy requires that labor and management make "every effort" to reconcile labor disputes before resorting to strike action. This directive presents unions with a complicated set of restrictions. If reconciliation does not appear to be possible, labor must submit its grievances and notice to strike to the Minister of Labor, who usually delegates the dispute to the Industrial Court. In previous years, in the absence of verdicts from the IC, the Minister of Labor generally did not permit strikes, on the basis that "every effort" had not been exhausted. Frustrated laborers often went on strike anyway, protesting credibly that they were not

paid a wage adequate to live on.

There was one particularly notable strike action during the year. On August 18, workers at the Owens Falls dam in Jinja struck over the nonpayment of termination benefits and their employer's refusal to renew the wage structure. In addition, on August 20, a combined force of military police, national police, and Jinja district administration police broke up the strike. An attempt in September to organize a strike at the Sugar Corporation of Uganda was unsuccessful due to the intervention of antiriot police who fired guns to disperse strikers, although there were no casualties as a result of police action (see Section 1.c.). Workers organized a brief sitdown strike at UGMA Engineering also in September. On October 28, approximately 200 people were arrested by police and ISO officers in Kampala in order to prevent a planned strike by taxi drivers. All were later released.

Labor unions freely exercised the right to affiliate with and participate in regional and international labor organizations.

b. The Right to Organize and Bargain Collectively

The law provides for the right to organize and bargain collectively, specifying that a workplace may be unionized if a majority of the employees supports doing so; however, true collective bargaining takes place only in the small private sector of the modern economy, a situation that suffered setbacks during the year. In the modern sector, the Government is by far the largest employer (civil service and state-owned enterprises) and it dominates the bargaining process. The Government has adopted a tripartite (government-employers-labor) cooperative approach to setting wages and resolving labor disputes. Both the Government and employers may refer disputes to the IC. The law does not prohibit antiunion discrimination by employers, but there were no reported incidents of government harassment of union officials. Unionization was blocked effectively by some industries, especially in the textile and hotel sectors. Labor organizers complained that laws requiring a minimum of 1,000 persons in order to form a union hindered their activities. The Government took only limited action on organized labor complaints, but pointed out that the refusal to allow unionization is a constitutional violation. In January the Government facilitated consultations that led one of the largest construction firms to agree to allow their employees to form unions. However, in January in conjunction with the International Labor Organization (ILO), the Uganda Textile, Garments, Leather, and Allied Union filed a complaint against the Government for failure to support the attempts of workers in the textile sector to exercise their right to freedom of association.

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The law prohibits forced or bonded labor, including forced or bonded labor by children; however, a lack of resources prevented the Government from enforcing this prohibition effectively. There is strong evidence that prison officials hired out prisoners to work on private farms and construction sites, where they often were overworked. Throughout the country, prison officials routinely augmented their meager pay with crops grown by prisoners on the prison grounds. Male prisoners performed arduous physical labor while female prisoners produced marketable handicrafts such as woven basketry. Children in prison perform manual labor, often 12 hours per day (see Section 1.c.). Compensation, when paid, generally was very low, although the law demands that pretrial detainees must receive back pay for all work that they have performed once they are released (see Section 1.c.).

Both the ADF and the LRA abducted civilians for training as guerrillas; most victims were children and young adults, whom the ADF and LRA terrorized into virtual slavery as guards, laborers, soldiers, and, in the case of the LRA, as sex slaves (see Sections 1.b., 1.g., and 6.f.).

d. Status of Child Labor Practices and Minimum Age for Employment

The law prohibits employers from hiring workers below the age of 18; however, child labor is common, especially in the informal sector. The Ministry of Social Services is charged with enforcing the law on child labor, but it has limited financial means to do so. Part of the problem is demographic, because half the population is under 18 years of age. School fees have made it impossible for many parents--particularly poor farmers, the majority of the population--to provide their children with an education in spite of the Government's UPE program (see Section 5). As a result, there is an incentive to leave school and go into agricultural or domestic work in order to help meet expenses or perform the work of absent or infirm parents, a common situation throughout the country. The problem is acute particularly among the large orphan population (see Section 5). Nevertheless, according to the Ministry of Education, 93 percent of school age children are in school.

Most working children are employed in the informal sector, often on the subsistence farms of extended family members or as domestic servants. In urban areas, children peddle small items on the streets, are involved in the commercial sex industry (particularly in border towns and in Kampala), or beg for money. Although adults do most tea harvesting, some children were employed in this sector as well.

It is estimated that 60 percent of all land-based trade in the country is informal. Smuggling is one of the larger informal industries, and employs large numbers of child laborers at the borders with Kenya and Tanzania. Children walk back and forth across the unguarded borders, transporting small amounts of fuel, sugar, coffee, or other commodities.

Government efforts to decrease the incidence of child labor were boosted by a \$1.5 million grant in 1998 from the ILO International Program for the Elimination of Child Labor (IPEC). The IPEC program was launched in July, and at the end of the year it was working with NGO's to formulate action proposals. Government officials acknowledged that for the IPEC to be implemented, continued judicial and law enforcement reform were needed.

The recruitment age for military service is 18 years; however, in practice, some recruiters have allowed 17-year-olds to enlist (see Section 5).

The law prohibits forced and bonded labor by children; however, a lack of resources prevented the Government from enforcing this prohibition effectively (see Section 6.c.). The ADF and LRA abducted children and terrorized them into virtual slavery as guards, laborers, soldiers, and, in the case of the LRA, as sex slaves.

e. Acceptable Conditions of Work

The minimum legal wage remained \$4 (6,000 shillings) per month, a rate set in the early 1960's. This wage is insufficient to provide a decent standard of living for a worker and family. Wages continued to be determined through negotiation between individuals and their employers, unions, and proprietors, or through negotiation within the boards of directors at state-owned industries. Salaries usually are augmented by other benefits such as housing and transport allowances, which often are equal to base wages. The Ministry of Labor's salary scale for civil servants starts with unskilled labor at \$50 (75,000 shillings) per month, up to supervisors at \$400 (600,000 shillings) per month, plus modest increases for years worked. All include provisions for paid overtime. The higher end of this wage scale would provide minimal standards of living for a worker and family, but most civil servants have great difficulty earning enough money to pay their children's school costs. Many civil servants and their dependents work in second jobs, grow their own food, or seek other ways to supplement their incomes. In industries that employ workers on an hourly basis, the normal workweek was 40 hours. Although there was no legal maximum workweek, a time-and-a-half rate was paid for each additional hour worked. Many

industries pay workers by piece work, which avoids overtime and circumvents the prohibition on child labor. Many companies employ workers as "casual laborers" or "contract workers" in order to avoid providing benefits.

The condition of employee housing on the tea and sugar plantations at the major state-owned corporations, and within military and police barracks, was substandard. Sanitation and water facilities often are lacking.

Building codes often are not enforced. Some structures have tripled in height above the original foundations, leading local engineers to express reservations about the structural integrity of these workplaces. Factories generally are sound, but machinery almost always lacks safeguards.

Vestiges of occupational health and safety legislation are contained in the outdated Factories Act of 1954, the Workmen's Compensation Act of 1964, and the Employment Decree of 1975. None of these acts addresses present-day work hazards. The Ministry of Labor's Department of Occupational Health is responsible for enforcement of the limited occupational safety regulations; however in practice inspections are rare, due primarily to lack of vehicles and funding for inspection trips. Under the law, the maximum award payable in workers' compensation to a disabled employee, or to the estate of employees killed on the job is \$38 (55,000 shillings). Ministry of Labor officials recognized the inadequacy of this amount; however, new legislation to address this problem has yet to be passed. The limited occupational safety regulations do not protect workers who refuse to perform dangerous work from being fired, although strong unions in certain dangerous industries do protect such workers.

f. Trafficking in Persons

The law prohibits trafficking in persons; however, there is strong evidence that prison officials hired out prisoners to work on private farms and construction sites, where they often were overworked.

There were unconfirmed reports that the SPLA, supported by UPDF forces, forcibly recruited Sudanese refugees in northern Uganda for service in Sudan (see Section 1.f.).

Both the ADF and the LRA abducted civilians for training as guerrillas; most victims were children and young adults whom the ADF and LRA terrorized into virtual slavery as guards, laborers, soldiers, and, in the case of the LRA, as sex slaves (see Section 5 and 6.c.). In addition to being beaten, raped, and forced to march until exhausted, children abducted by the LRA were forced to participate in the killing of other children who attempted to escape. As many as 5,000 Ugandan children abducted by the LRA were held in the southern part of Sudan. The Government of Sudan actively supports the LRA. In past years, the LRA also reportedly sold and traded some children, mostly girls, or provided them as gifts to arms dealers in Sudan.

In December in Nairobi, Kenya, the Governments of both Sudan and Uganda signed an accord agreeing, among other things, to cease supporting rebel groups and to return abductees; however, it was not clear at year's end if the accord still was in effect due to the LRA excursion into Uganda from Sudan in late December.

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