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Uganda

Country Reports on Human Rights Practices - 2006

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Uganda, with a population of 26.4 million, is a republic led by President Yoweri Museveni, who continued to dominate the government. The February 23 presidential and parliamentary elections generally reflected the will of the electorate; however, both were marred by serious irregularities. The government and the Lord's Resistance Army (LRA) entered into peace talks in July to end the 20 year war in the north of the country. A cessation of hostilities agreement and direct negotiations between the LRA and the government have improved the security situation. The negotiations were on-going at year's end. On December 16, the Government and the rebels extended a cessation of hostilities until February 2007. The ongoing conflict in the Karamoja region intensified during the year and resulted in numerous deaths and the displacement of thousands of civilians. While civilian authorities generally maintained effective control of the security forces, there were some instances in which elements of the security forces acted independently of government authority.

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

LRA-perpetrated violence in the north decreased significantly during the year as the army drove the LRA into southern Sudan and the Democratic Republic of Congo (DRC). At the height of the war, the LRA, led by Joseph Kony, committed serious abuses and atrocities, including the abduction, rape, and killing of civilians. The LRA used children as soldiers, held children and others in slave like conditions, and subjected female captives to rape and other forms of severe sexual exploitation. Thousands of children known as "night commuters" traveled from conflict areas or IDP camps each night to urban centers to avoid abduction by the LRA and to escape systemic social problems such as poverty and domestic violence, although their numbers dropped substantially throughout the year as regional security improved.

The government took steps to improve human rights during the year. The Uganda People's Defense Forces (UPDF) continued to professionalize and demonstrated a marked improvement in respect for human rights. The government improved conditions in the central prisons and passed a comprehensive labor law to eliminate burdensome requirements to form a union and to improve workplace conditions.

RESPECT FOR HUMAN RIGHTS

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

a. Arbitrary or Unlawful Deprivation of Life

The government or its agents did not commit any politically motivated killings; however, security forces committed numerous unlawful killings during the year and were responsible for deaths as a result of torture.

On August 20, special police constables in Arua District opened fire in a disco and killed Pater Alida and Kennedy Amaru, both primary school pupils. Media reports stated that Amos O'Bani, acting area subcounty chief, had ordered the police to fire on the dancers for violating a by law prohibiting night clubs in the area. Constables Osua Biazio, Tom Candia, and David Ezaruku were subsequently arrested for murder; the case was ongoing at year's end.

UPDF soldiers were responsible for killings. On May 9, Ekemu Ocen and Odong Chamali, UPDF soldiers based in Kasese District, killed four civilians and three armed soldiers in Kiteso village. On May 24, Ocen and Chamali were arrested while trying to escape to the DRC. On May 31, a court martial sitting in Kasese started public hearings in

which the two soldiers were charged with murder. On August 31, the court martial found Ocan guilty of murder and sentenced him to death. The case against Chamali, who was charged with two counts of robbery, was ongoing at year's end.

On June 2, UPDF soldiers from the Pabwo detachment in Gulu District killed Wilfred Kinyera and Joel Oryem after they were arrested. In August Michael Abonga, Kinyera's brother, filed a petition with the Uganda Human Rights Commission (UHRC) Tribunal against three soldiers for allegedly murdering Kinyera and Oryem. The UPDF arrested the three suspects, whose trial at the fourth division court martial was ongoing at year's end.

On May 24, UPDF soldiers in Gulu District killed a civilian identified as Dola in the Awach IDP camp. The UPDF claimed that Dola was a drug addict who was killed trying to enter the camp at night without identifying himself to the guards. No further action was taken by year's end.

During the year the fifth division court martial charged Alex Okullo, a member of the Local Defense Unit (LDU) militia in Kitgum District, in the March 2005 killing of two civilians. Okullo was released on bail; his case was transferred to the High Court in Gulu and was pending at year's end.

In 2005 the fourth division court martial convicted UPDF Private Tony Eremo of the March 31, 2005 killing of high school student Francis Ocaya Okot. Eremo was charged by the fourth division Court martial and convicted of manslaughter. Upon appeal, Eremo's case was transferred to the High Court; the case was pending at year's end. In August 2005 UPDF Privates Lazarus Avil Kwasiigwee and Johnson Asiimwe killed businessman Sam Abol in an alleged attempt to rob him. The fifth division court martial convicted the two soldiers of robbery only and they were serving their sentence in Lira Prison at year's end.

On January 2, the fourth division court martial in Gulu sentenced UPDF Private Joel Lubangakene to death for the December 2005 killing of 18 year old Ojok Ojara in Lalogi IDP Camp in Gulu District. Lubangakene remained in prison at year's end. There were no developments in the December 2005 UPDF killings case of seven civilians during a protest of Ojara's murder.

Special police constables Joel Adrama and Dickson Anguyo, who beat to death Zacharia Ocitia in June 2005, were awaiting trial at year's end.

There were no developments in the August 2005 killing of suspected robbers Edson Sajabi, Charles Mworozi, and Benon Kankirihoby during a security force crackdown on criminals.

During the year security forces committed killings during apprehension. For example, on April 24, police in Mbarara killed two suspected armed robbers who had staged an illegal roadblock at Nyamityobora forest on the Mbarara Masaka highway. There were no arrests made in the case by year's end.

On April 16, Joseph Mugenyi and Muwanguwa Matayo, police constables at Wandegaya Police Station, were arrested for the April 15 killing of a suspected drug dealer in Mulago. The Director of Public Prosecutions (DPP) dropped charges against Mugenyi after findings by a DPP office investigation exonerated him. Matayo was initially released shortly after the arrest; however, the DPP investigation recommended that he be re-arrested for the killing. Matayo was on the run at year's end.

Security forces were responsible for a number of deaths in custody, some due to torture. On May 4, Abdu Semugenyi, arrested in April on suspicion of being associated with the Allied Democratic Forces (ADF) rebels, was tortured to death in military custody in Kololo, a Kampala suburb, according to a Human Rights Watch (HRW) report. The UPDF denied that Semugenyi was tortured and stated that he escaped from his bodyguards and that his whereabouts were unknown.

On August 5, police in Kampala killed Masensio Edema after he confessed his involvement in a July 31 bomb attack which resulted in two deaths and several injuries. On August 23, the police stated that Edema was killed while trying to escape police custody.

The trial of police officers Stephen Kasiba, Hannington Opio, and Julius Oboch, who were charged with the January 2005 killing in custody of Noah Katungi, was ongoing at year's end.

Investigations into the cause of the September 2005 death of John Atwine, a key suspect in a high profile killing, were ongoing at year's end.

Police attempts to prevent mob lynchings resulted in deaths (see section 2.b.).

Security forces committed accidental killings during the year (see section 1.g.).

There were no developments in the February 2005 killing of Abdallah Mumiro by police in Busia District.

During the year security forces killed numerous civilians during anti LRA operations and disarmament campaigns in the Karamoja region; paramilitary forces were also responsible for killings (see section 1.g.).

LRA attacks continued during the year and resulted in deaths (see section 1.g.).

Raids by armed cattle rustlers in Karamoja continued during the year and resulted in deaths (see section 1.g.).

Killings by rebel and terrorist groups, including a July 31 bomb attack in Kampala allegedly carried out by the rebel group the People's Redemption Army (PRA), resulted in deaths and injuries (see section 1.g.).

The war in the north and violence in Karamoja resulted in significant numbers of deaths due to interethnic violence (see section 5).

Incidents of vigilante justice were reported frequently during the year. There were numerous instances in which mobs beat, stoned, or burned to death individuals suspected of committing crimes. On March 5, residents of Te Okole in Amuca Parish, Lira District, lynched four robbers. No arrests were made by year's end.

On May 3, residents of Ndongwe village in Masaka District lynched Herman Katende, a traditional healer over the death of Godfrey Kalanzi, a resident who was killed on May 2. No arrests were made by year's end.

On June 22, the Magistrate's Court in Kampala District referred two businessmen to trial in the High Court for killing a suspected thief in 2005. The suspects were awaiting trial at year's end.

There were no developments in the following 2005 mob killings: the January killing of a rape suspect in Lira District, the May killing of a suspected cannibal in Mukono District, and the June killing of a thief in Kampala.

There were reports of the ritual killings of children during the year (see section 5).

b. Disappearance

On May 22, Robert Mugenyi, a member of the opposition party Forum for Democratic Change (FDC), disappeared from his home in Kiwatule, Kampala District. The police opened an investigation; however, Mugenyi's whereabouts remained unknown at year's end.

There was no information on Otim Orach, who UPDF soldiers in Gulu District arrested in March 2005. Orach allegedly was told that he would not be released until he swore allegiance to President Museveni's ruling party, the National Resistance Movement (NRM). The UPDF denied any knowledge of Orach or the reported events.

In May 2005 police rescued Geoffrey Mwebase and two other persons who were kidnapped by six armed men in military uniform. The suspects were charged with kidnapping and they remained on remand in Simba Prison, Masindi District at year's end.

Defense lawyers for Achikulo Abuko, Amir Yahaya, Kesia Yasin, and Zacharia Obba, who were transferred from Luzira Prison to incommunicado detention in another prison after being charged along with opposition leader Kizza Besigye for treason in November 2005, met with their clients during the year.

In July six of the 10 members of the opposition party Uganda People's Congress arrested by the Chief of Military Intelligence (CMI) in 2004 were released on bail; the remaining four were released without charge in 2005.

There were no developments in the 2004 missing persons case of James Kashaija.

At year's end Captain Robert Ruteinama, who was held in incommunicado detention by the UPDF since 2003, was released.

According to the UN Childrens Fund (UNICEF), the LRA and other rebel groups have abducted approximately 38,000 persons since 1986; however, LRA abductions decreased during the year after the LRA's leadership was driven from the north by the UPDF. An estimated 205 persons were abducted since January. Unlike in previous years, abductions typically were generally temporary in nature, and abductees were used more frequently as porters for LRA supplies than as combatants. However, some abductees continued to be trained as guerillas (see section 1.g.). In previous years, most victims were children and young adults whom the LRA forced into slavery as laborers, soldiers, guards, and sex slaves (see sections 1.g. and 5).

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

The constitution and law prohibit such practices; however, there were credible reports that security forces tortured and beat suspects. Detainees died as a result of torture. Many of these incidents occurred in unregistered detention facilities and were intended to force confessions. The UHRC received approximately 246 complaints of torture during the year. The UHRC and other human rights organizations conducted human rights training for the police and military throughout the year.

In May 2005 the UN Committee Against Torture (UNCAT) noted its concern of continued allegations of torture in the country and the apparent impunity of its perpetrators. Reports from human rights organizations, including HRW and the Foundation for Human Rights Initiative (FHRI), cited examples of torture such as caning, severe beating, and inflicting pain to the genitals carried out by security forces in previous years. Security units involved in torture included the police, the UPDF, CMI, and the Violent Crime Crack Unit (VCCU); on occasion, such torture resulted in death (see section 1.a.).

On May 4, Abdu Semugenyi, arrested in April on suspicion of being associated with the ADF rebels, died of injuries sustained during torture (see section 1.a.).

On January 8, Sergeant Gilbert Odong, a UPDF soldier attached to Lawiye Adul detachment in Gulu District, used a burning jerry can to inflict injuries on the breasts of Patricia Atim. No action was taken against Odong by year's end.

On February 10, 12 UPDF soldiers at a security check point in Nzaipi, Adjumani District, beat Juma Muwonge into unconsciousness. Muwonge was taken to Lacor Hospital for treatment. There were no arrests by year's end.

A June report by the UHRC implicated the army in acts of torture against Karamojong during the ongoing disarmament exercise in the region (see section 1.g.).

On August 13, police in Arua District beat Dr. Joram Ajeani, the country's former envoy to the DRC, during a security operation; Ajeani claimed he was attempting to defend youths arrested in a sweep of the Paradise night club in Arua town. On September 24, Ajeani filed a suit against the police for torture; the case was ongoing at year's end.

Human rights groups reported that security forces and prison officials raped persons in detention facilities during the year. There were reports that UPDF soldiers raped persons, particularly in conflict areas and in or near IDP camps (see section 1.g.).

Security forces harassed, detained, and forcibly dispersed opposition activist and student demonstrators (see sections 1.d. and 2.b.).

The UHRC Tribunal made 44 rulings on torture cases received from previous years. On March 14, the UHRC Tribunal District awarded approximately \$11,891 (22 million shillings) to Leo Busoke as compensation for the illegal arrest and death by torture of his father, Gabriel Byaruhanga. In 2003 Byaruhanga was arrested on allegations that he was an ADF collaborator. On July 10, the UHRC Tribunal awarded approximately \$21,622 (40 million shillings) to Paul Kalyambwa as compensation for having been tortured in 2003 by prison wardens while in custody in Kasese District.

In August the Justice and Constitutional Affairs Ministry reported that the government had paid approximately \$14,054,000 (26 billion shillings) to 470 individuals, but owed approximately \$32,432,000 (60 billion shillings) in compensation to other torture victims.

There were no developments in the April 2005 case of UPDF Private William Bisogo, who was arrested for inflicting torture.

The court martial of John Barigye Bakirahi and Peter Agom, UPDF soldiers charged with spying for the Rwandan government who claimed they were tortured throughout their detention in CMI custody, began in May 2005 and was ongoing at year's end.

During the year civilians were killed, injured, and displaced as a result of security force operations against the LRA (see section 1.g.).

The LRA continued to commit numerous atrocities, including the killing, torture, sexual abuse, and kidnapping of civilians, primarily children. However, these abuses decreased as LRA forces moved outside the country during the year (see section 1.g.).

There were numerous instances in which mobs attacked suspected thieves and other persons known or suspected to

have committed crimes (see section 1.a). Motivated in part by distrust or misunderstanding of the formal judicial system, these mobs engaged in beatings, lynchings, and other forms of mistreatment.

Prison and Detention Center Conditions

Prison conditions remained harsh and frequently life threatening, primarily as a result of the government's inadequate funding of prison facilities. In addition there were several reports that security forces and guards tortured inmates.

Prison conditions came closest to meeting international standards in Kampala, where prisons provided medical care, running water, and sanitation; however, these prisons also were among the most overcrowded. There were an estimated 18,300 inmates in the country's central prisons, which was approximately three times their planned capacity. Severe overcrowding also was a problem at juvenile detention facilities and in women's wings of prisons. The remand home in Kampala, designed for 45 persons, held 94 children. The reception center, designed for 30 persons, held 62 juveniles under the age of 12. The Community Service Act sought to reduce prison congestion by allowing minor offenders to do community service in lieu of imprisonment. As a result, 1,340 offenders were sentenced to community service during the year. The UHRC noted improved conditions at central prisons during the year, including cleaner and more structurally secure buildings, an increase in uniforms for inmates, and adequate food rations. Although the law provides for access to prisoners by their families, lack of understanding of this right and fear of prison authorities often limited family visits.

There were an estimated 7,000 inmates in the local prisons. Serious concerns included incidents of torture, congestion, inadequate staff, and lack of food, water, medical care, and bedding. Forced labor also was reported in local government prisons. Security forces and prison officials reportedly raped detainees during the year.

The UHRC reported allegations that prison officers sometimes demanded bribes to allow visits; no investigations of these allegations were conducted during the year. In 2005 the government gave 59 senior prison officers the powers of magistrates to try inmates and prison staff suspected of committing offenses. No prison officials were tried during the year.

Inmates at most prisons grew maize, millet, and vegetables; however, the UHRC accused prison farms of overworking inmates, and prisoners as young as 12-years-old performed manual labor from dawn until dusk (see section 6.c.).

Prisons were believed to have high mortality rates from overcrowding, malnutrition, diseases spread by unsanitary conditions, HIV/AIDS, and lack of medical care. On March 20, David Isabirye, a student at Bupadhengo Secondary school, was found dead in a prison cell in Kamuli District; the cause of death was unclear and no further action was taken. On May 10, inmates died in a prison in Lira District as a result of negligence by prison authorities; three others died of HIV/AIDS related diseases. The Prisons Service registered 150 deaths between January and June as a result of malaria, tuberculosis, and HIV/AIDS.

Female prisoners in central prisons were held in separate facilities; however, conditions remained poor. Services and facilities for female prisoners in local prisons, including separate cells, were lacking.

Due to lack of space in juvenile facilities, juveniles often were held in prisons with adults. In Kampala jails, pretrial detainees were separated from convicted prisoners; however, in the rest of the country, pretrial detainees and convicted prisoners sometimes were held together.

On May 3, parliament passed the Prisons Bill 2003, which separates the Prisons Service from the Ministry of Internal Affairs and provides it with its own budget. The bill provides the central Prisons Service with responsibility for local prisons, which have the harshest conditions; provides for inspection of prisons and conformity to minimum standard for treatment of prisoners; abolishes corporal punishment in prisons; and allows free access to prisons by human rights activists, magistrates, and judges.

During the year the government permitted access to prisons by the International Committee of the Red Cross (ICRC); foreign diplomats; and local nongovernmental organizations (NGOs), principally FHRI; and the Uganda Prisoners' Aid Foundation. The UHRC visited 136 places of detention including central government and local government prisons and police cells during the year. Prison authorities required advance notification of visits, a process that was sometimes subject to administrative delays.

d. Arbitrary Arrest or Detention

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

Role of the Police and Security Apparatus

The police force, under the Ministry of Internal Affairs, has the primary responsibility for law enforcement and maintenance of order in the country. The UPDF is the key security force and has partial responsibility for maintaining order in the north, where it was deployed to protect civilian IDPs from rebel attacks. The Internal Security Organization (ISO), under the direct authority of the president, is a domestic intelligence gathering body. ISO personnel occasionally detained civilians. The External Security Organization, which also reports to the president, also gathers intelligence and occasionally detained civilians. The CMI, under UPDF control, detained civilians suspected of rebel and terrorist activity. LDUs reinforced government efforts to protect civilians from LRA attacks. In some cases LDUs also participated in offensive military operations and carried out police functions.

Security forces continued to be constrained by limited resources, including low pay and lack of vehicles, equipment, and training. Security forces committed numerous abuses, and impunity was a problem. Police officials faced charges of bribery during the year; the police commissioner for human resources reported that 49 members of the police force were discharged or dismissed for accepting bribes. In conjunction with the UHRC and international organizations such as the ICRC and the UN Office of the High Commissioner for Human Rights (UNOHCHR), the UPDF and the police continued a training program to educate military officers on internationally recognized human rights standards. In addition the police, UPDF, and the prisons service used human rights manuals in their training programs. The UPDF made attempts to improve relations between soldiers and civilians. The Police Human Rights Desk investigated police abuses during the year and reported the following complaints: mismanagement of case papers (205); torture and harassment (46); unlawful arrest and detention (34); abuse of office (30); irregular or discreditable conduct (30); corrupt practices (20); indulging in civil matters (8); and sexual harassment (3). Of these, 176 were investigated during the year.

Arrest and Detention

The law requires search warrants be issued by judges or prosecutors before arrests are made; however, in practice suspects often were taken into custody without warrants. Despite a provision that suspects must be charged within 48 hours of arrest, many persons were detained longer without being charged. Suspects must be brought to trial or released on bail within 120 days (360 days for a capital offense); however, if the case is presented to the court before the expiration of this period, there is no limit on pretrial detention. Detainees must be informed immediately of the reasons for their detention, although authorities did not always enforce these procedural protections in practice. The law provides for bail at the discretion of the judge but was not generally provided in practice.

Suspects must have access to a lawyer; however, there was no provision ensuring family visitation. By law, indigent suspects are provided a lawyer; however, this was not enforced in practice due to resource constraints of the government. Incommunicado detention was a problem during the year.

The Antiterrorism Act permits suspects to be held for more than 48 hours without charge and states that persons convicted of terrorist acts that "directly result in the death of any person" shall be sentenced to death. In 2005 the UPDF general Court martial charged FDC opposition leader Kizza Besigye and 22 other FDC members with terrorism and possession of illegal arms under suspicion that they were members of the PRA. The 23 suspects were simultaneously facing similar charges of treason in the High Court. Besigye and five codefendants filed a petition with the Constitutional Court claiming the court martial was unconstitutional for subjecting suspects to criminal proceedings in two courts on similar charges. The petition also claimed that the court martial exceeded its powers by charging the suspects, since the court martial is a subordinate court to the High Court. On January 31, the Constitutional Court ruled in favor of the accused on the first claim but did not answer the second claim. The accused later filed an appeal with the Supreme Court to clarify a ruling on the outstanding issue of court powers. By year's end, the Supreme Court had not ruled on the appeal.

On February 14, the court martial dropped the charges against Besigye; however, it defied the Constitutional Court's ruling and proceeded with hearings in the case against the remaining 22 suspects. On June 2, the court martial dropped the terrorism charges against all the suspects; however, the charges of unlawful possession of firearms were preserved. The suspects appeared in court on July 10 and remained in jail at year's end.

Security forces arbitrarily arrested political activists during the year. On February 21, the police force's Criminal Investigations Department (CID) in Kampala briefly detained Yusuf Nsibambi, one of Besigye's lawyers, for allegedly inciting violence. On February 10, while addressing a press conference at FDC offices in Kampala, Nsibambi was reported to have told FDC supporters to ignore police summons and to resist arrest. He was released the same day.

On March 16, security forces in Mbarara arrested and detained Private Alan Barigye, a UPDF soldier, on charges of desertion; on March 15, Barigye signed an affidavit in defense of Besigye's presidential election petition. Barigye remained in CMI custody at year's end.

Police arrested journalists during the year (see section 2.a.).

On January 9, police in Kampala released Muwanga Kivumbi, the national coordinator of Popular Resistance Against Life Presidency, on bail after he was interrogated for seditious remarks he made at an opposition Democratic Party rally in Soroti in December 2005. Kivumbi was alleged to have called President Museveni a liar and a conman. The

case was pending at year's end.

On February 4, Joseph Agupio, a former Arua District mobilizer for Kizza Besigye's campaign, was released after being detained since February 2005.

Otim Orach, who UPDF soldiers in Gulu District arrested in March 2005, remained missing at year's end (see section 1.b.).

On January 3, the court acquitted Members of Parliament (MPs) Ronald Reagan Okumu and Michael Ocula, as well as Stephen Otim, for the 2002 killing of Alfred Bongomin, a former local government chairman of Pabbo subcounty in Gulu District; the three were arrested in March and April 2005.

On August 25, Christopher Turyarugayo, who was arrested in March 2005 for wearing an opposition T-shirt, appeared in court. In April 2005 Turyarugayo was accused of being a member of the PRA, charged with treason, and later released on bail. There were no further developments in the case by year's end.

On March 7, the High Court acquitted FDC opposition leader Kizza Besigye of a rape charge originating in 1997. On March 20, the government filed an appeal with the Supreme Court challenging the High Court's decision. The appeal was pending at year's end.

Mass arrests during police sweeps for criminals remained a problem. On July 19, police in Mubende District arrested 110 suspected criminals following complaints by residents in the area. On August 6, in two separate operations, police in Iganga District arrested 142 persons suspected of robbery and prostitution.

Prisons authorities reported that no detainees remained in prison from 2005 mass arrests by year's end.

During the year the UHRC received 144 complaints from persons claiming to have been arbitrarily arrested. The UHRC tribunal confirmed that 25 of the complaints were cases of arbitrary arrest and awarded compensation; the government made no disbursements during the year.

There were reports of political detainees, and the government continued to arrest persons for treason. The FDC claimed that approximately 29 supporters were arrested during the year for political reasons. In 2005 the ICRC registered approximately 200 detainees held for offenses against the security of the state. The government permitted access to political detainees by international humanitarian organizations.

The government continued to make arrests based on treason charges. Treason suspects were subjected to numerous abuses, such as detention without charge, detention in unregistered and unofficial locations, and mistreatment, including torture (see section 1.c.). The Prison Service held 38 pretrial treason suspects and five prisoners convicted of treason during the year.

On March 20, a court in Kampala released Emmanuel Turyahikayo, a treason suspect, on bail; Turyahikayo was arrested in March 2005.

On May 24, a court in Kampala charged Azia Turigye, Hassan Isigoma, and Bashir Mustafa with treason and remanded them to Luzira Prison. The prosecution alleged that the suspects plotted to overthrow the government in Bugiri, Mbarara, Bundibugyo, Kasese, and Mbarara districts by providing intelligence information to ADF rebels since January 2004.

On June 22, a court in Kampala released Patrick Ssentongo, a treason suspect, on bail after he was detained for three weeks.

On January 2, opposition leader Kizza Besigye was released on bail; the other 22 suspects arrested with Besigye in 2004 remained in jail. In November 2005 authorities charged Besigye and the 22 others with treason as members of the PRA. The High Court granted bail to 15 of the accused, including Besigye, but the military forced all of them to remain in prison. On February 15, the High Court ordered that the remaining PRA suspects should be released on bail, as the bail granted in November 2005 was still valid. However, prison authorities re-arrested the suspects in defiance of the High Court. In 2005 the Attorney General filed a petition with the Constitutional Court challenging the decision to grant bail for Besigye. On September 25, the Constitutional Court ruled that the courts of judicature have discretion to grant or not to grant bail, upholding Besigye's release.

On April 4, the treason trial of the suspects, including Besigye, began. On May 18, the trial was halted following a May 15 petition filed by defense lawyers challenging the constitutionality of the continued detention of the 22 PRA suspects after they had been granted bail. On October 17, the Constitutional Court ruled that former rebels were free to testify against the defendants in the case.

On June 1, authorities released Patrick Ochola, Johnson Otim, and Sula Serumbi; the three, who were arrested in 2004 for allegedly plotting to overthrow the government, were members of the unregistered political party Citizen Multiparty Democracy.

In August 2005 the High Court granted bail to 12 persons charged with treason for collaborating with the PRA. The suspects had been detained since 2003. There were no further developments in the case.

Legal and human rights groups criticized the excessive length of detention prior to trial, which in many cases amounted to several years; such lengthy pretrial detentions both violated the constitutional rights of the detainees and contributed substantially to prison overcrowding (see section 1.c.). The average time in pretrial detention was between two and three years, but could be as long as seven years. The Prisons Service reported that out of 19,317 inmates being held during the year, 10,933 were pretrial detainees. The UHRC heard several cases brought by prisoners challenging the length of their detention.

Human rights groups reported that civilians were detained in military barracks and unregistered detention facilities known as safe houses. There were credible allegations that the CMI ordered detainees held incommunicado at police stations or in so called safe houses.

During the year NGOs reported allegations of unlawful detentions by the VCCU. A June article in the Red Pepper tabloid stated that five men detained at VCCU headquarters since their July 2005 arrest sued the inspector general of police for unlawful arrest. The attorney general's office stated that they had no record of the case.

Amnesty

The government has offered a blanket amnesty to former combatants for treason charges since 2000 as a means to induce defection and surrender of LRA rebels and members of other rebel groups. In July the Amnesty Commission reported that 21,435 persons benefited from the amnesty law since its implementation in 2000. Of this number, 11,981 were from the LRA, 4,265 from the West Nile Bank Front, 3,111 from the Uganda National Rescue Front II, 1,795 from the ADF, and 766 from other rebel groups.

e. Denial of Fair Public Trial

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

The highest court is the Supreme Court, followed by the Court of Appeal, which also functions as the Constitutional Court; the High Court; the Chief Magistrate's Court; Local Council (LC) Subcounty Courts, LC parish courts; and LC village courts.

The Constitutional Court ruled against the government on several cases during the year, including a February 17 decision that dismissed a petition filed by the attorney general to annul Kizza Besigye's presidential candidacy in the February 23 elections.

The LC Courts have the authority to settle civil disputes, including land ownership and debt cases, and criminal cases involving children. These courts, often the only ones available to villagers, reportedly exceeded their authority by hearing criminal cases not involving children. LC Court decisions can be appealed to Magistrate's Courts; however, there often were no records made at the village level, and some defendants were not aware of their right to appeal.

On June 6, parliament passed the Local Council Courts Act 2006 to expand the administration of justice at the local level; to define the jurisdiction, powers, and procedure of the established courts; and to provide for other related matters.

Trial Procedures

An inadequate system of judicial administration and a lack of resources resulted in a serious backlog of cases and limited the right to a fair trial. All nonmilitary trials are public, but without juries. Defendants have the right to be present and to consult with an attorney in a timely manner. The law requires that the government provide an attorney for indigent defendants accused of capital offenses, but there rarely was enough money to retain adequate counsel. By law defendants can confront or question witnesses against them and present witnesses and evidence on their behalf.

Defendants and their attorneys have limited access to government held evidence relevant to their cases. There is a presumption of innocence, and defendants have the right of appeal.

Specialized courts also exist. The Industrial Court adjudicates labor disputes. Commercial Courts resolve commercial disputes; they have significantly improved commercial justice and reduced case backlogs.

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

On August 31, Brigadier Henry Tumukunde, the former director of the ISO, was released from military detention but restricted to his home for violating army rules and regulations; in 2005 Tumukunde said he would not join President Museveni's political party after retirement and he claimed that he had been prevented from retiring from the army. The case was on going at year's end.

The VCCU arrested 679 suspects on various counts during the year, including aggravated robbery, killing, illegal possession of firearms, and desertion. The VCCU referred 139 civilian suspects found in possession of military property to military courts for trial. In addition the unit referred 310 suspects to civil courts and released 230 persons after investigations exonerated them.

Political Prisoners and Detainees

There were reports of political prisoners and detainees during the year.

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

Civil Judicial Procedures and Remedies

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

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

The constitution and law prohibit such actions, and the government generally respected these prohibitions. At times the police did not obtain search warrants, as required by law, to enter private homes and offices. There were no developments in the July 2005 case of the illegal search and seizure of the home of Juliet Mukasa, a women's rights activist and chairperson of the NGO Sexual Minorities In Uganda, by local government officials.

The Antiterrorism Act authorizes certain law enforcement officials to intercept communication to detect and prevent terrorist activities. There were reports of such interceptions during the year.

Unlike in the previous year, there were no reports that the government punished family members of suspected criminals and political opposition members.

g. Use of Excessive Force and Other Abuses in Internal Conflicts

Human rights groups reported that there was marked improvement in the UPDF's respect for human rights and its prosecution of violators of human rights during the year; however, serious problems remained, particularly in the LDUs. Security forces tortured and killed civilians suspected of collaborating with the LRA and raped women and girls.

Security forces sometimes changed engagement tactics to reduce the numbers of civilian casualties incurred during operations in the northern and eastern parts of the country; however, security forces killed and injured numerous civilians, including noncombatant children during the year.

On June 1, UPDF soldiers in Gulu District killed two civilians at Pabwo parish in Bungatira subcounty. A suspect was arrested and was being tried by the fourth division Court martial at year's end.

On August 16, a UPDF patrol unit in Kitgum District killed Samuel Odida Opira, the LC one chairman of Paibwor East Ward, in Labuje IDP camp. The August 18 New Vision newspaper quoted Lieutenant Chris Magezi, the UPDF's spokesperson for operations in the north, as saying that Opira was killed when he failed to identify himself to patrolling forces. No further information was available at year's end.

On May 21, eight members of the Amuka LDU militia in Lira District killed 12 civilians and injured 28 others in the Ogwete IDP camp. The UPDF initially said the civilians were killed during an exchange with LRA rebels and that the militia was trying to protect the camp; however, in June the fourth division court martial sentenced five of the militiamen to four years in prison and dismissed them from service. Sergeant Benson Opio, the LDU detachment commander, was sentenced to one year imprisonment. One of the militia members was killed evading arrest, and the whereabouts of the remaining suspect were unknown at year's end.

Security forces mistakenly killed civilians believed to be LRA rebels during the year. On January 14, a UPDF patrol unit in Gulu District mistakenly killed three hunters in Lakwatomer, Omoro County; the unit claimed it had mistaken the hunters for LRA rebels. In January UPDF soldiers in Lira District killed Samuel Abor and Charles Odong, residents of Aromo IDP camp, after they mistook them for LRA rebels.

The suspects in the April 2005 killings of two female residents of Pajule IDP camp were being tried by the fifth division Court martial at year's end.

During the year the suspects in the April 2005 killings of five female IDPs in Kitgum District were convicted of murder, dismissed with disgrace from the army, and were serving their sentences at year's end.

The UPDF continued to search for the UPDF soldier who killed Ben Oketta and his wife Donica Ajok as they worked in their garden at Olwal IDP camp in August 2005. The soldier has been at large since the incident.

There were no developments in the February 2005 torture of a farmer by UPDF soldiers, who caned the farmer and pulled on his testicles with a rope; the farmer was suspected of collaborating with the LRA.

Security forces were implicated in reports of rape and sexual violence against women and girls. In some instances, perpetrators were arrested after victims complained. However, most incidents went unpunished. Human rights groups reported that many cases were not filed due to victims' fear of repercussion, social stigma in their communities, and distrust of the legal process.

The four LDU soldiers arrested and charged for the March 2005 rape of four women in an IDP camp in Kitgum District were serving their sentence at year's end.

There were no developments in the May 2005 rape of two girls by four UPDF soldiers in Kumi District.

On April 5, the High Court in Arua awarded approximately \$44,000 (82 million shillings) to two Acholi girls who were raped by UPDF soldiers at Awere IDP camp in 2002.

On February 2, the army released a 2003-05 report on action taken against human rights violations by UPDF in the north. The report indicated that the army court martial tried and convicted seven soldiers for rape.

On June 16, Voice of America radio quoted Radhika Coomaraswamy, the UN Special Representative for Children and Armed Conflict, as stating that an estimated 5,000 children are serving in the armed forces in violation of UN Security Council resolutions. The government denied recruitment of children in the army.

There were credible reports that security forces and some government officials provided material support to armed groups operating in the eastern DRC. Militia fighting resulted in the deaths of hundreds of civilians in the DRC.

The UPDF drove the majority of LRA combatants out of the country during the year, and the security situation in the north significantly improved, allowing thousands of internally-displaced persons to return to or near their homes of origin. On August 26, the government and the LRA agreed to a cessation of hostilities under which the LRA agreed to assemble at designated points in southern Sudan while peace negotiations continued. On December 16, the government and the rebels extended a cessation of hostilities until February 2007. Sporadic LRA activity occurred during the early part of the year, including attacks on private homes, schools, and IDP camps in which persons were killed, injured, raped, or abducted. During the year LRA attacks resulted in the deaths of numerous persons, including children, injuries, and the destruction of homes and property, but at a significantly lower level than in previous years. There were no reported abductions since August.

On January 7, four civilians were killed and several others injured when LRA rebels attacked civilians attending a disco in Nzaipi area in Adjumani town, Adjumani District.

On February 13, six civilians were killed during an attack by suspected LRA rebels in Alito subcounty, Apac District.

On April 5, four hunters were killed by suspected LRA rebels at Opijo in Okidi parish in Atiak, Gulu District.

On April 23, LRA rebels abducted five civilians from Amwa Teduka in Adel parish, Apac District.

On June 27, LRA rebels abducted three people when they raided Marindi parish in Adjumani District.

On August 10, LRA rebels foraging for food abducted two people from Ngukedi village in Pader District. The whereabouts of the captives remained unknown.

No legal action was taken against LRA rebels who were responsible for numerous killings in 2005 and 2004.

During the war, the LRA abducted hundreds of civilians for training as guerrillas; most victims were children and young adults whom the LRA forced into virtual slavery as laborers, soldiers, guards, and sex slaves (see section 5).

On July 24, Minister of State for Disaster Preparedness and Refugees and Coordinator of the Arrow Boys militia Musa Ecweru stated in the Weekly Message newsletter that more than 2,000 children were still missing from Teso region since the LRA's invasion of the area in 2004.

The ongoing conflict in the Karamoja region intensified during the year; inter clan cattle raids between Karamojong tribes in the eastern subregion increased and the government's forced disarmament campaign continued. Raids by armed Karamojong warriors in Katakwi, Kotido, Bukwa, and Kapchorwa districts and the response by the UPDF resulted in approximately 1,448 deaths since 2003, including an estimated 459 during the year according to the Conflict Early Warning and Early Response Network (CEWARN). These exchanges caused the deaths of warriors, civilians, and security forces, and incidents of abuse resulted in the displacement of an estimated 2,425 persons to IDP camps. According to the UN World Food Program (WFP), the violence impacted food security leaving 500,000 Karamojong displaced as result of drought. The government's mandatory disarmament program for Karamoja continued during the year along with negotiations for a Karamojong led solution. The UPDF and the police continued efforts to improve security conditions by arresting cattle rustlers and attempting to prevent cross border incursions.

On May 4, UPDF forces in Nakapiripirit District killed four warriors during the "cordon and search" operations in the ongoing forceful disarmament exercise in the region. The UPDF denied the incident, stating that the army did not register any operation in Nakapiripirit. Three UPDF soldiers were reportedly killed in the exchange.

Clashes between Karamojong warriors and the UPDF continued to cause civilians in the region to remain in and seek out IDP camps (see section 2.d.). Unlike in previous years, the Karamojong IDPs received assistance from the government and aid agencies including the WFP; however, international humanitarian organizations and human rights groups reported that the standard of living for these IDPs worsened during the year.

Ethnic Karamojong warriors killed civilians and security forces during the year. On January 16, suspected Bakora Karamojong warriors in Nakapiripirit District killed five herdsman and stole more than 600 cattle and 70 goats in two raids in the district. There were no developments in the case at year's end.

On March 11, ethnic Pokot warriors from Kenya killed 20 persons including six UPDF soldiers during a cross border raid. The suspects escaped back across the Uganda Kenya border. The government was in negotiations with the government of Kenya to pursue the suspects at year's end.

On May 19, Karamojong warriors in Nakapiripirit District killed three UPDF soldiers and injured six people during an ambush on a military vehicle. There were no developments in the case at year's end.

On July 21, suspected Karamojong warriors killed three civilians in Lira District. There were no developments in the case at year's end.

There were no developments in the 2005 cases of ethnic Pokot warriors' killing of civilians and police officers.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

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

At times the government attempted to impede criticism through detention and interrogation of politicians who made public comments critical of the government. For example, on January 3, police in Rukungiri interrogated Ingrid Turinawe, the FDC's secretary for women's affairs, about remarks she made against the government on the local radio in November 2005.

On January 5, Ken Lukyamuzi, president of the Conservative Party, was interrogated at CID for allegedly stating in December 2005 that there would be war if President Museveni was re elected.

On February 14, police in Kampala interrogated Reagan Okumu, MP for Aswa County in Gulu District, for stating that President Museveni wanted to sell land belonging to the Acholi people.

In February 2004 the Uganda Law Council upheld the regulation prohibiting lawyers from making public statements on legal matters that were before the court; however, the ban continued to be widely disregarded without penalty.

The independent media were generally active and expressed a wide variety of views. There were many privately owned publications and broadcasts. The Daily Monitor, the country's largest independent daily newspaper, consistently criticized the government. The Weekly Observer, an independent journal, continued to publish critical pieces despite the government's pursuit of a case against an Observer editor and reporter. The East African, a Kenya based weekly publication that provided extensive reporting on the country, continued to circulate without government hindrance.

The international media faced new accreditation regulations for foreign journalists, including vetting by the newly-established government Media Center; a new regulation restricting in-country travel by international journalists was rescinded soon after it was promulgated. NGOs and opposition figures claimed the regulations still in place delayed the process of accreditation for foreign journalists.

The New Vision, a government owned daily newspaper, sometimes included reporting that was critical of the government.

The government continued to operate the only public radio and television stations whose reporting was not considered to be independent. Government controlled media provided more coverage of President Museveni's reelection campaign than his opponents'. The Uganda Journalist Safety Committee reported that during the week of February 9-15, in the run-up to the elections, electronic media devoted 43 percent of overall election coverage to President Museveni versus six percent to opposition candidate Kizza Besigye.

Independent radio stations that hosted opposition political candidates on talk shows in which critical statements were made against the government or the military were sometimes subject to government interference. On March 13, the government's Broadcasting Council shut down Choice FM radio station in Gulu, accusing the station of "violating minimum broadcasting standards," citing a section of the Electronic Media Act that bars programs "likely to cause public insecurity or violence." On March 14, Choice FM issued a press release alleging acts of intimidation by the police and the UPDF prior to the station's closure. The Broadcasting Council ordered Choice FM to pay a fine, and the station was reopened on July 28.

In November 2004 Minister of Information James Nsaba Buturo instructed the Broadcasting Council to revoke the licenses of those stations that "abuse the president or use offensive language and fail to correct the behavior." Buturo also announced that no additional licenses would be issued for stations seeking to broadcast in Kampala; in 2003 the Broadcasting Council proposed regulations that would limit the number of FM radio stations, allegedly to prevent overburdening the airwaves and adversely affecting the quality of broadcasting. Critics charged that the restrictions targeted independent radio, which was the primary news source for 80 percent of the population. While the ban on new radio stations, which was widely disregarded in practice without penalty, was lifted this year for upcountry radio stations, it still holds for Kampala.

Security forces arrested and harassed journalists who criticized the government during year. On February 1, police in Lira District arrested four journalists working with Radio Unity for allegedly airing programs which discouraged people in the north from attending the January 31 campaign rallies in support of President Museveni. The journalists were later released without charge.

On March 9, Canadian freelance journalist Blake Lambert was denied re-entry to the country following a visit to South Africa. Lambert's international reporting and his domestic radio commentary included criticism of the government; the government gave no official reason for the entry denial.

On March 13, police in Kampala detained Arinaitwe Rugyendo and Nathan Obore of the Red Pepper tabloid for publishing a leaked cabinet list. The two were later released without charge.

On March 20, police raided Open Gate FM in Mbale. They subsequently confiscated computers and arrested David Opio and Ongole Manase for failure to record a March 18 talk show in which Nathan Mafabi Nandala, MP and senior leader of the FDC, made statements critical of the government. The two employees were later released on bail, and

the computers were returned. There were no further developments at year's end.

On July 13, the Uganda Journalists Union (UJU) received a certificate of registration allowing it to operate as a trade union after more than a decade of seeking approval by the Ministry of Gender, Labor, and Social Development. Registration allows the UJU to advocate for the rights of journalists at places of work.

There were no developments in the September 2005 incident where Major General Kahinda Otafiire, then minister of water, lands, and environment, pointed a gun at Mike Odongkara, a photojournalist with the Daily Monitor.

The government restricted media content during the year. On June 8, the court martial in Mbarara banned media coverage of a case in which Major Noel Niwe Drago, a UPDF officer, allegedly gave classified information about the army to the FDC during the February presidential elections. On the same day, Ruth Nabasa, a magistrate in Mbarara, banned journalists from taking photographs in the High Court.

The 2005 ban on media coverage of the trial of opposition leader Kizza Besigye continued; however in practice the ban was widely disregarded without penalty.

Media laws require that journalists be licensed and meet certain standards, such as possessing a university degree in journalism or the equivalent. A 1994 law also provides for a Media Council with the power to suspend newspapers and deny journalists access to state information.

Some journalists noted that government intimidation resulted in journalistic self-censorship.

The government used libel laws to suppress criticism of political leaders. On January 24, the Magistrate's Court in Kampala charged Winnie Byanyima, wife of the leader of the FDC, and Jack Sabiiti, FDC national treasurer, with libel and providing false information; Byanyima and Sabiiti had alleged in December 2005 that the government paid Deputy Chief Justice Latecia Kikonyongo and Justice of the High Court Remmy Kasule approximately \$162,150 (300 million shillings) to keep Besigye in prison. The libel trial began on February 14 and was ongoing at year's end.

During the year the government arrested critical journalists and banned newspaper content, citing national security. For example, on March 3, police in Gulu arrested Martin Ojara Mapenduzi, a journalist with Choice FM Radio, after the station broadcast a program on February 28 that the government deemed seditious and a threat to security. The journalist was later released.

On June 23, police in Kampala interrogated Joachim Buwembo, a journalist with the Daily Monitor, for promoting sectarianism.

On December 8, the Daily Monitor newspaper was served with an order filed by Attorney General Khiddu Makubuya and signed by the High Court registrar, to refrain from publishing a series of articles chronicling the history of the country's security services; the High Court temporarily permitted the paper to resume the series, allowing the publication of only unclassified material, until the case is heard. The case was ongoing at year's end.

In August 2005 President Museveni threatened to arrest journalists that irresponsibly disregarded national security interests in the course of their reporting and close any press organization that threatened the country's national security. The Minister of State for Information, James Buturo, told journalists that even when facts were true, their reporting must be informed by an imperative to preserve national interests.

In June 2005 the Daily Monitor's then-political editor Andrew Mwenda was questioned by police in connection with an article alleging that President Museveni had not protested comments made in his presence criticizing members of the Bairu ethnic group. Police said the article could "create ethnic discontent," but did not bring further charges against Mwenda at that time. In August 2005, the Broadcasting Council closed KFM radio station on grounds that it breached a national security provision in the electronic media law after Mwenda, who was also a KFM talk show host, made comments critical of the government and the president's handling of the helicopter crash that killed Sudanese Vice President John Garang. Mwenda was subsequently arrested and jailed for several days before being released on bail. The council later reopened the station but ordered that the producer of Mwenda's talk show, Angelo Izama, be fired. Mwenda later left the country and Izama took over as one of the hosts of the show. Mwenda was charged in the Magistrate's Court on 15 counts of sedition and promoting sectarianism, the latter referring to the 2005 Daily Monitor article. Mwenda's lawyers applied for a stay of execution in order to file a petition in the Constitutional Court, declaring that the two laws that were the basis for the charges were unconstitutional. While still abroad, Mwenda continued to await trial at year's end.

At year's end the December 2005 government suit against the chief editor and a staff reporter of the independent Weekly Observer newspaper for publishing material of a sectarian nature was on hold pending the outcome of a petition entered in the Constitutional Court in the Mwenda case. A December 2005 article reported that FDC party members believed that President Museveni and a small group of army generals from the president's Bahima ethnic group had conspired to keep opposition leader Kizza Besigye in jail.

An out of court settlement was reached in the 2005 case against the Weekly Observer editor and two journalists. The UPDF had sought an injunction against the publication of information about the existence of "ghost soldiers" in the army because it was deemed prejudicial to the security of the state; it was agreed that no additional stories would be published.

Internet Freedom

Individuals and groups could generally engage in the peaceful expression of views via the Internet, including by electronic mail; however, at times the government restricted access. On February 13, the government directed Uganda Telecom to block access to radiokatwe.com, a website that published antigovernment gossip. NGOS and opposition figures alleged that the move reflected a crackdown on Internet freedom.

Access to the Internet increased during the year. However, access for the majority of the population remained constrained due to high costs of equipment and subscriber fees and a lack of user education. Approximately 5 percent of the population used it monthly and 56 of the country's 80 districts were equipped with Internet capabilities after a public private partnership began in September 2005.

Academic Freedom and Cultural Events

There were no government restrictions on academic freedom; however, the government censored cultural events during the year.

In May the Media Council halted a screening of a documentary about the play "Vagina Monologues," which the Media Council banned in February 2005 on the grounds that it promoted "unnatural sex acts, homosexuality, and prostitution." The cabinet also endorsed the ban the next day.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

The law restricts freedom of assembly for unregistered political groups and parties. For groups legally authorized to operate, permits were not required for public meetings; however, groups were required to notify the police prior to such gatherings. Police denied permission to hold public rallies and forcibly dispersed demonstrations during the year. Police attempts to prevent mob lynchings resulted in deaths. For example, on July 4, police in Luwero District killed a resident and injured several others while they were dispersing a mob that raided Wobulenzi police post in an effort to lynch a murder suspect. No arrests were made by year's end.

On August 7, Benson Atwai, special police constable in Apac District, killed Jimmy Opio while attempting to disperse a crowd that tried to lynch a man accused of witchcraft. No arrests were made by year's end.

Police forcibly dispersed student demonstrators during the year. For example, on November 7, police in Kampala arrested 45 students during a Makerere University lecturers' strike, which began on November 4. On November 8, the students were charged with taking part in an illegal riot; all were released on bail on November 10. The case was ongoing at year's end (see section 6.b.). On July 25, police in Pader District shot and injured three students of Pajule Technical College when they tried to disperse a student demonstration. There were no reports of an investigation by year's end.

No action was taken against police responsible for injuring protestors during forcible dispersions of demonstrators in 2005. Trials were pending at year's end for demonstrators charged with illegal assembly in March, June, and November 2005.

The November 2005 ban on demonstrations related to Besigye's trial remained in effect.

In July 2005 the court dismissed the case against 17 activists from the Popular Resistance to a Life Presidency for attempting to hold an illegal assembly in Kyotera, Masaka District.

Freedom of Association

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

On April 7, parliament passed the NGO Registration (Amendment) Act. The law requires NGOs, including religious organizations, to renew their registration permits annually unless they are registered under the Trustees Incorporation Act or the Companies Act. NGOs raised concerns that the new law would impede their ability to operate effectively.

c. Freedom of Religion

The constitution and law provide for freedom of religion, and the government generally respected this right in practice with some minor restrictions. The law requires religious groups and foreign missionaries to register with the government; failure to register is a criminal offense.

Bans against nighttime prayer meetings by evangelical churches, reportedly for security and noise abatement reasons, were still in effect in residential areas of several districts during the year.

On August 1, the Supreme Court in Kampala dismissed an appeal filed in March 2005 by members of the Seventh Day Adventist Church seeking a ban on weekend classes at Makerere University. The seven man panel held that the university's policy was "rational, fair, and proportional."

During the year there were no reports of violence by the government or its agents against religious groups, leaders, or individual members.

Unlike in the previous year, there were no reports that local government took any new actions to restrict operation of religious organizations for reasons of security. National government policy did not include restrictions.

The government continued to refuse registration to the World Last Message Warning Church due to continuing suspicions arising from the killings of more than 1,000 citizens in Kanungu in 2000. There were some reports that the government refused to grant registration to other self proclaimed religious groups on the grounds that the groups were not legitimate religious organizations. Several religious groups that were shut down by police as suspected "cults" in previous years remained inactive at year's end.

Unlike in the previous year, there were no reports of religiously motivated arrests.

On February 25, the six suspects charged with the March 2004 killings of two missionaries escaped from prison and fled.

The two Muslim religious leaders and five other suspects arrested on treason charges in 2004 were convicted of treason and serving their prison sentenced at year's end.

Muslims occupied positions of authority in local and central government; however, some Muslim leaders claimed that the number of positions did not reflect their percentage of the population. President Museveni appointed six Muslim ministers to his cabinet during the year, in comparison to three in 2005.

No action was taken against LRA rebels responsible for killing, injuring, and abducting religious workers in 2004.

Societal Abuses and Discrimination

There were generally amicable relations between religions in society during the year. However, there were reports of evangelical Christian groups who accused each other of practicing witchcraft.

The Jewish community represents less than 1 percent of the population. There were no reports of anti Semitic acts.

For a more detailed discussion, see the [2006 International Religious Freedom Report](#).

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

The constitution and law provide for these rights; however, the government at times limited them in practice. A married woman must obtain her husband's written permission on her passport application if children are to be listed on her passport. There were reports that government agents blocked the travel of opposition party members. On April 22, police in Kampala stopped Kizza Besigye from visiting Owino Market in Kampala, citing security concerns. Besigye was required to seek court authorization to travel abroad while facing treason charges.

There was no information on whether the law permits or prohibits forced exile. However, the government did not use forced exile during the year.

Internally Displaced Persons (IDPs)

Continued attacks by the LRA and Karamojong warriors caused many ethnic Acholis and Iteso to leave their homes

for urban centers, IDP camps, and villages guarded by the UPDF and LDUs (see section 1.g.). According to the UN Office of the Coordinator for Humanitarian Affairs, there were more than 1.5 million registered IDPs as a result of this violence. At year's end the number of IDPs per affected district in the north was: Amuru, 368,238; Gulu, 320,232; Kitgum, 305,525; Pader, 415,164; Lira, 184,374; and Apac/Oyam, 128,190. During the year, an estimated 2,425 Karamojong were displaced as a result of the UPDF/Karamojong clashes related to forced disarmament. According to WFP, another 500,000 Karamojong have been displaced due to drought.

UPDF soldiers reportedly raped women and girls, and security forces detained and mistreated suspected LRA collaborators in the camps (see section 1.g.). In November the UN High Commissioner for Human Rights reported incidents of inhuman and degrading treatment during the on-going forced disarmament exercise in Karamoja, including rape of the Karamojong by the UPDF.

The government had not clearly articulated a position on the movement of IDPs by year's end; however, in practice IDP movement was restricted. In previous years security forces severely restricted freedom of movement for IDPs and imposed nighttime curfews on many camps. Spokespersons for the government have stated the government's commitment to protecting freedom of movement and relaxed some past restrictions on the movement of IDPs as the security situation in the north improved.

During the year, the LRA killed and injured persons during attacks on IDP camps (see section 1.g.). In the north security forces continued their policy of maintaining UPDF detachments at IDP camps as a means of protecting civilians and denying support to the LRA.

During the year there were reports of attacks by Karamojong warriors on IDPs in Pader and Kitgum districts.

Although the government and domestic and international humanitarian organizations provided assistance to the estimated 230 IDP camps in the north, health and living conditions remained precarious. A June 2 UNICEF report stated that despite improved security in the north, most IDPs, particularly women and children, were deprived of access to education, basic health care, safe water, protection, and shelter. However, as the security situation in the northern districts improved during the year, IDPs increasingly traveled outside the camps to farm, hunt, and gather wood and water (see section 1.g.). During the year the government approved a plan to assist returnees and worked with the UN High Commissioner for Refugees (UNHCR) and the other international organizations to prepare IDPs to return to their home areas. In Lira District, IDPs returned to their home areas in large numbers. In other northern districts, IDPs said they would return once they had guarantees of security from the government.

Unlike in previous years, the Karamojong IDPs received assistance from the government and humanitarian agencies including the WFP; however, international humanitarian organizations and human rights groups reported that the standard of living for these IDPs worsened during the year (see section 1.g.).

Protection of Refugees

The law provides for the granting of asylum or refugee status in accordance with the definition of the 1951 UN Convention relating to the Status of Refugees and its 1967 protocol. On March 23, the parliament passed the Refugee Bill, which brings the country into compliance with international law and treaties with regard to refugee rights and obligations. On May 24, the president assented to the bill. In practice the government provided protection against refoulement, the return of persons to a country where they feared persecution. The government granted refugee status or asylum. Approximately 80 percent of the estimated 215,328 refugees in the country were from southern Sudan; there also were refugees from the DRC, Rwanda, Burundi, Somalia, and other countries.

The government provided temporary protection to individuals who may not qualify as refugees under the 1951 Convention and 1967 protocol and also provided land for temporary resettlement to citizens from neighboring countries.

The government generally cooperated with UNHCR and other humanitarian organizations in assisting refugees and asylum seekers. There were no reports of refugee abuse or discrimination by government authorities. Following the signing of a tripartite agreement among the country, Sudan, and UNHCR in March, UNHCR began facilitating small-scale repatriation of Sudanese refugees to southern Sudan. By December more than 5,300 Sudanese had been safely returned to southern Sudan in facilitated convoys and another 16,400 had spontaneously returned. The government assisted in returns as required under the tripartite agreement and made public statements that refugees would be permitted to remain in country if they were not prepared to return at this time.

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

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

Elections and Political Participation

On February 23, the country held its first multiparty general elections since President Museveni came to power in 1986; a July 2005 national referendum resulted in the adoption of a multiparty system of government and the subsequent inclusion of opposition parties in elections and government. The election generally reflected the will of the people, although serious irregularities occurred. Ruling NRM candidate President Museveni was declared the winner with 59.26 percent of the vote, giving him a third term in office following the passage of a controversial amendment in June 2005 to eliminate presidential term limits. Opposition FDC leader Kizza Besigye captured 37.39 percent of the vote, while the remaining contestants received less than 2 percent of the vote each, according to official figures from the Electoral Commission.

On March 7, Besigye filed an election petition challenging the results of the elections. On April 6, the Supreme Court narrowly rejected the petition, ruling that although serious irregularities had occurred, they did not substantially affect the outcome of the race. The opinion acknowledged that irregularities included disenfranchisement of voters, particularly with regard to names missing from the voter roll; counting and tallying problems; bribery; intimidation; incidents of violence; multiple voting; and ballot stuffing in some areas. The international community, including the delegation of Commonwealth election observers, generally concurred with these findings.

The police recorded 450 cases of violence during the election period. On February 15, Lieutenant Ramadhan Magara, a UPDF soldier, killed two persons and injured several others when he fired into a crowd gathered to see Besigye during his visit to Buganda Kingdom in Mengo. Magara was arrested and the case was ongoing at year's end.

Parliamentary contests, which included seats for 11 new districts approved by parliament in June 2005, resulted in the election of 309 members, including 205 from the NRM, 37 from the FDC, nine from the Uganda Justice Forum (JEEMA), and 37 independent members.

More than 100 election challenges were filed following the parliamentary elections. Charges included bribery, intimidation, incidents of violence, multiple voting, and ballot stuffing. The High Court nullified six election results, and special elections for the seats in question were scheduled during the year. The courts dismissed more than 20 other petitions during the year; the remaining were pending before the courts at year's end.

In October 2005 FDC leader Kizza Besigye returned from self imposed exile and was elected as the party's presidential candidate. In November 2005 police arrested and charged Besigye and 22 other FDC members with treason for allegedly organizing the rebel group PRA. The 23 suspects were also charged with terrorism and possession of illegal arms by the UPDF Court martial (see section 1.d.).

On July 11, Minister of Local Government Kahinda Otafiire warned public servants working in local government against openly declaring their political affiliations, stating that it would place them at risk for being dismissed. He was responding to complaints from opposition MPs that FDC members were being discriminated against in employment.

The ruling NRM regularly held rallies, conducted political activities, and in 2003 registered the National Resistance Movement Organization, the ruling political party that generally operated without restriction. Approximately 33 parties were allowed to function, including political parties that existed in 1986, when the NRM assumed power.

Opposition parties were active during the year. On June 19, the leading opposition party named a 21 member shadow cabinet. During the year the NRM party twice invited the six main political parties to discuss multiparty cooperation; the meetings were attended by all the invited parties except FDC and JEEMA, which boycotted.

There were 99 women in the 333 member parliament. There were seven female ministers and seven female junior ministers in the president's 66 member cabinet. Female activists were concerned that the number did not meet the required 40 percent female representation in the cabinet. One woman served as deputy speaker and another as deputy chief justice of the Supreme Court. Women also headed the Inspectorate General of Government and the CID.

There were 105 members of minority groups in parliament. The law requires elections through electoral colleges for the seats reserved for special interest groups in parliament: 80 seats were reserved for women; five for organized labor; five for persons with disabilities; five for youth; and 10 for the Army, which were selected by the UPDF High Command and chaired by President Museveni.

Government Corruption and Transparency

Corruption continued to be a major problem; however, unlike in the previous year, the government took action to investigate and prosecute offenders. The law requires the declaration of wealth by government officials and their family members, and the government enforced the law during the year. The July 18 auditor's report presented to parliament cited several instances of "recklessness, carelessness, wastefulness, and negligence" on the part of public officials in the State House, the Office of the President, and the Ministries of Defense, Foreign Affairs, Finance, and

Health. The State House reportedly failed to account for approximately \$97,800 (181 million shillings) advanced to several officers for hotel accommodation, transportation and travel abroad.

On July 6, police in Kampala arrested Chris Ongyero, a deputy passport officer, and Edith Manyire, an immigration officer, and subsequently charged them with abuse of office and irregular conduct. The prosecution alleged that the suspects issued passports and visas to suspected Congolese rebels and drug traffickers. On August 17, the suspects were released on bail, and the case was ongoing at year's end.

On August 26, President Museveni suspended Justice Richard Oscar Okumu Wengi on allegations of gross misconduct, corruption, forgery of court documents, impropriety, and bias. The president appointed a tribunal of five judges to investigate Wengi's alleged conduct. The tribunal had not begun investigations at year's end.

In an August 30 report for the president, the inspector general of government held two ministers responsible for problems with a multi billion shilling national identity card procurement. Findings of the report showed that Minister for Information and Communication Technology Ham Mulira and Minister of State for Regional Cooperation Isaac Musumba broke tendering laws. The report recommended that both ministers be prosecuted. On February 1, the government suspended the project over alleged corruption in the awarding of the contract. There were no further developments by year's end.

A September Uganda Muslim Supreme Council (UMSC) land probe recommended that the Mufti Sheikh Shaban Ramadhan Mubajje and his deputy, Sheikh Twaib Mukuye, be dismissed for mismanaging the council's affairs. The probe found that Mubajje endorsed UMSC land transfers without the knowledge of the executive. The probe also recommended the dismissal of Vice Chair of the UMSC Hassan Basajabalaba and UMSC General Secretary Idris Kasenene.

In August 2005 the Global Fund to Fight AIDS, Tuberculosis, and Malaria suspended grants worth \$201 million (362 billion shillings) to the country after an investigation uncovered evidence of serious mismanagement of funds. The government suspended all officers who had been managing the funds, and instituted an independent probe commission to investigate the incident. The commission started work in September 2005. In a report released on May 30, the commission stated that high level officials were implicated in mismanagement of funds and recommended further investigation and prosecution.

On September 12, two officials of the National Council of Sports appeared before CID's Serious Crimes Office and were charged with fraud, forgery, and false accountability following the release of the commission's report. The suspects, including Assistant Secretary General Nicholas Muramagi and Administrative Secretary Timothy Magala, allegedly submitted forged applications for two nonregistered sports organizations to receive funds for HIV/AIDS awareness programs. Approximately \$15,700 (29 million shillings) was received by the NGOs, but not accounted for. The suspects were released on bail and ordered to report to CID on September 18.

During the year the 2003 court martial of army officials suspected of maintaining under strength units and pocketing salary payments for so called "ghost soldiers" continued. Three suspects were acquitted for lack of sufficient evidence. On July 5, the court martial acquitted Brigadier Stephen Kashaka of charges of causing financial loss, obtaining money by false pretense, and abuse of office. On July 28, the court acquitted Colonel Mark Kodili, formerly the UPDF's chief of personnel and administration, of the same charges. On August 24, the court also acquitted Brigadier Henry Tumukunde, but he remained under house arrest for violating army rules and regulations (see section 1.d.).

The law provides for public access to government information, and the government provided such access in practice. On April 20, the Access to Information Act 2005 came into effect. The law provides citizens with the right to access information and records of government ministries, statutory corporations, and other government agencies. It also empowers persons who are denied access to public records to take the matter to court.

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

A number of domestic and international human rights groups generally operated without government restriction (see section 2.b.), investigating and publishing their findings on human rights cases. Government officials generally were receptive to their views. Active, independent domestic groups included: FHRI, Human Rights Focus, Human Rights Network, Human Rights and Peace Center of Makerere University, the International Federation of Human Rights, the Justice and Peace Commission, the Uganda Journalist Safety Committee, the Uganda Prisoner's Aid Foundation, and the Uganda Association of Women Lawyers. Government officials continued to attend conferences and seminars hosted by NGOs on social problems and cooperated with NGOs on legal and prison reforms.

In response to the government's 2003 call for a code of NGO conduct to minimize corruption, Minister of State Matia Kasaija launched the Quality Assurance Certification Mechanism on September 20, which put in place minimum standards for NGO activities including fighting corruption.

The government allowed visits by the ICRC, UNHCR, and several international human rights NGOs, including Amnesty International, HRW, and the International Justice Mission. During the year the ICRC continued its visits to prisons, police stations, and military detention facilities. In September 2005 the ICRC signed a new agreement with the government to permit ICRC visits for the next three years.

On January 12, UNOHCHR signed a cooperation agreement with the government to reinforce the mechanisms for protection of human rights in the north. In August officials from the African Union's Commission on Human and People's Rights visited the country to investigate allegations of human rights abuse.

A March 16 report prepared by the Control Arms Campaign presented to the UN Security Council charged that the country continued to systematically violate the UN arms embargo with impunity, fueling human rights abuses in the region. A January 2005 report by a UN Security Council panel implicated the government for violating an UN imposed arms embargo in the DRC by funneling weapons, including land mines, and military support into the DRC to the Forces Armees du Peuple Congolais, an Ituri based militia group. The government denied the report's claims.

The law establishes the UHRC as a permanent independent body with quasi judicial powers. The president appoints the UHRC's eight member board. Under the law the UHRC may subpoena information, order the release of detainees, and order the payment of compensation for abuses. In several cases during the year, the UHRC Tribunal awarded compensation to complainants who proved their allegations against the government (see sections 1.c. and 1.d.). The UHRC continued to pursue suspected human rights abusers, including high level officials in the government and military, and had branches countrywide. The UHRC did not have adequate resources to investigate all complaints it received.

During the year the UHRC Complaints and Investigations Department in Kampala received 1,141 complaints, of which 246 involved torture. The UHRC Tribunal received new 54 cases of alleged abuse; 184 cases, including those from previous years, were pending hearing by the Tribunal; 25 torture cases were awarded damages, seven cases were dismissed; and one case was resolved through mediation.

Human rights fall under the Parliamentary Committee on Legal and Parliamentary Affairs. The committee handles policy related issues, bills, and budgets in respect to the UHRC.

In December 2005 the International Court of Justice issued its judgment that the armed activities of the government in the DRC between August 1998 and June 2003 violated the international prohibition against aggressive use of force, international human rights, and international humanitarian law. The ruling determined that the government should pay reparations to the DRC. The government had taken no action on the court's recommendations by year's end.

Section 5 Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status; however, the government did not enforce the law in matters of locally or culturally prevalent discrimination against women, children, persons with disabilities, or certain ethnic groups. Continued instability in the northern region led to violations of the rights of some Acholi and Lango, ethnic groups that comprise a significant part of the population; LRA rebels, although predominantly Acholi themselves, were responsible for the most serious human rights violations.

Women

Violence against women, including rape and domestic violence, remained common. A 2003 Johns Hopkins University study indicated that one in three women living in surveyed rural areas experienced verbal or physical threats from their partners, and 55 percent sustained physical injuries as a result of domestic abuse. The law prohibits assault, battery, and rape; however, there were no laws that specifically protected women from spousal abuse. Many law enforcement officials 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 rape or assault charges against their husbands.

Reports of domestic violence increased during the year. On August 8, the Gulu police reported that from January to August 450 cases of domestic violence were reported compared to 512 total cases reported in 2005. The Child and Family Protection Unit in Masaka reported that since January, 31 cases of domestic violence were reported as compared to 58 cases in 2005.

A 2003 HRW report concluded that married women were particularly vulnerable to HIV/AIDS infection as a result of forced sex in marriage by husbands with multiple partners or wives. The HRW report identified numerous social and legal obstacles to women's ability to protect themselves against HIV/AIDS infection in abusive relationships.

On May 4, the Center for Domestic Violence Prevention launched a public awareness week to sensitize the public on domestic violence issues.

Rape is illegal. Although the government arrested, prosecuted, and convicted persons for rape during the year, there were reports that some cases were not investigated. Incidents of rape of IDPs in the north by security forces remained a serious problem (see section 1.g.). Women and girls continued to be victims of abduction and rape by rebel forces. According to a June 2005 UNICEF study on sexual-and-gender-based violence at a northern IDP camp, 469 cases were reported to police in Gulu District in 2004. The study revealed that the three most common forms of gender based violence were rape, child sexual abuse, and physical assault. Teenage girls and young women were the most common victims of gender based violence.

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

There was no national law against FGM, which was practiced by the Sabiny ethnic group located in rural Kapchorwa District, and the Pokot ethnic group along the northeastern border with Kenya. However, since January, 16 subcounties of Kapchorwa and Bukwo Districts passed bylaws to make the practice of FGM illegal. The government, women's groups, and international organizations continued programs to combat the practice through education. These programs, which received some support from local leaders, emphasized close cooperation with traditional authority figures and peer counseling.

Prostitution was illegal; however, it was common. There were no credible statistics available on the occurrence of prostitution, including child prostitution, during the year.

There were reports of trafficking in women and girls during the year (see section 5, Trafficking).

Sexual harassment is prohibited by law, but was a common problem, and the government did not effectively enforce the law. On March 28, parliament passed the Employment Bill 2005 which sets the basic terms and conditions of work, including prohibition of forced labor, discrimination, and sexual harassment in employment. On August 17, the third division court martial in Soroti District sentenced Hassan Abacha, a UPDF Warrant Officer II, to six months in jail and a demotion for sexually harassing five foreign female soldiers during an August joint military training course.

Traditional and widespread societal discrimination against women continued, especially in rural areas. Many customary laws discriminate against women in the areas of adoption, marriage, divorce, and inheritance. Under local customary law in many areas, women cannot own or inherit property or retain custody of their children. There were limits on a married woman's ability to travel abroad with her children (see section 2.d.). Traditional divorce law in many areas requires women to meet stricter evidentiary standards than men to prove adultery. Polygamy is legal under both customary and Islamic law. In some ethnic groups, men can "inherit" the widows of their deceased brothers. Women did most of the agricultural work but owned only 7 percent of the agricultural land. A May 2005 World Bank report estimated that 80 percent of all unpaid workers were women. Employers in the private sector frequently failed to apply the statutory provision that provides women with maternity leave.

There were several active women's rights groups in the country. On March 13, Law and Advocacy for Women in Uganda, a women's rights organization, filed a petition in the Constitutional Court challenging the law that imposes limitations on a widow's inheritance of her husband's property. On October 17, the Constitutional Court heard the petition as well as another on criminal adultery filed by the same organization in September 2005. The case was ongoing at year's end.

On April 4, a report released by the Agency for Accelerated Regional Development and Actionaid showed that 87.8 percent of women in three subcounties in Nebbi District never attained formal education and were not aware of their rights in society.

A June International Crisis Group report stated that women were often excluded from peace agreements and conflict resolution processes, and were underrepresented in the security.

The government, in conjunction with numerous NGOs, sponsored workshops and trainings throughout the country to increase awareness of women's rights.

Children

The government demonstrated a commitment to improving children's welfare and education received the largest percentage of the national budget. However, the government did not enforce effectively the Children's Statute, which outlines broad protections for children, due to the large proportion of children in the population (56 percent of the population was under the age of 18), staffing 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. The law also prohibits children from taking part in any activity likely to injure the child's health, education, or

mental, physical, and moral development; however, the government often did not enforce these prohibitions.

The government's Universal Primary Education (UPE) program provided free education through the seventh grade; however, education was not compulsory. The UPE program made education more accessible financially; however, parents still had to pay for school supplies and some school costs. The UPE increased funding for education, provided additional skills training for teachers, and reduced the student to textbook ratio. Strained finances, corruption, instability, infrastructure problems, and inadequate teacher training prevented full implementation. Teachers were rarely paid on time, and many did not show up for work when the government was late in paying their wages. In June the government requested from parliament an increase in teachers' wages from approximately \$70 (130,000 shillings) to approximately \$108 (200,000 shillings) per month.

According to UNICEF, the country's primary school enrollment rate was 79 percent for both boys and girls, who theoretically had equal access to education in the lower grades; however, the proportion of girls in higher grades remained low because families traditionally favored boys when making educational decisions. Boys also were more likely to finish primary school and performed better on examinations for admission into secondary school. The government continued several programs to promote a national plan for the education of girls. On October 12, the government launched Universal Secondary Education.

The government provided subsidized health care through a national health care program, and boys and girls had equal access. However, health clinics did not have adequate resources to provide comprehensive treatment.

Child abuse remained a serious problem, particularly rape and other sexual abuse of girls known as "defilement." Defilement applied to all cases of sexual contact outside of marriage with girls younger than 18 years of age, regardless of consent or the age of the perpetrator. Defilement carried a maximum sentence of death; however, in practice defilement cases often were settled by a payment to the girl's parents. The perpetrators of defilement often were family members, neighbors, or teachers. A 2005 Save the Children survey of 1,400 children conducted during the year found that 46 percent of girls were sexually abused and 20 percent were raped. Since January police registered 97 cases in Kasese, 46 in Kayunga, 42 in Gulu, and 34 in Soroti. On August 28, the regional CID officer for the north stated that 989 girls were defiled in IDP camps in Lira, Kitgum, Gulu, Apac, and Pader Districts since January.

On March 24, a court in Mukono referred Paddy Katongole, a primary school teacher, for trial in the High Court on charges of defiling a seven year old pupil in September 2005. The case was ongoing at year's end.

There were no developments in the 2004 or 2005 cases of defilement by primary school teachers.

There were reports of child abuse. On August 3, a court in Luwero District charged Frederick Mbazira, a teacher at Katikamu Seventh Day Adventist Secondary School, with causing bodily harm to Beatrice Achieng, a student. On July 29, Mbazira beat Achieng into paralysis after she and other students failed to complete a geography assignment. The case was pending at year's end.

On August 3, authorities in Arua District closed Mandela Comprehensive Secondary School after a group of teachers indiscriminately beat students, five of whom were admitted to the district main hospital in critical condition. There were no reports of action taken against the teachers.

On August 7, the Ministry of Education banned corporal punishment in schools and colleges.

There were reports of the use of children in ritual sacrifice. On August 16, a court in Kampala District charged a traditional doctor and a housewife with kidnapping a two-year-old boy with intent to kill him for sacrifice. The suspects were remanded to Luzira Prison, and the case was ongoing at year's end. On August 8, pupils from schools around Kampala petitioned parliament over increased cases of human sacrifice and asked the government to put in place tough laws to curb the crime.

FGM was performed on girls in the Sabinu and Pokot ethnic groups (see section 5, Women).

The legal age for marriage is 18 years, but the marriage of young girls by parental arrangement was common, particularly in rural areas. On July 16, the Kumi District Health Educator reported that 60 percent of girls in the district left school between the ages of 12 and 15 years due to early marriages.

Child prostitution and trafficking were problems (see section 5, Trafficking).

The law prohibits service in the military by persons under 18 years of age; however, there were reports that individuals under the age of 18 enlisted in the army and in local militias, sometimes in collusion with local officials. On June 16, the UN Special Representative for Children and Armed Conflict stated that an estimated 5,000 children were serving in the country's armed forces. The UPDF denied that it had actively recruited child soldiers, but stated some might have

joined through deception or oversight.

There continued to be reports that the UPDF detained some former LRA child combatants for long periods, and in some cases may have used them in intelligence and reconnaissance missions.

Child labor was a problem (see section 6.d.).

According to UNICEF the LRA has abducted approximately 12,000 children since 2002 and continued to abduct children during the year. The LRA forced children into virtual slavery as laborers, soldiers, guards, and sex slaves. 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. More than 85 percent of LRA captives were made up of children whom the LRA abducted and forced to fight as rebels; most LRA rebels were between the ages of 11 and 16.

During the year the UPDF rescued 114 children from LRA captivity. The UPDF's Child Protection Unit provided treatment to returned abductees upon arrival at military facilities. The unit also escorted former abductees to NGO facilities, which provided assistance and counseling to the children and their families. The government also worked closely with NGOs in the north to facilitate their assistance programs for amnesty seekers and rescued children; however, these programs were primarily financed by donors.

Improved security in the north contributed to significant reductions in the number of children known as "night commuters" who traveled from conflict areas or IDP camps each night to urban centers to avoid abduction by the LRA. UNICEF reported that as of December 2,700 commuters sought shelter in Kitgum and Gulu; approximately 35,000 were regular night commuters in 2005. A June UNICEF study indicated that children continued to commute due to reasons other than LRA activity, such as endemic poverty and domestic violence. During the year the government cooperated with NGOs to operate shelters for such children in tented dormitories and other semi permanent structures; in other cases children slept under balconies or on the grounds of schools, churches, and hospitals. Conditions ranged from harsh to adequate. There were credible reports that many displaced girls became involved in prostitution.

UNICEF reported in January that two million children have been orphaned since the beginning of the war as a result of conflict and instability, including population dislocation, and that 940,000 children nationwide have been orphaned by HIV/AIDS. The government supported programs to assist children affected by HIV/AIDS and conflict in the north.

Trafficking in Persons

The law does not specifically prohibit trafficking in persons; however, the law does prohibit trafficking related offenses. There were reports that persons were trafficked to, from, and within the country. There were no available statistics on the extent of trafficking in persons. The maximum penalty for the procurement of women for purposes of prostitution or detention with sexual intent is seven years' imprisonment; the maximum penalty for trading in slaves is 10 years' imprisonment.

The national police force is responsible for investigating trafficking related crimes and maintains a Child and Family Protection Unit to train local police on women and children's rights. The UPDF is responsible for capturing, disarming, or eliminating LRA combatants who perpetrate human trafficking crimes in the north.

Adults and children also were trafficked internally for labor, commercial sexual exploitation, and criminal activities.

Trafficking in persons primarily occurred internally. The LRA abducted children to be soldiers, sex slaves, and porters; freelance operators, including taxi drivers and hotel/bar operators, conducted the commercial sex trafficking. Children also were trafficked to Pakistan and the United Arab Emirates.

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

The government made arrests of suspected traffickers during the year. The penal code specifies penalties for several trafficking-related offenses, such as forced labor, and there were a number of trafficking cases prosecuted under these laws. The government's prosecution of child defilement cases included an undetermined number of cases involving trafficked children.

On December 19, police in Kampala arrested Rauff Razick Mohammed, a Pakistani national, who was found holding five Sri Lankan men against their will. On December 20, a court in Kampala charged Mohammed and his two accomplices with unlawful confinement and demanding money with menace. Mohammed pled guilty to trafficking in humans and was issued deportation orders.

On July 20, the government set up a committee to investigate the alleged sale of girls in cattle markets in Katakwi District.

In July police in Katakwi District arrested suspected human traffickers and rescued four girls.

In July police in Kabale District arrested two Indian nationals and their Ugandan accomplices on suspicion of involvement in human trafficking at Katuna border post as they attempted to flee the county into Rwanda.

A December police report stated that there were 185 recorded cases of child abduction and disappearance since January. Of these, 42 children were recovered, four were killed in child sacrifice, and 139 were unaccounted for. The report was based on cases received from the majority of districts throughout the country.

The government, through the military and civilian agencies, continued efforts to combat LRA trafficking in persons. The government began "Operation Iron Fist" in 2002 to eradicate the LRA threat and has continued to offer amnesty to former rebels, providing resettlement packages with educational benefits and vocational training. The government also established protected camps garrisoned by the UPDF and LDUs that have helped to prevent abductions (see sections 1.b. and 2.d.).

In March 2005 the government began participating in a national working group to combat anti trafficking. The working group was mandated to support efforts to write a new anti trafficking law, coordinate NGO activities to prevent trafficking, assist victims, and oversee an initiative to conduct pilot prosecutions of trafficking related crimes. No reported action was taken during the year.

Persons with Disabilities

The law provides protection for persons with disabilities from discrimination in employment, education, or the provision of other state services; however, the government did not enforce the law effectively. There was widespread discrimination by society, and employers limited job and educational opportunities for persons with disabilities. There was no statutory requirement that buildings be accessible to persons with disabilities. The law requires that children with disabilities be given necessary special facilities; however, inadequate funding hampered enforcement of this provision.

On March 27, the Uganda National Association for the Deaf (UNAD) protested the failure by UBC TV to provide for a sign language interpreter during its news bulletins. UNAD stated that the absence of interpreters at UBC TV and other public places such as courts, hospitals, and schools was a violation of human rights. According to UNAD, deaf persons represent 30 percent of the 2.5 million persons with disabilities in the country.

Five seats in parliament were reserved for representatives of persons with disabilities. Government agencies responsible for protecting the rights of persons with disabilities included the Ministry of State for Disabled Persons and the Ministry of Gender, Labor, and Social Development (MGLSD), but both ministries lacked sufficient funding to undertake or support any significant initiatives.

National/Racial/Ethnic Minorities

Civil strife in the north and east led to the violation of the rights of members of the Acholi, Langi, and Iteso ethnic groups, who primarily resided in the districts of Apac, Arua, Gulu, Kitgum, Lira, Pader, and Soroti. LRA rebels, who themselves largely were Acholi, committed abuses against ethnic Acholi and other ethnic groups; however, attacks decreased compared to the previous year due to operations by the UPDF and the ongoing peace negotiations. The LRA was implicated in the killing and kidnapping of Acholi and other tribe members (see section 1.g.). During the year the UPDF committed abuses against ethnic Acholi during combat operations against the LRA.

The ongoing conflict in the Karamoja region intensified during the year and inter clan raids by armed Karamojong warriors in Katakwi, Kotido, and Kapchorwa Districts in the northeast resulted in approximately 459 deaths according to a study conducted by CEWARN. The raids reportedly exacerbated ethnic tensions in the northeast (see section 1.g.).

Other Societal Abuses and Discrimination

Homosexuals faced widespread discrimination and legal restrictions. It is illegal for homosexuals to engage in sexual acts, based on a legal provision that criminalizes "carnal acts against the order of nature" with a penalty of life imprisonment.

On August 8, the Red Pepper tabloid published a list of 45 first names and professions of alleged homosexual men. HRW condemned the tabloid's decision to publish the list and called for the government to end harassment and condemnation of homosexuals and sexual rights activists. There were unconfirmed reports that arrests were made

following the publication of the article.

On August 14, a court in Kampala charged David Kaloke with having "carnal sex" in September 2005 with Michael Mukibi, a 16-year-old student of Kyebando. Kaloke was released on bail and the case was pending at year's end.

In July 2005 parliament amended Article 31 of the constitution to prohibit same sex marriage.

Persons with HIV/AIDS continued to face discrimination among local communities and employers. On July 17, the director of the country's HRW HIV/AIDS program called for an end to abuses of persons living with HIV/AIDS. The NGO cited the example of Vivian Kavuma, who was reportedly murdered in June by her lover after she disclosed she was an HIV/AIDS patient. No arrests were made in the case by year's end.

International and local NGOs, in cooperation with the government, sponsored public awareness campaigns that aimed to eliminate the stigma of HIV/AIDS. Counseling and testing for HIV/AIDS was free and available at health centers and local NGOs across the country. Counselors encouraged patients to be tested with their partners and family so that they all received information about living with HIV/AIDS. Persons living with HIV/AIDS formed support groups to promote awareness in their local communities.

Section 6 Worker Rights

a. The Right of Association

The law allows workers to form and join unions of their choice without previous authorization or excessive requirements, and workers exercised such rights in practice, with the exception of many "essential" government employees, including police, army, and management level officials. In March four labor reform bills were passed, including the Employment Act, the Occupational Safety and Health Bill, the Labor Union Bill, and the Labor Dispute Bill, which significantly improved labor laws concerning workers' rights. The Labor Unions Act repeals the 1976 Trade Unions Decree which required 51 percent or more of the work force to support unionization and at least 1,000 employees to join. The law also bars employers from interfering in the worker's rights of association and makes it a criminal offense for an employer to obstruct this right. However, the government generally did not enforce this provision in practice. For example, employers in the fish industry were not penalized for prohibiting workers from unionizing.

In 2005 union officials estimated that 350,000 workers were unionized, representing approximately 5 percent of working age citizens. The government failed to enforce the rights of some employees to join unions in newly privatized industries and factories.

On July 13, the UJU received a certificate of registration allowing it to operate as a trade union after more than a decade of seeking approval by the MGLSD.

The new law prohibits antiunion discrimination by employers; however, there were reports that incidents in the hotel and textile sectors went uninvestigated. There were also reports that several private companies in the fisheries industry urged workers not to take part in unionization efforts during the year.

b. The Right to Organize and Bargain Collectively

The law allows unions to conduct their activities without interference and provides for collective bargaining; however, the government did not protect these rights in practice. Some employers ignored the legal requirement to enter into collective bargaining agreements with registered unions.

All public service unions, including medical staff and teachers, were not allowed to negotiate their salaries and employment terms. The government fixed the terms and conditions for all civil service workers. There were also reports that workers at Steel Rolling in Jinja were not allowed to negotiate conditions of employment.

On March 28, parliament passed the Labor Disputes (arbitration and settlement) Bill, which provides for the fast resolution of labor disputes and elevates the industrial court to the status of the High Court.

The law provides for the right to strike and workers exercised this right; however, the government did not always protect this right. Government policy required labor and management to make "every effort to reconcile labor disputes before resorting to strike action."

On November 4, a strike against low wages by Makerere University lecturers began, resulting in the closure of the university on November 12. On December 20, the General Assembly of Makerere University Academic Staff Association (MUASA) voted to end the strike. Wage negotiations between MUASA and the government were ongoing

at year's end (see section 2.b.).

There are no export processing zones.

c. Prohibition of Forced or Compulsory Labor

The Employment Act includes provisions prohibiting forced or compulsory labor, including by children; however, there were reports that such practices occurred (see sections 5 and 6.d.).

While the law does not expressly prohibit prison labor, it states that such labor becomes forced if the worker is "hired out to or placed at the disposal of a private individual, company or association." The UHRC reported that forced labor was a serious problem in local government prisons during the year (see section 1.c.). Prison officials hired out prisoners to work on private farms and construction sites, where the prisoners were often overworked. Throughout the country prison officials routinely supplemented their meager wages with cash crops grown by prisoners on the prison grounds. Male prisoners performed arduous physical labor while female prisoners produced marketable handicrafts such as woven basketry. Juvenile prisoners performed manual labor, often for 12 hours per day. Compensation, when paid, generally was very low. The law states that any person found using forced labor will be monetarily fined, imprisoned for up to two years, or to both.

Forced labor by children occurred during the year (see section 6.d.).

d. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits employees from hiring workers below the age of 18; however, statutory orders issued by the Ministry of Labor permit the employment of children under age 14 in "light work," provided it does not interfere with the child's education. Children under the age of 12 are prohibited from being employed in any business or workplace and all children are prohibited from being employed between the hours of 7 pm and 7 am. Nevertheless, child labor was common, especially in the informal sector. Demographics contributed to the problem of child labor; more than half of the population was under 18 years of age. Many children left school and went into agricultural or domestic work to help meet expenses or perform the work of absent or infirm parents, a situation common throughout the country (see section 5). The problem was particularly acute among the large orphan population. A joint International Labor Organization (ILO) and MGLSD survey, released in 2005, estimated that approximately 2.7 million children were employed as workers.

In urban areas children sold small items on the street, worked in shops, begged for money, and were involved in the commercial sex industry (see section 5). Children were also employed in the tea harvesting sector, sugarcane fields, and stone quarries. The MGLSD reported new incidents of the worst forms of child labor, including children involved in illicit activities such as cross border smuggling.

The law prohibits forced and bonded labor by children; however, a lack of resources prevented the government from enforcing this prohibition effectively. There were reports that the UPDF used former LRA child soldiers on reconnaissance and intelligence missions (see section 5).

The LRA often forced abducted children into virtual slavery as guards, laborers, soldiers, and sex slaves (see section 5).

National level institutions that are responsible for child labor and abuse issues include the National Council of Children, the police force's Child and Family Protection Unit, the industrial court, and the MGLSD; however, financial constraints limited their efforts. In June 2005 the MGLSD launched the Orphans and Vulnerable Children Policy, which extended social services to children working in the worst forms of child labor and other target groups. The government also coordinated its efforts to stop child labor through the National Steering Committee on Child Labor, which included representatives of the MGLSD, the Ministry of Education and Sports, the Ministry of Local Government, the Federation of Uganda Employers, the National Organization of Trade Unions, NGOs, journalists, and academics. In 2004 the MGLSD conducted 1,505 labor inspections, including both initial and follow up visits, in 16 districts nationwide. There have been no further inspections since that time. District officers cited a lack of logistical and financial support as the major impediment to adequately conducting inspections.

The government organized a number of child labor awareness workshops, disseminated printed information, and sponsored radio and television discussions to educate the public on child labor issues. The government also cooperated with the ILO, foreign governments, and NGOs in several initiatives to combat child labor, including the education and reintegration of children into their communities. Several human rights NGOs continued programs to remove children from hazardous work situations.

e. Acceptable Conditions of Work

The Employment Act includes provisions for district labor inspectors in order to "secure the enforcement of legal provisions relating to conditions of work and the protection of workers while engaged in their work;" however, no

inspections were carried out during the year due, in part, to financial constraints.

The minimum legal wage was \$3.50 (6,000 shillings) per month, a rate set in 1984, which did not provide a decent standard of living for a worker and family and was not effectively enforced. The government and the private sector negotiated a new rate in 2003; however, no minimum wage legislation had been passed by year's end.

In industries that employed workers on an hourly basis, the normal workweek was 40 hours. According to the new law, the legal maximum workweek is 48 hours; however, exceptions can be made between the employer and employee. The law provides for an employee who works in excess of 48 hours per a week to be remunerated at the minimum rate of 1.5 times the normal hourly rate and two times the hourly rate during public holidays. The law also states that working hours may not exceed 10 hours per day or 56 hours per week; however, an employee may work in excess of 10 hours a day if the average number of hours over a period of three weeks does not exceed 10 hours per day or 56 hours per week. Employees are granted a 30 minute break for every eight hour work shift. For every four months of continuous employment, an employee is entitled to seven days of paid annual leave per calendar year. Many industries paid workers incrementally to avoid overtime and circumvent the prohibition on child labor.

The Occupational Safety and Health Bill focuses on the general duties, obligations, and responsibilities of employers regarding the safety and health of workers. The Workers Compensation Act provides compensation based on an employee's monthly salary for injuries or other hazards that occur at work. Whereas in previous years women were entitled to six weeks of maternity leave, the Employment Act now allows for a minimum of 60 working days of maternity leave and four days of paternity leave.

The MGLSD's Department of Occupational Health was responsible for enforcement of occupational safety regulations. In practice inspections were rare, primarily due to the lack of vehicles and funding for inspection trips. There were fatal accidents at several construction projects during the year. The new law provides workers the right to remove themselves from situations that endanger their health or safety without jeopardy to their employment and, unlike in previous years, there were no reported cases of workers being dismissed for refusal to perform dangerous work. Strong unions in certain dangerous industries protected some such workers.