

**Flygtningenævnets baggrundsmateriale**

|                                    |                                    |
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# Uganda

NOT FREE

**34**  
/100

|                         |               |
|-------------------------|---------------|
| <u>Political Rights</u> | <b>11</b> /40 |
| <u>Civil Liberties</u>  | <b>23</b> /60 |

## LAST YEAR'S SCORE & STATUS

**36 /100 Not Free**

Global freedom statuses are calculated on a weighted scale. [See the methodology.](#)



## Overview

While Uganda holds regular elections, their credibility has deteriorated over time, and the country has been ruled by the same party and

president since 1986. The ruling party, the National Resistance Movement (NRM), retains power through the manipulation of state resources, intimidation by security forces, and politicized prosecutions of opposition leaders. Uganda's civil society and independent media sectors suffer from legal and extralegal harassment and state violence.

## Key Developments in 2019

- Police repeatedly used force to disrupt rallies, protests, and other events organized by the political opposition during the year, in some cases arresting opposition leaders.
- The media regulator ordered the suspension of 39 journalists at 13 outlets in April, though the move was later blocked by a court, and issued a directive in August requiring social media accounts with large followings to register and submit to official monitoring.
- In August, prominent academic Stella Nyanzi was sentenced to 18 months in prison under the Computer Misuse Act for 2018 Facebook posts that were critical of the president.
- In November, the interior minister called on thousands of nongovernmental organizations (NGOs) to cease their activities after they failed to pass a reregistration process.

## Political Rights

### A. Electoral Process

**A1** 0-4 pts

|                                                                                                                      |              |
|----------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Was the current head of government or other chief national authority elected through free and fair elections?</b> | <b>1 / 4</b> |
|----------------------------------------------------------------------------------------------------------------------|--------------|

The president is directly elected to serve five-year terms. In the 2016 election, incumbent Yoweri Museveni won with 60.6 percent of the vote, according to official results. Kizza Besigye of the opposition Forum for Democratic Change (FDC) placed second, with 35.6 percent. The integrity

of the election was undermined by problems including the misuse of state resources and flawed administration by the Electoral Commission (EC).

A 2017 constitutional amendment removed the presidential age limit of 75, allowing the president to seek reelection in 2021. Opposition parties and other critics challenged the validity of the change, citing procedural problems and intimidation, but the Supreme Court upheld the amendment in April 2019.

## A2 0-4 pts

**Were the current national legislative representatives elected through free and fair elections?**

**1** / 4

The 2016 elections for the unicameral Parliament were held concurrently with the presidential vote. A total of 426 members were chosen, including 289 elected in single-member districts, 112 elected to reserved seats for women, and 25 chosen to represent special interest groups (the military, youth, people with disabilities, and trade unions). Members serve terms of five years. The ruling NRM won an absolute majority with 293 seats. Independents won 66 seats, the opposition FDC took 36, and smaller parties divided the remainder. As with the presidential election, the integrity of the balloting was undermined by problems including the misuse of state resources and flawed administration by the EC.

## A3 0-4 pts

**Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?**

**1** / 4

Independent observers, civil society, and opposition leaders have long critiqued and called for substantive reforms to Ugandan electoral laws. On election day in 2016, the EC experienced significant technical and logistical problems. It extended the voting time for polling stations that opened late, with voting in some areas continuing for an extra day even

as counting was well under way. This exacerbated existing mistrust of the EC and raised suspicions of malfeasance.

Following the flawed 2016 elections, the Supreme Court called on the attorney general to implement electoral reforms within two years and update the court on the progress of the changes. The deadline passed in March 2018 with no meaningful reforms advanced. In June 2019 the Supreme Court ordered the government to present reform bills within a month, and in July the attorney general introduced five pieces of legislation, which had yet to be adopted at year's end.

The EC suspended the Citizens' Coalition for Electoral Democracy in Uganda (CCEDU), a prominent NGO, from election observation and voter education activities in July 2018. The commission claimed that the group is partisan and undermines the integrity of elections. However, after representatives from the CCEDU met with the EC in October of that year, both sides indicated that they had reached an agreement to allow the group to resume its work. The ban on CCEDU was formally lifted in February 2019.

## B. Political Pluralism and Participation

**B1** 0-4 pts

**Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?**

**1** / 4

The constitution and laws provide for the formation of political parties, and multiple parties exist and compete in practice. However, the activities of opposition groups are hindered by restrictive party registration requirements and candidate eligibility rules, a lack of access to state media coverage, and violence or harassment by state authorities and paramilitary groups.

Police used tear gas and live ammunition to break up FDC rallies in the towns of Lima and Kasese in April 2019. They used similar tactics to stop FDC leaders from organizing rallies in oil-rich Bunyoro the following month, and ordered local radio stations not to host any opposition politicians. In September police blocked a planned FDC event in eastern Uganda on the grounds that it was illegal under the Public Order Management Act (POMA). When FDC leaders tried to organize the party's national conference in November, heavily armed police and military officers cordoned off the venue and forcibly dispersed party supporters. Besigye and a number of other FDC members were arrested and temporarily detained.

The Alliance for National Transformation (ANT), a new opposition group formed after some FDC members broke away in late 2018, received its registration in April 2019 and held a launch event in May. Some observers warned that the development would further fragment and weaken the opposition.

## **B2** 0-4 pts

**Is there a realistic opportunity for the opposition to increase its support or gain power through elections?**

**1** / 4

The ruling party dominates all levels of government. There are several dozen opposition lawmakers in Parliament, as well as numerous independents, though some of the latter support the NRM. Presidential and parliamentary election campaigns are characterized by violence, intimidation, and harassment toward opposition parties.

Leaders of opposition parties and political movements are sometimes arrested on trumped-up criminal charges. There were multiple arrests of FDC leaders during 2019, and Robert Kyagulanyi—better known as Bobi Wine, a singer, Parliament member, and leader of the People Power group—was targeted for harassment throughout the year. He was placed under house arrest in April after police canceled a press conference and concert he planned to hold, then faced arrest later that month on charges related to an allegedly illegal assembly the previous year. Wine was

released on bail a few days later. In July he announced that he would run for president in 2021. Wine and more than 30 others were still awaiting trial on treason charges arising from a 2018 incident in Arua district; police alleged that Wine and his supporters obstructed President Museveni's motorcade and threw stones at the vehicles. Charges of annoying, alarming, or ridiculing the president were added to the case in August 2019.

**B3** 0-4 pts

**Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?**

**1** / 4

The military is closely aligned with Museveni and the NRM, and holds 10 seats in Parliament. The government and ruling party also reportedly use public resources and patronage networks to build political support among religious leaders and other influential figures.

**B4** 0-4 pts

**Do various segments of the population (including ethnic, religious, gender, LGBT, and other relevant groups) have full political rights and electoral opportunities?**

**2** / 4

The dominant position and coercive tactics of the NRM impede free political participation and advocacy of interests by Uganda's various ethnic groups, including those affiliated with traditional kingdoms and smaller indigenous groups. An assessment of women's participation in the 2016 elections by the Women's Democracy Group, a coalition of Ugandan civil society organizations, noted a widespread perception that because a certain number of legislative seats are reserved for women, "they should not contest for direct positions so as to reduce on the competition for male contestants." Due to severe legal and societal discrimination, the interests of LGBT+ people are not represented in politics.

## C. Functioning of Government

**C1** 0-4 pts

**Do the freely elected head of government and national legislative representatives determine the policies of the government?**

**1** / 4

Power is concentrated in the hands of the NRM leadership, the security forces, and especially the president, who retains office through deeply flawed electoral processes. Lawmakers have little practical ability to influence legislation in which the government has a particular interest, though there is more consultation on ordinary policy matters. The executive has secured passage of key legislation through inducement, harassment, and intimidation of the legislative branch. For example, several opposition lawmakers were assaulted and forcibly removed from Parliament by plainclothes military officers during the reading of the 2017 constitutional amendment bill that removed the presidential age limit.

**C2** 0-4 pts

**Are safeguards against official corruption strong and effective?**

**1** / 4

Corruption is a serious problem. There are laws and institutions designed to combat official malfeasance, including the Anti-Corruption Act of 2009 and the Inspectorate of Government, and instances of alleged graft have led to investigations and intense media attention. However, the system has not been effective at addressing corruption in a sustained manner, and top government officials are rarely prosecuted in practice.

**C3** 0-4 pts

**Does the government operate with openness and transparency?**

**1** / 4

Many government departments deny requests for information under the country's Access to Information Act. Other laws related to national security and confidentiality also impede open access to information in practice. Public procurement decisions are generally opaque.

# Civil Liberties

## D. Freedom of Expression and Belief

**D1** 0-4 pts

**Are there free and independent media?**

**1** / 4

The media sector features many independent outlets, but their journalists face arrest, harassment, intimidation, and assault in reprisal for their work. In February 2019, a team of British journalists were arrested and temporarily detained while investigating the illegal sale of drugs from public health facilities. Authorities raided or shut down a number of radio stations for hosting Besigye during the year, and several journalists were arrested while attempting to cover protests and opposition party events. In November, police forcibly dispersed journalists who had gathered to protest police brutality against their colleagues.

Both reporters and outlets are at risk of suspension and other forms of regulatory interference. In February 2019, the Uganda Communications Commission (UCC), a government media regulator, ordered the *Daily Monitor* newspaper to shut down its website, accusing it of failing to register under a 2018 directive requiring all online media to obtain the commission's permission to operate. In April the UCC ordered the suspension of 39 journalists at 13 television and radio stations over their coverage of protests that followed the arrest and detention of Bobi Wine that month. Two activists went to court to challenge the suspensions on behalf of the Uganda Journalists Association, and the High Court in Kampala ruled in their favor in May, blocking the UCC's action. In August, the regulator required social media accounts with large followings to register and submit to official monitoring. In October, the UCC warned five broadcasters that their coverage of political affairs and protests violated their license agreements, and ordered a local radio station, Pearl FM, to

suspend *Inside Story*, a popular political talk show, citing complaints from security agencies.

*Score Change: The score declined from 2 to 1 due to persistent state pressure on independent media, including arrests of journalists, the interruption of broadcasts, and the mass suspension of reporters and outlets.*

**D2** 0-4 pts

**Are individuals free to practice and express their religious faith or nonbelief in public and private?**

**3** / 4

There is no state religion, and freedom of worship is both constitutionally protected and generally respected in practice. However, the government has restricted religious groups whose members allegedly pose security risks. It has also sought to control political statements by religious leaders, tolerating those who express support for President Museveni and the ruling party while subjecting those with more critical views to intimidation, harassment, and arrest. In July 2019, police arrested a prominent pastor, Joseph Kabuleta, for posting a statement on Facebook that allegedly offended “the person of the president.” In his post, Kabuleta had criticized the president’s son, who was supposedly being positioned to succeed his father.

A series of Muslim clerics have been murdered in recent years, and the investigations into the crimes have not yet led to any convictions.

**D3** 0-4 pts

**Is there academic freedom, and is the educational system free from extensive political indoctrination?**

**2** / 4

Academic freedom has been undermined by alleged surveillance of university lectures by security officials, and by the need for professors to obtain permission to hold public meetings at universities. In December 2018, 45 staff members at Makerere University in Kampala were dismissed for indiscipline, but critics argued that the dismissals were

meant to silence critics of the government within the university. In August 2019, a prominent Makerere University academic, Stella Nyanzi, was sentenced to 18 months in prison for 2018 Facebook posts that were critical of President Museveni. Nyanzi, who had been in jail since late 2018 and lost her university post in February 2019, was charged under the Computer Misuse Act, which the government has often invoked to stifle political dissent.

The authorities have responded harshly to campus protests by student groups. In October 2019, police and the military used tear gas and raided dormitories at Makerere University, beating and arresting students who were demonstrating against fee increases.

*Score Change: The score declined from 3 to 2 due to increased government pressure on universities in recent years, including a crackdown on student protesters and the punishment of critical speech by faculty members.*

#### **D4** 0-4 pts

|                                                                                                                                                 |              |
|-------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?</b> | <b>2 / 4</b> |
|-------------------------------------------------------------------------------------------------------------------------------------------------|--------------|

Private speech is relatively unrestrained, and Ugandans openly criticize the government on social media. However, individuals are at risk of criminal penalties for such speech, and the government reportedly monitors social media platforms. Media reports in August 2019 indicated that Ugandan intelligence officials, with assistance from a Chinese telecommunications firm, have hacked into the accounts and devices of opposition figures to track their communications and movements; the same techniques could presumably be used against ordinary citizens.

In 2018, the government implemented a controversial social media tax, requiring users on platforms like Facebook, Twitter, and WhatsApp to pay a daily fee of \$0.05, which is prohibitively expensive for many. Critics assailed the tax as an attack on freedom of expression and an attempt to limit the exchange of criticism of the government and mobilization of the

opposition online. According to the UCC, the tax led to a decline in the number of social media users in the months following its introduction. Also in 2018, Museveni instructed the Uganda Revenue Authority to monitor all phone calls within the country, claiming that the government was losing significant tax revenue due to the underreporting of calls by telecommunications companies.

## E. Associational and Organizational Rights

**E1** 0-4 pts

|                                      |              |
|--------------------------------------|--------------|
| <b>Is there freedom of assembly?</b> | <b>1</b> / 4 |
|--------------------------------------|--------------|

Freedom of assembly is restricted by POMA, the 2013 public order law, which requires groups to register with local police in writing three days before any gathering, public or private, to discuss political issues. The police have authority to deny approval for such meetings if they are not deemed to be in the “public interest,” and to use force to disperse assemblies judged unlawful. The government has relied on POMA to block opposition meetings and rallies, and to stop opposition lawmaker Bobi Wine, who is a popular singer, from holding concerts. This pattern continued in 2019, with police repeatedly using tear gas, live ammunition, and arrests to disrupt opposition events. To circumvent these restrictions, opposition politicians have sometimes resorted to organizing meetings in their residences.

**E2** 0-4 pts

|                                                                                                                                              |              |
|----------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?</b> | <b>1</b> / 4 |
|----------------------------------------------------------------------------------------------------------------------------------------------|--------------|

Civil society in Uganda is active, and several NGOs address politically sensitive issues. However, their operations are vulnerable to various legal

restrictions, burdensome registration requirements, and occasional threats. NGOs that work on human rights issues have reported break-ins at their offices and burglaries in recent years, and the police have failed to adequately investigate the incidents.

In August and September 2019, the government required NGOs to submit information to the National Bureau for NGOs on their staffing, finances, and activities. In November, the interior minister ordered some 12,000 NGOs to shut down for failing to renew their registration, though the bureau said the groups would still have an opportunity to reregister. Only about 2,000 groups had successfully navigated the process.

### E3 0-4 pts

**Is there freedom for trade unions and similar professional or labor organizations?**

**2** / 4

Workers' rights to organize, bargain collectively, and strike are recognized by law, except for workers providing essential government services. As of 2018, there were 42 trade unions in Uganda, representing close to one million people. Most are grouped under two umbrella entities—the National Organization of Trade Unions (NOTU) and the Central Organization of Free Trade Unions (COFTU). Despite their legal and institutional protections, trade unions have been undermined in practice by co-optation, intimidation, and manipulation designed to frustrate their organizing and bargaining efforts.

## F. Rule of Law

### F1 0-4 pts

**Is there an independent judiciary?**

**1** / 4

Executive influence weakens judicial independence, as does systemic corruption. In August 2019, the chief justice established an internal task

force to investigate widespread allegations of judicial corruption, but the FDC called for an independent probe by outside lawyers and experts.

## F2 0-4 pts

|                                                                |              |
|----------------------------------------------------------------|--------------|
| <b>Does due process prevail in civil and criminal matters?</b> | <b>1 / 4</b> |
|----------------------------------------------------------------|--------------|

Police routinely engage in arbitrary arrests and detentions, despite legal safeguards against such practices. Other impediments to due process include prolonged pretrial detention, inadequate access to counsel for defendants, and corruption. A number of reform initiatives in recent years, including the introduction of plea bargaining in 2015, have reportedly had some success in reducing large case backlogs.

## F3 0-4 pts

|                                                                                                               |              |
|---------------------------------------------------------------------------------------------------------------|--------------|
| <b>Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?</b> | <b>1 / 4</b> |
|---------------------------------------------------------------------------------------------------------------|--------------|

Rape, extrajudicial violence, and torture and abuse of suspects and detainees by security forces are persistent problems, and prosecutions of the perpetrators are rare. The alleged torture of Bobi Wine and other opposition politicians in August 2018 led to protests against police brutality. The government said it would investigate Wine's allegations of torture, but no charges had been filed as of 2019.

Prison conditions are poor, as the prison system is operating at about three times its intended capacity, with pretrial detainees constituting nearly half of the inmate population.

## F4 0-4 pts

|                                                                                                          |              |
|----------------------------------------------------------------------------------------------------------|--------------|
| <b>Do laws, policies, and practices guarantee equal treatment of various segments of the population?</b> | <b>1 / 4</b> |
|----------------------------------------------------------------------------------------------------------|--------------|

The LGBT+ community continues to face overt hostility from the government and much of society. Same-sex sexual activity is criminalized

under a colonial-era law. Men and transgender women accused of consensual same-sex conduct are sometimes forced to undergo an anal exam that Human Rights Watch says could amount to torture. In October 2019, LGBT+ activist Brian Wasswa was fatally attacked at his home in Jinja. In October and November, police carried out two groups of mass arrests of members of the LGBT+ community in Kampala.

The law prohibits employment discrimination based on gender and other criteria, but it does not cover the informal sector, in which most women work, and women are subject to de facto discrimination in employment and other matters.

There were almost 1.4 million refugees living in Uganda at the end of 2019, and the government has been praised for its progressive asylum policies. However, it struggles to fund basic services for some refugee populations.

## G. Personal Autonomy and Individual Rights

**G1** 0-4 pts

**Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?**

**3 / 4**

Freedom of movement in Uganda is largely unrestricted, including for refugees, most of whom live outside of camps and have been able to move more freely in recent years. However, bribery is common in many facets of life, such as interacting with traffic police, gaining admittance to some institutions of higher education, and obtaining government jobs.

**G2** 0-4 pts

**Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?**

**2 / 4**

Customary land tenure is widespread in the north, and land disputes—some of them violent—are common, particularly when private development projects are at stake. Forced evictions sometimes occur in northern and central Uganda. In 2018, police detained 26 land rights activists and two local NGO staff for mobilizing residents of Mubende district to resist illegal evictions; a related clash with employees of a businessman carrying out evictions had led to one death. The 28 individuals were charged in late 2018 with nine counts, including murder and aggravated robbery. In October 2019, their counsel was briefly detained when he demanded access to his clients. The trial was adjourned in November 2019 and expected to resume in 2020.

In June 2018, 200 people from Apaa sought protection at the Office of the UN High Commissioner for Human Rights (OHCHR) after security forces allegedly burned down their homes. Residents returned after a month, but forced evictions in the area have reportedly continued.

The law allows women to inherit land, but local customary rules and societal practices put women at a disadvantage regarding land tenure and inheritance.

### **G3** 0-4 pts

|                                                                                                                                                                                |              |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|
| <b>Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?</b> | <b>1</b> / 4 |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|

Domestic violence is widespread and underreported, and underage marriages are common in some communities. Some 40 percent of women aged 20 to 24 were married by age 18. According to a UN Children's Fund report published in 2018, one in three women between the ages of 18 and 24 were victims of sexual violence as children, and more than 60 percent of young adults experienced physical abuse as children. In November 2018, courts across the country began holding special sessions to address a backlog of thousands of rape and domestic violence cases.

### **G4** 0-4 pts

## Do individuals enjoy equality of opportunity and freedom from economic exploitation?

1 / 4

Poor enforcement of labor laws contributes to unsafe or exploitative conditions for some workers, including extremely low pay. Child labor in agriculture, domestic service, and a variety of other industries is a significant problem, and the issue is most prevalent in rural areas. Sexual exploitation of minors is also an ongoing problem.

While Uganda has in place a number of domestic laws to promote workers' rights, the government has failed to regulate the recruitment and transfer of Ugandan domestic workers to Middle Eastern countries. Accounts that surfaced in the media in 2019 described Ugandan workers in the Middle East experiencing sexual abuse, beatings, exploitation, and torture. A report issued by Parliament in late 2017 revealed the deaths of 48 Ugandans working in the Middle East in the first 11 months of that year, out of which 34 died by committing suicide. The government has promised legislation to regulate the employment of Ugandans abroad, and a draft bill was under consideration in late 2019.



### On Uganda

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### Country Facts

#### Global Freedom Score

**34/100** Not Free

#### Internet Freedom Score

**56/100** Partly Free

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