

Flygtningenævnets baggrundsmateriale

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Freedom in the World - Uganda (2007)

Population:
27,700,000

Capital:
Kampala

Political Rights Score: 5
Civil Liberties Score: 4
Status: Partly Free

Overview

President Yoweri Museveni defeated Forum for Democratic Change (FDC) candidate Kizza Besigye in the March 2006 presidential election. Museveni's National Resistance Movement (NRM) also won a large majority in simultaneous parliamentary elections. Separately, the rebel Lord's Resistance Army (LRA) entered into intermittent peace talks with the government, raising hopes that the vicious and long-running guerrilla war in northern Uganda might be winding down.

In the years following its independence from Britain in 1962, Uganda experienced considerable political instability. Milton Obote, an increasingly authoritarian leader who served as prime minister and then president, was overthrown by Major General Idi Amin in 1971. Amin's brutality made world headlines as hundreds of thousands of people were killed. His 1978 invasion of Tanzania finally led to his overthrow, with Tanzanian forces and Ugandan exiles routing his army. After Obote returned to power in 1980 in fraudulent elections, he and his backers from northern Uganda savagely repressed his critics, who were primarily from southern Ugandan ethnic groups.

Obote was ousted for a second time in a 1985 army coup. Conditions continued to worsen until the National Resistance Army, led by Yoweri Museveni, entered Kampala in January 1986 and assumed power. The new government imposed a ban on most formal political party activities, including the sponsoring of candidates for elections and the staging of political rallies. Arguing that majoritarian democracy exacerbated religious and ethnic tensions in Africa, Museveni introduced a "no party" system with only one, supposedly nonpartisan political organization—the National Resistance Movement (NRM)—allowed to operate unfettered. This system remained in place for two decades.

Museveni and his NRM comfortably won presidential and legislative elections in 2001. However, the elections were held under conditions that called their legitimacy into question. Reports on the presidential election by human rights groups and donor countries noted that state media and other official resources were mobilized in support of Museveni's candidacy, and that the ban on most formal party activities further hindered the opposition. Most observers agreed, however, that Museveni would have won in an open contest and described the actual balloting and vote-tabulation processes as largely transparent. The opposition, which claimed that the elections were rigged, boycotted subsequent parliamentary elections; the NRM's comfortable majority was buttressed by dozens of special-interest representatives nominated by the president.

In 2002, the parliament passed the Political Parties and Organizations Act, putting forth the conditions under which political parties could be registered and function fully. In 2003, the Constitutional Court ruled that parts of the law were unconstitutional, as they effectively prevented political parties from carrying out their activities. Despite the ruling, the NRM continued to dominate the nation's political life. In 2004, the Constitutional Court voided restrictions on the freedom of political parties to function. With the 2006 presidential election looming, Ugandan voters in 2005 approved constitutional amendments that both lifted the ban on political parties and repealed the prohibition on sitting presidents running for a third term. As a result, Museveni was able to seek reelection in 2006.

In October 2005, Obote, the former authoritarian president and longtime opposition leader, died in exile in Zambia. As a testament to his controversial standing among Ugandans, his passing was both mourned and celebrated inside the country. Another leading Museveni opponent, Dr. Kizza Besigye, returned from exile and announced his intention to run for president. Besigye, of the Forum for Democratic Change (FDC), was subsequently arrested on charges of treason, terrorism, rape, and unlawful possession of firearms.

Benefiting from the advantages of incumbency, Museveni defeated Besigye in the March 2006 presidential election, taking 59 percent of the vote according to official results. The NRM also won a large majority in simultaneous parliamentary elections. Besigye was later cleared of the rape charges, but the treason charge was still pending at year's end.

Regional tensions, especially with the Democratic Republic of Congo (DRC), Rwanda, and Sudan, have continued in recent years. In 2005, the Lord's Resistance Army (LRA), a cult-like Ugandan rebel movement with no clear agenda, moved to bases in the DRC, further heightening regional concerns. LRA violence in the north continued throughout the year, with human rights violations committed on both sides. Also in 2005, five LRA leaders were indicted by the International Criminal Court (ICC), which called for their arrest. In 2006, the guerrilla group entered into intermittent peace talks with the government. Despite several serious hitches, a truce was signed in late August between the rebels and the Ugandan government, sustaining hopes for overall peace talks being mediated by the autonomous government of southern Sudan. LRA leader Joseph Kony, under indictment by the ICC, has insisted that the international charges be dropped before any peace deal is finalized.

Uganda is home to more than 500,000 people infected with HIV. According to the Joint United Nations Program on HIV/AIDS (UNAIDS), the presence of HIV/AIDS in Uganda has declined in recent years. The overall prevalence in the country is approximately 6 percent, which is a more than 50 percent reduction since 1992, although recent reports suggest that the infection rate may be starting to climb again.

Political Rights and Civil Liberties

Uganda is not an electoral democracy. A long-standing ban on political party activity was formally lifted only in 2005, and the change was coupled with the removal of a two-term limit for presidents. The president and the single-chamber National Assembly are elected for five-year terms. Of the current assembly's 332 members, 215 are directly elected and 104 indirectly elected from special interest groups, including women, the army, youth, the disabled, and trade unions. There

are also 13 ex-officio seats filled by cabinet ministers, who are not elected members of parliament and do not have voting rights.

The personalized nature of the Ugandan power structure was reflected in the 2006 parliamentary contest, in which a number of junior cabinet ministers were defeated while the NRM won nearly two-thirds of the seats. Parliament does assert some independence vis-à-vis the executive branch. High-level government officials have been censured, and several government actions and policies have been influenced or altered by parliamentary oversight. Significant concerns exist, however, regarding the ability of opposition parties to compete on a relatively level playing field with the NRM. Opposition parties have protested restrictive party registration requirements and the dominant status of the NRM. Other controversial issues have included federalism, voter and candidate eligibility, the use of government resources to support NRM candidates, and the use of illegal paramilitary groups to intimidate voters.

In 2006, Human Rights Watch identified a number of methods used by the NRM to impede the free expression of political will, including intimidation of the opposition, military interference in the courts, and bias in campaign funding and media coverage. The army also occupies a position in politics incompatible with democratic principles; its representatives sit in parliament and have openly campaigned in support of Museveni.

Under the 1995 constitution, new institutions were set up to investigate corruption and human rights violations and promote the return to democratic governance. These have made some headway in the fight against corruption and abuse of office, although a number of alleged corrupt acts by government officials have not been fully pursued. Some governmental corruption has been reported in the media. In 2005, the Global Fund suspended disbursement of more than \$200 million in assistance to fight HIV/AIDS due to evidence of "inappropriate expenditure and improper accounting" in the Health Ministry's project management unit. Museveni subsequently fired the top leadership of the Health Ministry. The suspension was lifted three months later, after Museveni appointed a judicial panel to investigate the concerns and named international auditing firm Ernst & Young to oversee the troubled unit. Also that year, the parliament passed a provision creating special anticorruption courts to try government officials. Uganda was ranked 105 out of 163 countries surveyed in Transparency International's 2006 Corruption Perceptions Index.

The Ugandan constitution provides for freedom of speech. Independent print media outlets, including more than two dozen daily and weekly newspapers, are often highly critical of the government and offer a range of opposition views. Several private radio and television stations report on local political developments. Buttressed by legislation limiting press freedoms, the government at times selectively arrests or harasses journalists. A sedition law remains in force and is applied selectively to journalists and others who hold views that are at variance with those of the NRM.

Journalists in Uganda face increasing pressure from the government. In December 2005, after the start of the election campaign, the state brought criminal charges of "promoting sectarianism" against editor James Tumusiime and reporter Semujju Ibrahim Nganda of the privately owned *Weekly Observer*. They face up to five years in prison. The paper had reported accusations from the FDC that the

president and top military officials were persecuting its presidential candidate, Kizza Besigye, on ethnic grounds. In March 2006, a Canadian journalist resident in Uganda was refused reentry to the country on the grounds that he posed a security threat.

The number of internet service providers has grown rapidly in recent years, although access remains limited mostly to major urban centers. The government drew criticism from press watchdog groups during the election campaign by blocking the website of Radio Katwe, which was highly critical of the ruling party.

There is no state religion, and freedom of worship is constitutionally protected and respected. Various Christian sects and the country's Muslim minority practice their creeds freely. The 2006 U.S. State Department Report on International Religious Freedom determined that "government policy continued to contribute to the generally free practice of religion." Academic freedom is also generally respected.

Freedom of association and assembly are officially recognized. Nongovernmental organizations (NGOs) currently make a significant contribution to Uganda's social, economic, cultural, and political life. They encourage the expression of different views and have been willing to address politically sensitive issues. The existence and activities of NGOs are, however, vulnerable to the abuse of legal restrictions, including the manipulation of registration requirements. In 2006, the parliament passed the government-sponsored NGO Registration Amendment Act, requiring all NGOs and Pentecostal churches to reregister with the Internal Affairs Ministry a year after their initial registration. The bill was opposed by the NGO sector.

According to the International Confederation of Trade Unions, despite repeated requests from the International Labor Organization (ILO), the government has delayed revising restrictive labor legislation that makes it difficult to unionize or strike. Many private firms refuse to recognize unions. The National Organization of Trade Unions, the country's largest labor federation, is largely independent of the government and political parties.

The judiciary is still influenced by the executive, although it has demonstrated increasing autonomy in recent years. However, sensitive human rights issues, such as police brutality, rape, domestic violence, and vigilante justice, remain serious concerns. Prolonged pretrial detention, inadequate resources, the army's occasional refusal to respect civilian courts, and poor judicial administration combine to impede the fair exercise of justice.

Prison conditions are difficult, especially in local jails. The number of inmates is estimated at 19,000, of which approximately 10,000 are awaiting trial. Prison capacity is estimated to be about 9,000. More than 500 prisoners die annually as a result of poor diet, sanitation, and medical care. Pretrial detainees constitute more than half of the prison population. A 2006 report by the NGO Foundation for Human Rights Initiative identified the police Violent Crime Crack Unit as engaging in torture and maintaining safe houses for that purpose. The 2002 Suppression of Terrorism Act, which defines any act of violence or threat of violence for political, religious, economic, or cultural ends as a terrorist act, imposes harsh penalties on suspected terrorists, raising fears that it could be used against political opponents. The unlawful possession of arms is also defined as terrorism. Publishing news that is "likely to promote terrorism" can result in up to 10 years' imprisonment.

In its 2006 report, the Uganda Human Rights Commission (UHRC) stated that the plight of internally displaced persons (IDPs) had improved, partly as a result of a government policy to decongest IDP camps. Concerns remained, however, about serious human rights violations related to the ongoing guerrilla war in the northern part of the country between LRA rebels and the military. Torture by security forces, especially at the local level, has continued despite the government's assurance that it is not condoned on an institutional level. Northern ethnic groups complain of official neglect.

Although the constitution enshrines the principle of equality between women and men, discrimination against women remains pronounced, especially in rural areas. Incidents of domestic violence and sexual abuse, including rape, are often not reported to police and are rarely investigated. According to the UHRC, the most common complaints registered relate to child maintenance and neglect. Polygamy remains legal. There are no laws protecting women from domestic violence; draft laws, such as the Domestic Relations Bill and the Sexual Offenses Bill, have languished in the National Assembly for years. Cultural practices such as female genital mutilation continue to exist. The UHRC and other NGOs indicate that sexual abuse of minors is increasing. According to the ILO, more than 2.7 million children are employed as workers.

Uganda has legislated quotas for women officials in all elected bodies, from village councils to the national parliament. Almost 20 percent of parliament members are female. One-third of local council seats must, by law, go to women. The law gives women inheritance rights over land, but customary patriarchal practices mean that the formal legal provisions are often ignored. Abortion is permitted when the mother's mental or physical health would otherwise be seriously affected.