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Country Report on Human Rights Practices 2018 - Uganda

EXECUTIVE SUMMARY

Uganda is a constitutional republic led since 1986 by President Yoweri Museveni of the National Resistance Movement (NRM) party. In 2016 voters re-elected Museveni to a fifth five-year term and returned an NRM majority to the unicameral parliament. The elections fell short of international standards and were marred by allegations of disenfranchisement and voter intimidation, harassment of the opposition, closure of social media websites, and lack of transparency and independence in the Electoral Commission (EC). The periods before, during, and after the elections were marked by a closing of political space, intimidation of journalists, and widespread use of torture by the security agencies.

Civilian authorities maintained effective control over the security forces.

Human rights issues included reports of unlawful or arbitrary killings; forced disappearance; torture; arbitrary detention; political prisoners; violence and intimidation against journalists, censorship, criminalization of libel, and restricted access to the internet; substantial interference with the rights of peaceful assembly and freedom of association; restrictions on political participation; corruption; criminalization of same-sex consensual sexual conduct; and security force harassment and detention of lesbian, gay, bisexual, transgender, and intersex (LGBTI) persons.

The government was reluctant to investigate, prosecute, or punish officials who committed human rights violations, whether in the security services or elsewhere in government, and impunity was a problem.

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

a. Arbitrary Deprivation of Life and Other Unlawful or Politically Motivated Killings

There were several reports the government or its agents committed arbitrary or unlawful killings, including due to torture.

On August 13, the presidential guard Special Forces Command (SFC) shot and killed Member of Parliament (MP) Robert Kyagulanyi’s (alias Bobi Wine) driver, Yasin Kawuma, while he was seated in Kyagulanyi’s car (see section 1.e.).

According to local media, between February 2017 and September, the Uganda Peoples Defense Forces (UPDF) killed at least nine men whom it accused of illegal fishing. On January 22, local media reported that the UPDF’s Marine Patrol Unit beat, shot, and drowned unarmed civilians it suspected of illegal fishing practices. Fishing communities told local media that UPDF soldiers tied weights to the legs of the fishermen and threw them into the lake. The UPDF’s head of marine operations James Nuwagaba told local media that UPDF soldiers only used force to defend themselves against those fishermen who fled imminent arrest and used their oars to attack soldiers. In an April 14 statement, the president stated, “Although the UPDF personnel had been accused of some excesses, such as beating people, the lake had been saved. Those who spend time blaming the army for some mistakes should know that the first mistake was bad fishing.”

Local civil society organizations (CSOs) and local media reported that on March 25, UPDF personnel shot and killed unarmed civilian Python Okello, a resident of Apaa village in Adjumani district. The UPDF and the Uganda Wildlife Authority were forcefully evicting local residents from a contested village (see section 6). On May 16, the UPDF spokesperson denied the killing and insisted that the eviction was peaceful.

The Uganda Human Rights Commission (UHRC) noted in its annual report on June 8 that the Uganda Police Force (UPF) at Runga Police post in Kibiro parish, Kigorobya subcounty, Hoima district, had in 2017 tortured to death a suspect accused of theft. The UHRC was investigating the incident at year’s end.

b. Disappearance

Local media reported several disappearances of Kyagulanyi’s supporters. On October 10 and 23, media reported that families of two Kyagulanyi supporters had reported the father and son missing for more than a week after unidentified men picked them up at their homes. The UPF and UPDF denied knowledge of their detention. On August 2, local media reported that armed men dressed in UPDF uniforms had, on July 9, captured chief of police Kale Kayihura’s aide Enoch Buntu at his house near Kampala and taken him to an unknown destination. His family told local media that they had not seen him since. The UPDF and UPF denied having knowledge of his arrest.

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

The constitution and law prohibit such practices. The Anti-Torture Act stipulates that any person convicted of an act of torture may be sentenced to 15 years’ imprisonment, a fine of 7.2 million shillings (\$1,920), or both. The penalty for conviction of aggravated torture is life imprisonment. Nevertheless, there were credible reports security forces tortured and physically abused suspects.

On August 13, the SFC arrested MPs Kyagulanyi and Francis Zaake, among others (see section 1.e.). On August 15, local media published images of Zaake taken at a health facility in Arua where he had been arrested. The images showed wounds and deep cuts on Zaake’s hands and ears, and bruises and swelling on his face, and reported that he had incurred these while in military detention. According to local media, the military later dumped Zaake’s unconscious body at a hospital in Kampala where medics placed him on life support. Kyagulanyi was also reportedly tortured while in detention. On August 16, when the UPDF arraigned him in a military court in the presence of his two lawyers, the lawyers reported that Kyagulanyi had bruises and swelling on his face, and could not stand, sit, see, or hear. Kyagulanyi was carried into the proceedings by two soldiers who placed his slumped body into a seat. Two weeks later Kyagulanyi was able to fly overseas for medical treatment. While abroad Kyagulanyi stated that SFC soldiers hit him on the head with a metal bar, beat, kicked and punched him all over his body including in the eyes, mouth and nose, and pulled and squeezed his genitals. In a letter to the speaker of parliament dated August 31, President Museveni cautioned the house from referring to Kyagulanyi’s treatment as torture because the full facts “had yet to be established.”

The African Center for Treatment and Rehabilitation of Torture Victims (ACTV) reported that through July, it had registered 63 allegations of torture committed by the UPF, seven by the Flying Squad Unit of the UPF, 12 by the UPDF, and three by the Chieftaincy of Military Intelligence (CMI).

On October 10, local television stations aired a video showing an individual wearing a UPDF uniform kicking, slapping, and beating with sticks a detainee. The video footage showed the uniformed individual interrogating the detainee about his association with Kyagulanyi and local CSOs. The UPDF denied its officers were involved in the beating. A UPDF spokesperson told local media that it would launch an investigation, and implied that the soldier in the video was not an actual member of the UPDF. The UPDF had not released the results of the investigation by year’s end.

The UHRC reported that during 2017, it awarded 800 million shillings (\$213,000) in compensation to victims of torture.

Local media and CSOs reported multiple cases of the security agencies torturing detainees to secure confessions or as punishment. On July 12, a lawyer representing 10 men accused of kidnap and murder reported to local media that the UPF and the UPDF had forced his clients to sleep on steep stairs, beat and electrocuted them, and stepped on their stomachs to force them to vomit water they had been compelled to drink during interrogation in an undisclosed detention facility.

Prison and Detention Center Conditions

Conditions in detention centers remained poor and, in some cases, life threatening. Serious problems included overcrowding, physical abuse of detainees by security staff and fellow inmates, inadequate food, and understaffing. Local human rights groups, including the ACTV, received numerous reports of torture by security forces and prison personnel. Reports of forced labor continued. Most prisons did not have accommodations for persons with disabilities. The Foundation for Human Rights Initiative (FHRI) reported that the domestic intelligence agency Internal Security Organization (ISO) also maintained unofficial detention facilities in and around Kampala where it detained suspects without charge (see section 2.a.).

Physical Conditions: Gross overcrowding remained a problem. The UHRC reported in June that “some prisons housed twice or up to three times their designated capacities,” especially prisons holding male detainees. The Uganda Prisons Service (UPS) reported that it held 49,322 inmates, yet its capacity was 22,000. The UHRC reported that it found the 250-person-capacity Arua Government Prison holding 840 inmates and the eight-person-capacity Kamwenge Police Station men’s cell holding 30 detainees. The UHRC reported that delays in the judicial process caused overcrowding in police cells. The UPS reported that overcrowding had increased the spread of communicable diseases, especially multi-drug-resistant tuberculosis.

According to the UHRC, authorities violated the law by holding juveniles and adult detainees together in police stations it visited due to absence of specialized holding cells for children, ignorance of the law by UPF personnel, and failure to ascertain the juvenile’s age. In at least five police stations it visited, the UHRC found juveniles aged 11 to 14 years detained in the same cell as adults. The UHRC also reported that authorities kept pretrial detainees and convicted prisoners together in all but two prisons.

The FHRI and the UPS noted there were reports of prison food shortages, which led some inmates to trade sex in exchange for food from fellow inmates and UPS staff. The UHRC reported that detainees in an unspecified number of police stations spent entire days without receiving a meal while those in the Kasese and the Fort Portal police stations received one meal a day. The UHRC reported that the majority of detainees relied on family members for food.

Administration: Authorities did not always carry out investigations into credible allegations of mistreatment and, according to the FHRI, even turned away persons reporting violations. The UPDF did not make efforts to investigate and bring to account alleged perpetrators of beatings of two MPs (see section 1.e.). A lawyer representing six Rwandan nationals whom authorities detained December 20, 2017, and deported to Rwanda on December 29, told local media on January 9 that the UPDF’s CMI blocked their lawyers, family, and friends from accessing them.

Independent Monitoring: Authorities allowed the ACTV to conduct prison visits with advance notification. The International Committee of the Red Cross declined to comment on whether it conducted prison visits during the year.

Improvements: On January 19, the UPS reported that it recruited 706 new wardens, increasing the number of UPS staff to 9,787. The UPS acknowledged, however, that it still had a staff shortage of 39,683. The UPS also reported that it had completed the construction of wards in three prisons to ease overcrowding.

d. Arbitrary Arrest or Detention

Although the law prohibits arbitrary arrest and detention, security forces often arbitrarily arrested and detained persons, including opposition leaders, politicians, activists, demonstrators, and journalists. The law provides for the right of persons to challenge the lawfulness of their arrest or detention in court, but this mechanism was seldom employed and rarely successful.

Role of the Police and Security Apparatus

Under the Ministry of Internal Affairs, the UPF has primary responsibility for law enforcement. The UPDF, under the Ministry of Defense, is responsible for external security and may aid civil authorities when responding to riots or other disturbances of the peace. The CMI is legally under UPDF authority and may detain civilians suspected of rebel or terrorist activity. Other agencies with law enforcement powers include the Directorate of Counter Terrorism, Joint Intelligence Committee, and Special Forces Brigade.

The security services used excessive force, including torture, failed to prevent societal violence, and at times targeted civilians. On August 19, local media reported that in the town of Mityana, UPF personnel who were responding to protests fired on a minivan transporting football supporters, killing two and injuring five. On September 4, the security minister said the UPF was pursuing the two officers responsible for the killing, who had deserted the force after the act. The UPF had not released any further details by year's end.

Civilian authorities maintained effective control over the UPDF and UPF. Due to corruption, political interests, and weak rule of law, however, the government's mechanisms to investigate and punish abuse were ineffective, and impunity was pervasive (see sections 1.a. and 1.e.). The state did not pursue a 2016 criminal case against Inspector General of Police (IGP) Kayihura for his supervisory role during public beatings of unarmed supporters of opposition leader Kizza Besigye in Kampala. On January 10, the Director of Public Prosecutions (DPP) dropped murder charges against former Kampala central police station commander Aaron Baguma for his alleged role in a 2015 killing of a businesswoman. Although Baguma pled not guilty, the DPP said Baguma had agreed to testify against his cosuspects.

The UHRC reported it trained 1,104 UPF and 361 UPDF personnel on human rights provisions pertaining to the freedom of assembly, freedom from torture and the rights of detainees.

Arrest Procedures and Treatment of Detainees

The law requires that judges or prosecutors issue a warrant before an arrest is made, unless the arrest is made during commission of a crime or while in pursuit of a perpetrator. Nevertheless, authorities often arrested suspects without warrants. The law requires authorities to arraign suspects within 48 hours of arrest, but they frequently held suspects longer without charge. Authorities must try suspects arrested under the Antiterrorism Law within 120 days (360 days if charged with a capital offense) or release them on bail; if prosecution presents the case to the court before the expiration of this period, there is no limit on further pretrial detention. While the law requires authorities to inform detainees immediately of the reasons for detention, at times they did not do so. The law provides for bail at the judge’s discretion, but many suspects were unaware of the law or lacked the financial means to cover the bond. Judges generally granted requests for bail. The law provides detainees the right to legal representation and access to a lawyer, but authorities did not always respect this right. The law requires the government to provide an attorney for indigent defendants charged with capital offenses. Security forces often held opposition political members and other suspects incommunicado and under house arrest.

Arbitrary Arrest: Arbitrary arrests and unlawful detention, particularly of opposition political party members, remained problems (see section 1.e.). On July 24, the UPF arrested at least 11 members of opposition politician Asuman Basalirwa’s campaign team three days before the July 27 election. The UPF said it arrested Basalirwa’s supporters on suspicion that they were planning acts of violence. The police released the supporters on July 28 after the election without charge.

Pretrial Detention: Case backlogs due to an inefficient judiciary that lacks adequate funding and staff, the absence of plea-bargaining prior to 2015, insufficient use of bail, and the absence of a time limit for the detention of detainees awaiting trial contributed to frequent prolonged pretrial detentions. The UHRC reported 52 percent of the country’s 49,322 inmates were pretrial detainees. In 2017 the FHRI reported that 20 percent of prisoners had spent at least three years in pretrial detention. According to the UHRC, the average length of time pretrial detainees spent in prison was 10 months for those facing capital charges, and two months for noncapital offenses.

Detainee’s Ability to Challenge Lawfulness of Detention before a Court: Citizens detained without charge have the right to sue the Attorney General’s Office for compensation for unlawful detention; however, this right was rarely exercised.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, but the government did not always respect this provision. Corruption, understaffing, inefficiency, and executive branch interference with judicial rulings often undermined the courts’ independence. In response to a Constitutional Court ruling that scrapped a parliamentary and presidential term extension that parliament had earlier passed, the president on July 30 wrote that “the judges are not in charge of the country,” and that he and his party would effect the legislative changes they wanted “judges or no judges.”

The president appoints Supreme Court, Court of Appeal, and High Court judges and members of the Judicial Service Commission (which makes recommendations on appointments to the judiciary) with the approval of parliament.

Due to vacancies on the Supreme Court, Constitutional Court, High Court, and the lower courts, the judiciary did not deliver justice in a timely manner. At times the lack of judicial quorum precluded cases from proceeding.

Judicial corruption was a problem, and local media reported numerous cases where judicial officers in lower courts solicited and accepted bribes from the parties involved. On June 26, the chief justice told local media that ministers and local politicians undermined courts by issuing counterorders to court pronouncements. On July 12, magistrate Joseph Angole wrote an open letter in the media to the chief justice noting that because of poor pay, “Judicial officers are living off litigants and in such a situation we can’t pretend that there is justice and fairness.” On September 10, the Judicial Service Commission suspended Angole to enable it to investigate him for corruption.

Trial Procedures

Although the law provides for a presumption of innocence, authorities did not always respect this right. Defendants have the right to be informed promptly and in detail of the charges against them and are entitled to free assistance of an interpreter. An inadequate system of judicial administration resulted in a serious backlog of cases, undermining suspects’ right to a timely trial. Defendants have the right to be present at their trial and to consult with an attorney of their choice. The law requires the government to provide an attorney for indigent defendants charged with capital offenses. Defendants have the right to adequate time and facilities to prepare a defense and appeal. The law allows defendants to confront or question witnesses testifying against them and present witnesses and evidence on their own behalf, but authorities did not always respect this right. Defendants may not be compelled to testify or confess guilt, and they have the right to appeal.

All nonmilitary trials are public. A single judge decides cases in the High Court, while a panel of at least five judges decides cases in the Constitutional and Supreme Courts. The law allows military courts to try civilians who assist members of the military in committing offenses or are found possessing arms, ammunition, or other equipment reserved for the armed forces.

Political Prisoners and Detainees

During the year authorities detained numerous opposition politicians and activists on politically motivated grounds. Authorities released many without charge but charged others with crimes including treason, unlawful possession of firearms, inciting violence, holding illegal meetings, and abuse of office. No statistics on the number of political detainees or prisoners were available.

On August 13, the SFC arrested Robert Kyagulanyi in his hotel room in Arua town, on accusations that he illegally possessed military-grade weapons in the room. Earlier that day, Kyagulanyi had joined a section of other opposition MPs to campaign for opposition candidate Kassiano Wadri in a by-election. Kyagulanyi’s supporters clashed with supporters of rival NRM candidate Nusura Tiperu. Police fired live bullets and teargas to disperse the crowds. President Museveni, who claimed that the crowds had struck his vehicle with projectiles, directed the SFC to join the police to restore order in Arua. The SFC subsequently shot and killed Kyagulanyi’s driver in his car (see section 1.a.). That same evening the UPF also arrested opposition MPs Francis Zaake, Paul Mwiru, Gerald Karuhanga, candidate Wadri and former MP Mike Mabikke on accusation that they incited their supporters to attack the president’s motorcade. On August 16, the UPF arraigned Mwiru, Karuhanga, Mabikke, and Wadri before a magistrate’s court and charged them with treason. The court released them on bail on August 27 and the cases continued at year’s end. On August 16, the UPDF also arraigned Kyagulanyi before a military court and charged him with illegal possession of arms. On August 17, Kyagulanyi’s family and lawyers were allowed to see him and alleged he had been tortured (see section 1.c.). On August 23, the UPDF dropped the arms charges against Kyagulanyi, and the UPF then charged him with treason. On August 30, after being granted bail, Kyagulanyi attempted to depart the country to receive medical treatment. After initially preventing him to leave, the police allowed him to depart on August 31. Kyagulanyi returned to Uganda on September 20, and upon arrival was forcibly escorted by police to his home. The police prevented him from holding the meetings and displays of support that his supporters had planned. Kyagulanyi’s trial continued at year’s end.

On June 13, the UPDF arrested former IGP Kayihura, detained him at Makindye Military Barracks, and said it was questioning him on a matter it could not divulge. Local media reported that the UPDF held Kayihura on suspicion that he spied for a foreign country and that he was involved in the 2017 killing of Assistant IGP Andrew Felix Kaweesi. Through his lawyers, Kayihura said ISO had forged evidence to link him to Kaweesi’s killing. The government permitted UHRC, a government human rights agency, to visit Kayihura. On August 24, the UPDF charged Kayihura with failure to control war materials, and aiding and abetting kidnap from Uganda. The UPDF on August 28 released Kayihura on bail and his trial continued at year’s end.

The High Court did not fix a trial date for the Rwenzururu king Charles Wesley Mumbere and his bodyguards whom the state arrested and charged with murder, terrorism, and treason in a 2016 raid on the king’s palace in Kasese. At year’s end the state continued to hold the bodyguards on remand at Luzira prison and to limit the king’s movements to the Kampala, Wakiso, and Jinja districts.

Civil Judicial Procedures and Remedies

Individuals or organizations may seek civil remedies for human rights violations through the regular court system or the UHRC, which has judicial powers under the constitution. These powers include the authority to order the release of detainees, pay compensation to victims, and pursue other legal and administrative remedies, such as mediation. Victims may appeal their cases to the Court of Appeal and thereafter to the

Supreme Court but not to an international or regional court. Civil courts and the UHRC have no ability to hold perpetrators of human rights abuses criminally liable, and bureaucratic delays hampered enforcement of judgments that granted financial compensation.

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

The constitution and law prohibit such actions, but there were reports the government failed to respect these prohibitions. Police did not always obtain search warrants to enter private homes and offices.

The Antiterrorism Act and the Regulation of Interception of Communications Act authorize government security agencies to tap private conversations to combat terrorism-related offenses. The government utilized both statutes to monitor telephone and internet communications.

The government continued to encourage university students and government officials, including members of the judiciary, to attend NRM political education and military science courses known as “chaka mchaka.”

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Expression, Including for the Press

The constitution and law provide for freedom of speech, including for the press, but the government often restricted this right.

Freedom of Expression: The government restricted citizens’ ability to criticize its actions. It also restricted some political symbols, musical lyrics, and theatrical performances.

On September 1, local media reported that the ISO had blocked dual citizen Kato Kajubi from flying out of the country, accusing him of offensive communication after he posted videos on social media showing himself participating in a protest abroad against the government’s arrest of Kyagulanyi. The authorities released Kajubi but held him under house arrest without arraigning him in court. In late October, Kajubi was finally allowed to depart the country. His computer and phone had not been returned to him by year’s end.

The cyberharassment trial of Makerere University professor Stella Nyanzi remained pending at year’s end. On November 2, Nyanzi was arrested on new allegations of offending the president, due to social media posts made in September in which she allegedly insulted the president and his mother. On November 7, after being detained for more than 48 hours without charge, Nyanzi was charged under Section 25 of the Computer Misuse Act 2011 on offensive communication. The trial continued at year’s end.

Press and Media Freedom: The country had an active media environment with numerous privately owned newspapers and television and radio stations. These media outlets regularly covered stories and often provided commentary critical of the government and officials. The UPF's Media Crimes Unit, however, closely monitored all radio, television, and print media, and security forces subjected numerous journalists to harassment, intimidation, and arrest. Government officials and ruling party members owned many of the private rural radio stations and imposed reporting restrictions. Media practitioners said government and security agents occasionally called editors and instructed them not to publish stories that negatively portrayed the government. In September the Uganda Communications Commission (UCC) directed all radio and television stations to broadcast live the president's speeches on political and security events. The president repeatedly attacked critical media in his speeches. In at least three speeches between January and June, the president referred to the privately owned *The Daily Monitor* and *Red Pepper* as enemy newspapers and warned that he “would do something” about *The Daily Monitor* if it did not desist from reporting about the country's growing foreign debt. The government instructed telecommunication companies to pull down internet news agencies that did not register with the UCC.

Violence and Harassment: Security forces subjected journalists to violence, harassment, and intimidation.

Local CSO Human Rights Network for Journalists Uganda (HRNJU) reported that the government did not stop its security agencies from denying journalists access to news scenes, damaging and confiscating cameras, and unlawfully arresting journalists. The HRNJU and local media reported that the security forces harassed at least 12 journalists through July. On August 21, local television aired footage of UPDF soldiers beating Reuters journalist James Akena with sticks as he covered youths protesting Kyagulanyi's detention, even as he knelt down and raised his hands in the air. On September 20, the police and SFC blocked journalists from accessing Entebbe International airport and sections of the Entebbe-Kampala highway, and arrested several journalists, effectively stopping the media from covering Kyagulanyi as he returned from the U.S., where he had gone for medical treatment. The minister of security told local media on September 3 that acts of security personnel beating journalists during protests were “occupational hazards” because “whenever it rains, everyone gets wet.”

Censorship or Content Restrictions: The government directly and indirectly restricted media coverage and content. On March 27, local media reported that the UCC had suspended the broadcast licenses of 23 radio stations, accusing them of “abetting electronic fraud” by promoting “witchcraft content.” The UCC told local media that the radio stations hosted “witchdoctors” who conned the public by promising to solve a listener's problems if the listener sent them money. The UCC reported in August that it had withdrawn the suspension after the radio stations committed themselves to respect broadcasting regulations.

Many print and broadcast journalists practiced self-censorship, particularly when reporting on the president, his inner circle, and powerful business companies.

Libel/Slander Laws: Authorities used libel and slander laws to suppress criticism of government officials. On May 22, the UPF questioned and later released on bond four editors of online publications on criminal libel charges after they published personal bank account details of a former central bank official that the government ombudsman was investigating for corruption.

National Security: Authorities cited laws protecting national security to restrict criticism of government policies. In November 2017 the UPF closed the *Red Pepper* newspaper, arrested its five directors and three editors, and charged them with treason after the newspaper published a story alleging the president was working to overthrow a neighboring country's government. The court released the eight on bail in late December 2017, but authorities did not allow the newspaper to reopen until January 24, after a January 22 presidential pardon. On March 27, the DPP dropped the treason charges against the eight.

Internet Freedom

The government restricted and disrupted access to the internet and censored online content. On July 1, the government levied a 200-shilling (five-cent) daily tax on social media that it said was to compensate for revenue losses incurred due to migration of utility preference from conventional voice calls to internet-based messaging and calls. The president, however, in a July 4 statement, said the tax on social media use was justified because social media users abused the internet by taking part in “subversion and malice.”

Academic Freedom and Cultural Events

The government restricted some artistic presentations. The government in October, November, and December blocked Kyagulanyi from holding concerts at various locations across the country. Authorities also blocked other musicians from holding concerts at the Kyagulanyi-owned One Love Beach venue. On August 2, local media reported that UPF had blocked Kyagulanyi from holding five concerts because the UPF said he would use the events to incite the public, even after the UPF had given written assurance to provide security for the events.

b. Freedoms of Peaceful Assembly and Association

The government restricted freedoms of peaceful assembly and association.

Freedom of Peaceful Assembly

While the constitution provides for freedom of assembly, the government did not respect this right. The government continued to use the Public Order Management Act to limit the right to assemble and disrupted opposition and civil society-led public meetings and rallies. The act also placed a significant bureaucratic burden on those wishing to organize or host gatherings and afforded the UPF wide discretion to prevent

an event by refusing to approve it, or, more commonly, by not responding to the permission request, which then created a legal justification for disrupting almost any gathering.

According to local media, the UPF on July 11 fired teargas and live bullets to disperse a crowd of youth who were marching in Kampala to protest the government’s imposition of a 1-percent tax on all mobile money transactions. The police arrested three protesters and the state charged them in court on July 16 with holding an unlawful assembly. The court released the three on bail on July 23 and the trial continued at year’s end. On July 18, the UPF questioned MP Kyagulanyi, who had led the protest, and released him on police bond.

Freedom of Association

While the constitution and law provide for freedom of association, the government did not respect this right. The government restricted the operations of local nongovernmental organizations (NGOs), especially those that work on civil and political rights (see section 5). Government regulations enacted in 2017 require NGOs to disclose sources of funding and personal information about their employees and impose onerous registration and reporting requirements. Government regulations enable the NGO Bureau and its local level structures to deny registration to any organization focused on issues deemed to be “undesirable” or “prejudicial” to the “dignity of the people of Uganda.” The regulations also provide the NGO Bureau broad powers to inspect NGO offices and records and to suspend their activities without due process. The regulations increased registration fees for local NGOs from 20,000 shillings (\$5.33) to 100,000 (\$26.67), and annual permit renewal fees from 20,000 shillings (\$5.33) to 60,000 shillings (\$16), respectively. They also introduced new fees, including for the NGO Bureau to review permit applications (60,000 shillings, or \$16) and for NGOs to file annual reports (50,000 shillings, or \$13.33). On July 24, local media reported that the minister for internal affairs had instructed the bureau “to tighten accountability oversight” over NGOs to ensure they used their funds for the approved purpose. The bureau in turn vowed “to crack the whip” on NGOs deemed noncompliant. Local media reported that the minister had voiced suspicion that NGOs used foreign funds to support dissent.

The government also restricted the operations of opposition political parties (see section 3).

c. Freedom of Religion

See the Department of State’s *International Religious Freedom Report* at www.state.gov/religiousfreedomreport/.
(<http://www.state.gov/religiousfreedomreport/>)

d. Freedom of Movement

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation, and the government generally respected these rights.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, or other persons of concern. The government continued to uphold its enabling asylum policies and practices towards refugees and asylum seekers from various countries, mainly from South Sudan, the Democratic Republic of the Congo (DRC), Burundi, and Somalia. Most refugees enjoyed unhindered access to asylum, freedom of movement, freedom of residence, right to registration and documentation, and access to justice, education, health care, and employment.

Abuse of Migrants, Refugees, and Stateless Persons: UNHCR and migrant-support NGOs reported they received credible reports that some military, immigration, customs, and refugee officials at several entry and registration points harassed refugees and confiscated personal items. UNHCR and NGOs also received reports that some government officials demanded bribes from refugees to process or issue paperwork, especially at Old Kampala Police Station, where urban refugees and other migrants register.

UNHCR and NGOs observed South Sudanese armed groups abduct South Sudanese men in refugee settlements, forcibly returning them home to fight in the country's civil war. UNHCR reported the government deployed additional troops to improve its border surveillance and promised to investigate the alleged abductions.

Protection of Refugees

Refoulement: Although there were no credible reports of refoulement during the year, Rwandan and Burundian refugee groups expressed fear that authorities were either complicit in or unable to stop extrajudicial actions by neighboring governments.

Access to Asylum: The law provides for the granting of asylum or refugee status and the government has established a system for providing protection to refugees. While individuals fleeing South Sudan have prima facie refugee status (status without determination of individual refugee status), the Refugee Eligibility Committee determines whether individuals fleeing from the DRC, Somalia, and Burundi are eligible for refugee status. The committee was functional, but administrative issues and the continued influx of asylum seekers from the DRC and Burundi created a backlog of more than 50,000 cases.

The country does not have a policy of presumptive denials of asylum to applicants. Numerous sources, however, reported that the country had for several years clandestinely received migrants expelled from Israel. According to official reports, the country was unaware of Israeli government plans--later challenged and halted in Israeli courts--to remove approximately 39,000 migrants to unnamed African countries. Sources reported many Eritrean, Ethiopian, and Sudanese migrants crossed through the

country. Some of these migrants eventually made their way to Libya and attempted to cross to Europe. There are no credible reports of official acquiescence or complicity in such crossings.

Durable Solutions: The government did not accept third-country refugees for resettlement, but it assisted in the safe and voluntary return of refugees to their homes and supported the resettlement of third-country refugees to other countries by providing birth certificates and travel documents. Following a 2015 constitutional court ruling that confirmed the right to naturalization for certain long-term refugees, however, the government in 2016 committed to begin processing naturalization cases for an estimated 15,000 refugees who had resided in the country for approximately 20 years. By year’s end there were no known cases of a refugee having naturalized.

Section 3. Freedom to Participate in the Political Process

The law provides citizens the ability to choose their government through free and fair periodic elections held by secret ballot and based on universal and equal suffrage. Nevertheless, the 2016 presidential and National Assembly elections and several special parliament elections during the year were marred by serious irregularities.

Elections and Political Participation

Recent Elections: In 2016 the country held its fifth presidential and legislative elections since President Museveni came to power in 1986. The president was re-elected with 61 percent of the vote, and Forum for Democratic Change (FDC) candidate Besigye finished second with 36 percent. The ruling NRM party captured approximately 70 percent of the seats in the 431-member unicameral National Assembly. Domestic and international election observers stated that the elections fell short of international standards for credible democratic elections. The Commonwealth Observer Mission’s report noted flawed processes, and the EU’s report noted an atmosphere of intimidation and police use of excessive force against opposition supporters, media workers, and the public. Domestic and international election observers noted biased media coverage and the EC’s lack of transparency and independence. Media reported voter bribery, multiple voting, ballot box stuffing, and the alteration of precinct and district results. Due to election disputes stemming from the elections, in August 2016 the Supreme Court recommended changes to electoral laws to increase fairness, including campaign finance reform and equal access for all candidates to state-owned media. The Supreme Court instructed the attorney general to report in two years on the government’s implementation of the reforms. As of year’s end, the attorney general had not yet issued his report.

The law allows authorities to carry out elections for the lowest-level local government officials by having voters line up behind their preferred candidate or the candidate’s representative, portrait, or symbol. On July 10, authorities held the first Local Council I (L.C.I) elections in 17 years by lining up voters behind their candidates. Civil society organizations criticized this legislation, saying it violated citizens’ constitutional right to vote by secret ballot. On July 4, the EC suspended the Citizens Coalition for Electoral

Democracy in Uganda’s (CCEDU) accreditation and banned it from any election-related activity, claiming that the organization was partisan due to its opposition to the lining-up voting method for the lowest-level local government elections (see section 5). All subsequent elections during the year took place without domestic or international observers present.

During the year several special elections and local level elections were held, all of which were marred by credible reports of irregularities and voter intimidation.

In special elections in Jinja on March 15, in Bugiri Municipality on July 26 and in Arua on August 15, CCEDU and local media reported incidents of ruling political party members bribing voters. The government deployed UPDF and UPF personnel heavily during the campaigning period and on voting day for these special elections, with NGOs and press reporting that security personnel beat and intimidated opposition supporters. Local media reported that 10 days after the EC set dates for the Rukungiri Woman MP by-election, the president visited the district and made donations worth five billion shillings (\$1,300,000) to youth and women’s groups, which the opposition FDC characterized as an attempt to bribe the electorate to vote in favor of the ruling-party candidate. The president denied the bribery allegations and said he was only promoting poverty-eradication projects.

On August 13, the police arrested Kassiano Wadri, an opposition candidate in the August 15 Arua Municipality by-election, and prevented him from casting his ballot in the election. The UPF and UPDF fired teargas and live bullets to disperse Wadri’s supporters on the final campaign day August 13 and killed one person (see section 1.e.).

Political Parties and Political Participation: According to the EC, there were 29 registered political parties. Security forces arbitrarily arrested and detained opposition leaders and intimidated and beat their supporters. While the ruling NRM party operated without restriction, regularly holding rallies and conducting political activities, authorities often prevented opposition parties and critical civil society organizations from organizing meetings, speaking on the radio, or conducting activities. The opposition FDC reported that, during campaigns for the May 30 Rukungiri Woman MP by-election, the government directed local radio stations to cancel purchased opposition advertisements without a refund. Authorities restricted CSOs from observing electoral processes (see section 5.).

Participation of Women and Minorities: No laws limit the participation of women or members of minorities in the political process.

Cultural factors limited women’s political participation. Local NGOs and the government statistics agency Uganda Bureau of Statistics reported that in rural communities husbands restricted their wives from running for public office. The FHRI reported that women abstained from lining up behind their favored candidate to vote in the July 10 L.C.I elections because they were afraid of confrontation with family members who supported rival candidates. The president and the ruling NRM party accused opposition supporters of intimidating their female supporters from taking part in electoral activity.

Section 4. Corruption and Lack of Transparency in Government

The 2009 Anticorruption Act provides criminal penalties of up to 12 years’ imprisonment for official corruption. A 2015 amendment to the act mandates confiscation of the convicted persons’ property. Nevertheless, the government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. Government up to the highest levels lacked the political will to combat corruption, and many corruption cases remained pending for years. Media reported numerous cases of government corruption during the year, including cases of public officials demanding bribes from foreign investors. There were also many reports of UPDF and UPF corruption. Magistrates and judicial officials were also arrested for soliciting bribes. On July 12, a magistrate wrote an open letter acknowledging that the majority of his colleagues lived off payments from litigants (see section 1.e.). On July 7, the president announced he had created a committee to assist the Inspector General of Government (IGG), whom he accused of incompetence, to report and investigate allegations of corruption. Local CSOs criticized this decision, calling it a duplication of duties that would not achieve much because it is the president himself who prevented the IGG from rooting out corruption by protecting corrupt senior officials from prosecution.

Corruption: On September 24, local media reported that the Office of the Auditor General (OAG) had in a confidential report to the speaker of parliament noted that the central bank failed to do due diligence as it disposed of a commercial bank’s assets and liabilities to a rival bank at 80-percent rates below their market value. The auditor general reported that the central bank failed to do an independent appraisal of the failed bank’s assets and liabilities but instead depended on the buyers’ valuation, creating suspicion that central bank officials colluded with the buyers to undervalue the failed bank. The OAG also reported that the central bank evaded procurement rules as it spent 479 billion shillings (\$128 million) to dispose of and recapitalize the fallen bank. On October 16, local media reported that the IGG had commenced investigations into the wealth sources of at least 100 central bank officials, on suspicion that many had unexplained wealth. The IGG’s office said it was only validating the officials’ financial declaration forms. Local media reported on November 1 that parliament’s Committee on Commissions, Statutory Authorities, and State Enterprises had started an inquiry into “irregular conduct” in the central bank and this continued at year’s end.

In response to allegations of corruption, malfeasance, and inflation of the number of refugees in the country, the Office of the Prime Minister and UNHCR led the creation of a Joint Plan of Action (JPA) for Promoting Transparency and Accountability in Uganda’s Refugee Response. The JPA process was ongoing at year’s end.

On December 5, a federal jury in New York City convicted the head of an NGO based in Hong Kong and Virginia on seven counts for his participation in a multi-year, multimillion-dollar scheme to bribe top officials of Chad and Uganda in exchange for business advantages for a Chinese oil and gas company. According to the evidence presented, Chi Ping Patrick Ho caused a \$500,000 bribe to be paid via wires transmitted

through New York to an account designated by Sam Kutesa, the minister of foreign affairs of Uganda, who had recently completed his term as the president of the UN General Assembly.

Financial Disclosure: The Leadership Code Act requires public officials to disclose their income, assets, and liabilities, and those of their spouses, children, and dependents, within three months of assuming office, and every two years thereafter. The requirement applies to 42 position classifications, totaling approximately 25,000 officials, including ministers, MPs, political party leaders, judicial officers, permanent secretaries, and government department heads, among others. Public officials who leave office six or more months after their most recent financial declaration are required to refile. The IGG is responsible for monitoring compliance with the declaration requirements, and penalties include a warning, demotion, and dismissal.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Abuses of Human Rights

A variety of domestic and international human rights groups operated with government restrictions. The government restricted and failed to cooperate with most domestic and international NGOs, especially those focused on governance and human rights (see section 2.b.). The president repeatedly attacked CSOs in his speeches, labeling them imperialist agents keen on destabilizing the country. Authorities denied LGBTI-related organizations official status due to discriminatory laws preventing their registration.

On July 4, the EC indefinitely suspended the civil and political rights CSO CCEDU accreditation from participating in electoral-related activities including civic education and elections observation. In a letter the EC accused CCEDU of dishonesty and partisan behavior in its criticism of the voting by lining up method in the L.C.I elections (see section 3). CCEDU said the suspension would hurt democracy but affirmed its opposition to the method of voting. It accused the EC of seeking to silence criticism in electoral management by expecting CCEDU to monitor elections but ignore electoral irregularities. The suspension continued at year's end.

The government was often hostile to concerns of local and international human rights organizations, and government officials dismissed NGO claims of human rights abuses by security forces. CSOs expressed concern that authorities did little to investigate and prevent a continued streak of unsolved break-ins at CSO offices. The CSOs warned that the continued occurrence of break-ins without government investigations leading to arrests and prosecutions, at best signaled government complicity in the acts. Local media and CSOs reported that unidentified individuals on August 6 broke into the offices of women's rights organization ISIS-Women's International Cross Cultural Exchange, and stole computer hard drives. Local media also reported that on February 8, unidentified individuals broke into the offices of sexual minorities CSO Human Rights Awareness Forum, injuring two security guards with machetes. In both incidents, police reported they would investigate the crimes but did not release findings by year's end.

The Great Lakes Institute for Strategic Studies (GLISS) reported that in January authorities had unfrozen its bank accounts and those of its staff, which the government had frozen in 2017 on suspicion that GLISS was funding opposition to the government’s attempt to amend the constitution and allow the president to seek reelection beyond 75 years of age.

Government Human Rights Bodies: The UHRC is the constitutionally mandated institution with quasi-judicial powers authorized to investigate allegations of human rights abuses, direct the release of detainees, and award compensation to abuse victims. The president appoints its board, consisting of a chairperson and five commissioners.

The UHRC pursues suspected human rights abusers, including in the military and police forces. It visits and inspects places of detention, and holds private conferences with detainees on their conditions in custody. It investigates reports of human rights abuses and reports to parliament its annual findings as well as makes recommendations of measures to improve the executive’s respect of human rights. The UHRC reported that the executive did not always implement its recommendations. Some human rights activists and complainants said the UHRC lacked the courage to stand up to the executive in politically sensitive cases. Opposition politicians said the UHRC limited its actions in the face of human rights violations to public statements and lacked the will to direct the release of political prisoners whom authorities had tortured.

The Committee on Human Rights is the legislative team mandated to monitor and report on human rights concerns in all parliamentary business, monitor government’s compliance with national and international human rights instruments, study UHRC recommendations, and hold the executive accountable for the respect of human rights. Civil society activists said the committee lacked political will to challenge the executive on its human rights record. Activists said the committee did not comment on or criticize the executive when it violated its opponents’ freedoms of assembly, expression, and association because ruling party MPs chaired and dominated the committee.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

Women

Rape and Domestic Violence: The law criminalizes rape, which is punishable by life imprisonment or death. The law does not address spousal rape. The penal code defines rape as “unlawful carnal knowledge of a woman or a girl without her consent.” Men accused of raping men are tried under section 145(a) of the penal code that prohibits “carnal knowledge of any person against the order of nature.” The law also criminalizes domestic violence and provides up to two-years’ imprisonment for conviction.

Rape remained a common problem throughout the country, and the government did not effectively enforce the law. Local media reported numerous incidents of rape, often involving kidnap and killings of women, but the authorities were very often unable to

investigate and hold perpetrators accountable. Local media often reported that perpetrators of rape included persons in authority, such as government ministers, MPs, judicial officers, police officers, teachers, and university staff. According to local media and local CSOs, rape victims often felt powerless to report their abusers, in part to avoid stigmatization. CSOs reported that, even when women reported cases of rape to the police, UPF officers blamed the women for causing the rape by dressing indecently, or took bribes from the alleged perpetrators to stop the investigation and pressure the victims into withdrawing the cases. According to CSOs, UPF personnel lacked the required skills for collection, preservation, and management of forensic evidence in sexual violence cases.

On March 10, local media reported that a UPF officer at Sukari Police Booth in Mbale district lured a female detainee away from the police cells to his home on the pretext that he would arrange her release from detention, but then he raped her. A local UPF spokesperson said the force would investigate the incident, but the UPF did not release any findings by year’s end. On April 24, local media reported that a UPF officer at a police station in Abim district raped a woman in UPF detention, allegedly impregnating her. A local UPF commander promised to investigate the matter but did not release any findings from the investigation by year’s end, and the accused officer continued to work at his posting.

Gender-based violence was also common and according to local media and CSOs, the government failed to enforce the law, and some officials actively encouraged it. On March 10, MP Onesmus Twinamatsiko reportedly said, “As a man, you need to discipline your wife. You need to touch her a bit, tackle her, and beat her somehow, to streamline her. If you leave her unpunished, she may become an undisciplined wife and this practice of not beating women has actually made them stubborn.” The MP, under pressure from the NRM leadership, apologized and withdrew his comments on March 14.

Local CSOs Action Aid, MIFUMI, and the Center for Domestic Violence Prevention operated shelters in regions across the country where gender-based violence victims can receive counseling and legal advice.

Female Genital Mutilation/Cutting (FGM/C): The law prohibits FGM/C and establishes a maximum penalty of 10 years’ imprisonment for convicted perpetrators, or life imprisonment if the victim dies. According to UNICEF statistics from October 2017, 1.4 percent of women younger than age 50 had undergone FGM/C and the United Nations Population Fund (UNFPA) reported that FGM/C was prevalent only in the Karamoja and Sebei regions in the East and North East. Local CSOs reported that, although government efforts have seen a reduction in the practice of cutting girls, married women were increasingly yielding to pressure from their husbands to undergo FGM/C. Local CSO Reproductive Education and Community Health reported that in some communities, members of the husband’s family prevented uncut wives from serving food to the elders or attending traditional meetings.

Local media reported that government and religious institutions operated girls-only boarding schools to provide shelter for girls who fled their homes due to familial pressure to undergo FGM/C, or those who fled after being cut.

Other Harmful Traditional Practices: Media and local NGOs reported several cases of ritual child killings, violence against widows, and acid attacks. According to local media, traditional healers kidnapped and killed children to use their organs for ancestral worship. Local NGOs reported cases in which wealthy entrepreneurs and politicians paid traditional healers to sacrifice children to ensure their continued wealth and then bribed police officers to stop the investigations. On August 14, local media reported that the UPF arrested traditional healer Owen Ssebuyungu after it found an infant’s skull buried in his shrine’s compound. The state charged him with murder on August 19, and the case continued at year’s end.

Sexual Harassment: The law criminalizes sexual harassment and provides for penalties of up to 14 years’ imprisonment, but authorities did not effectively enforce the law. Sexual harassment was a widespread problem in homes, schools, universities, and workplaces. Local media reported numerous incidents of university staff who demanded sexual favors from students in exchange for high grades or procedural and administrative clearances. An internal investigation concluded in June into allegations of sexual harassment at the leading public institution Makerere University found that “sexual harassment was rampant” and “peaks towards graduation time when lecturers threaten to prevent female students from graduating, especially those with missing grades, unless they offer sex in exchange.” The same investigation reported that lecturers cited “indecently dressed” female students as a reason for sexual harassment at the university, before recommending that the university introduce a strict dress code. “Women loitering around with their open thighs is not okay. These are devils, little temptresses who harass innocent, defenseless lecturers,” the lecturers told the investigation. On April 29, female secretaries working in government offices, under their umbrella body the Association of Secretaries and Administrative Professionals in Uganda, complained to the minister for public service that their supervisors made sexual demands of them and threatened to fire them if they did not accept their advances. The minister encouraged the secretaries to report errant officials to the human resources for disciplinary action.

Coercion in Population Control: There were no reports of coerced abortion or involuntary sterilization.

Discrimination: The law provides women the same legal status and rights as men, but the government did not enforce the law effectively. Local NGOs reported numerous cases of discrimination against women, including in divorce, employment, education, and owning or managing businesses and property. Many customary laws discriminate against women in adoption, marriage, divorce, and inheritance. Under customary laws in many areas, women could not own or inherit property or retain custody of their children if they were widowed. Local NGOs reported that the government occasionally paid significantly less compensation to women than men in exchange for land it repossessed, while in some cases, it forcefully evicted women without compensation. Traditional divorce law in many areas required women to meet stricter evidentiary

standards than men to prove adultery. In some ethnic groups, men could “inherit” the widows of their deceased brothers. The law does not recognize cohabiting relationships, and women involved in such relationships had no judicial recourse to protect their rights.

Children

Birth Registration: The law accords citizenship to children born in or outside the country if at least one parent or grandparent is a citizen at the time of birth. Abandoned children younger than the age of 18 with no known parents are considered citizens, as are children younger than 18 adopted by citizens.

The law requires citizens to register a birth within three months. Lack of birth registration generally did not result in denial of public services although some primary schools required birth certificates for enrollment, especially those in urban centers. Enrollment in public secondary schools, university, and tertiary institutions required birth certificates. For additional information, see Appendix C.

Education: The law provides for compulsory education through the completion of primary school at age 12, and the government provided tuition-free education to four children per family in select public primary and secondary schools (ages six to 18 years). Parents, however, were required to provide lunch and schooling materials for their children.

Child Abuse: The law prohibits numerous forms of child abuse and provides penalties of 2,400,000 shillings (\$640) or five-year imprisonment or both for persons convicted of abusing children’s rights. The law defines “statutory rape” as any sexual contact outside marriage with a child younger than the age of 18, regardless of consent or age of the perpetrator, carrying a maximum penalty of death. Victims’ parents, however, often opted to settle cases out of court for a cash or in-kind payment. The Children Amendment Act made corporal punishment in schools illegal and punishable by up to three-years’ imprisonment. The amendment also sought to protect children from hazardous employment and harmful traditional practices, including child marriage and FGM/C.

Despite the law, a pattern of child abuse existed in sexual assault, physical abuse, ritual killings, early marriage, FGM/C, child trafficking, infanticide, child labor, among other abuses. Local media reported that the vast majority of schools used beating with a cane as the preferred method of discipline, and a UNICEF report released in August stated that three in four children had experienced physical violence both at home and in school. Government statistics also showed that more than one in three girls experienced sexual violence during her childhood, and that most did not report the incidents because they feared they would get into trouble or would be shamed or embarrassed. The Ministry of Gender, Labor, and Social Development also noted that corruption in police and health response services discouraged victims from reporting.

The government continued to work with UNICEF and NGOs—including Save the Children, the Child Fund, the Kyampisi Childcare Ministries, and the African Network for the Prevention and Protection against Child Abuse and Neglect—to combat child abuse. The UPF provided free rape and statutory rape medical examination kits to hospitals and medical practitioners throughout the country to assist with investigations.

Early and Forced Marriage: The legal minimum age for marriage is 18, but authorities generally did not enforce this law in rural areas. Some parents commonly arranged marriages for their underage daughters. The Ministry of Gender, Labor, and Social Development reported that impoverished families who viewed their daughters as financial assets forced them into early marriage to earn dowries. UNICEF's 2016 *State of the World's Children* report estimated that 10 percent of girls married before age 15 and 40 percent before age 18.

Sexual Exploitation of Children: The law prohibits commercial sexual exploitation, the sale and procurement of sexual services, and practices related to child pornography; and set the minimum age for consensual sex at 18 years. The government did not enforce the law effectively, however, and the problem was pervasive. The Ministry of Gender, Labor, and Social Development reported that girls in impoverished families were susceptible to sexual exploitation by older men who lured them with the promise of material support.

Child Soldiers: The Lord's Resistance Army continued to hold children against their will beyond the country's borders.

Infanticide or Infanticide of Children with Disabilities: According to local media, some parents of children born with disabilities killed them in what the communities referred to as “mercy killings.” Local media reported that some parents who gave birth to children with partially formed limbs and deformed body structures killed them to wash their families of curses. Local police reported no knowledge of these incidents.

Displaced Children: Local media reported that poverty and famine drove families in the remote North East Karamoja region to send many children to Kampala to find work and beg on the streets. Authorities worked with CSOs to return Karamojong street children to their families, but the families soon returned the children to the streets because they partly depended on their collections to maintain their households.

Institutionalized Children: Local NGOs reported that the UPF often detained child and adult suspects in the same cells and held them beyond the legal limit of 48 hours prior to arraignment (see section 1.c). The Ministry of Gender, Labor, and Social Development and local media reported that many orphanages mistreated children under their care by denying them access to education, medication, and adequate nutrition.

The Ministry of Gender, Labor, and Social Development estimated more than 55,000 children were in approximately 1,000 orphanages, of which only 70 were approved by the ministry. More than half of all orphanages did not meet minimal standards and housed children illegally. Nearly 70 percent of orphanages maintained inadequate records.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. See the Department of State’s *Annual Report on International Parental Child Abduction* at <https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html> (<https://travel.state.gov/content/travel/en/International-Parental-Child-Abduction/for-providers/legal-reports-and-data.html>).

Anti-Semitism

The Jewish community had approximately 2,000 members centered in Mbale District, in the eastern part of the country. There were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State’s *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/ (<http://www.state.gov/j/tip/rls/tiprpt/>).

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities. The law provides for access to education, employment, health services, information, communications, buildings, transportation, and the judicial system for persons with disabilities, but the government did not effectively enforce the law.

The Equal Opportunities Commission reported that 80 percent of government agencies did not spend any funds on addressing concerns of persons with disabilities while 90 percent did not commit to any interventions targeting disabled persons in the next five years. Local CSOs reported that most buildings in the country were inaccessible to persons with disabilities because they lacked ramps, handrails, tactile markings, and elevators.

Persons with disabilities faced societal discrimination, and limited job and educational opportunities. Most schools did not accommodate persons with disabilities. The UNFPA reported that violence against persons with disabilities was common, especially in school at the hands of staff, but most cases went unreported. The UNFPA also reported that neighbors and family members who knew they were alone with persons with disabilities sometimes sexually abused them. Local media reported that some families killed children born with physical deformities (see section 6, Children) and that employers often denied jobs to persons with disabilities or paid them less than nondisabled persons for the same work.

National/Racial/Ethnic Minorities

There were reports that the authorities used violence to displace an ethnic community from disputed land. According to local CSOs, in mid-March the Uganda Wildlife Authority and the UPDF commenced a violent eviction of the Acholi community living on land in Apaa village, Adjumani district, which the government said formed part of a wildlife reserve. Local media reported that UPDF officers set on fire more than 700 huts and other property, shot and killed one person (see section 1.a.), and beat residents with sticks and guns butts. Local CSOs reported that UPDF officers stole bicycles and food belonging to the Acholi residents, even as the UPDF denied any wrongdoing, saying it carried out the eviction peacefully. On July 12, local media reported that 200 evictees from Apaa had camped at a UN compound in Gulu, where they stayed for four weeks. On August 22, local media reported that the president had appointed a committee to devise a peaceful resolution to the land dispute and that he had instructed the UPDF to cease evictions. On September 3, however, local media reported that forceful evictions continued.

Indigenous People

Indigenous minorities continued to accuse the government of marginalization that disabled them from participating in decisions affecting their livelihood. The UHRC reported that government had denied recognition to the Maragoli community in western Uganda. Such nonrecognition excluded its members from access to social services and political participation. Local CSOs reported that since government displaced the Batwa and Benet communities in 1992, it had not relocated them, forcing them to live in makeshift communities that lacked adequate sanitation facilities.

Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity

Consensual same-sex sexual conduct is illegal according to a colonial-era law that criminalized “carnal knowledge of any person against the order of nature” and provided for a penalty of up to life imprisonment. Although the law did not restrict freedoms of expression or peaceful assembly for those speaking out about the human rights of LGBTI persons, the government severely restricted such rights. The law does not prohibit discrimination against LGBTI persons in housing, employment, nationality laws, or access to government services.

LGBTI persons faced discrimination, legal restrictions, societal harassment, violence, and intimidation. Authorities perpetrated violence against LGBTI individuals and blocked some meetings organized by LGBTI persons and activists. Local CSOs reported that public and private health-care services turned away LGBTI persons who sought medication and some led community members to beat LGBTI persons who sought health care. Local CSOs reported that some LGBTI persons needed to pay bribes to public health-care providers before they received treatment. According to local media, during the year authorities canceled a conference organized by local LGBTI activists to

advocate for equal access to health-care services for LGBTI persons living with HIV. Local CSOs also reported that realtors denied housing to and evicted LGBTI persons and LGBTI organizations.

HIV and AIDS Social Stigma

Although the law prohibits discrimination against persons with HIV/AIDS, discrimination and stigma were common and inhibited these persons from obtaining treatment and support. Local media reported numerous incidents of parents who abandoned children living with HIV; and of persons, particularly men, who abandoned spouses who were living with HIV. Police and the UPDF regularly refused to recruit persons who tested positive for HIV, claiming their bodies would be too weak for the rigorous training and subsequent deployment.

In cooperation with the government, international and local NGOs sponsored public awareness campaigns to eliminate the stigma of HIV/AIDS. Government and HIV/AIDS counselors encouraged the population to test for and share information about HIV/AIDS with their partners and family. Persons with HIV/AIDS formed support groups to promote awareness in their communities.

Other Societal Violence or Discrimination

Mob violence remained a problem. Communities often resorted to mob violence due to a lack of confidence in the UPF and judiciary to deliver justice. They attacked and killed persons suspected of robbery, murder, rape, theft, ritual sacrifice, and witchcraft, among other crimes. Mobs often beat, lynched, burned, and otherwise brutalized their victims. Local media reported on April 6 that police in Mukono district had arrested an L.C.I chairperson for inciting a mob to stone to death a man suspected of stealing. Police said they were investigating the chairperson's involvement in the crime but did not charge him by year's end.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law provides for workers, except members of the armed forces, to form and join independent unions, bargain collectively, and conduct legal strikes. The Ministry of Labor must register unions before they may engage in collective bargaining.

The law allows unions to conduct activities without interference, prohibits antiunion discrimination by employers, and provides for reinstatement of workers dismissed for union activity. The law also empowers the minister of gender, labor, and social development and labor officers to refer disputes to the Industrial Court if initial mediation and arbitration attempts fail.

The government did not effectively enforce applicable labor laws. Civil society organizations said the Ministry of Gender, Labor, and Social Development did not allocate sufficient funds to hire, train, and equip labor inspectors to enforce labor laws effectively. Employers who violate a worker's right to form and join a trade union or bargain collectively may face up to four years' imprisonment and a fine of 1.9 million shillings (\$507). Penalties were generally insufficient to deter violations.

The government generally did not protect the constitutionally guaranteed rights to freedom of association and collective bargaining. Antiunion discrimination occurred, and labor activists accused several private companies of deterring employees from joining unions. The National Organization of Trade Unions (NOTU) reported that the UPF occasionally deployed its personnel at factories to block unions from meeting workers and to disperse workers attempting to protest working conditions.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, but does not prohibit prison labor. The law states that prison labor would be considered forced labor only if a worker is “hired out to, or placed at the disposal of, a private individual, company, or association.” Those convicted of using forced labor may be fined up to 960,000 shillings (\$256), sentenced to two years' imprisonment, or both, and be required to pay a fine of 80,000 shillings (\$21) “for each day the compulsory labor continued.” According to local NGOs, the government did not effectively enforce the law, rendering penalties ineffective to deter violations.

CSO Platform for Labor Action (PLA) and local media reported that many citizens working overseas, particularly in the Arab Persian Gulf States, became victims of forced labor. PLA said traffickers and legitimate recruitment companies continued to send mainly female jobseekers to Gulf countries where many employers treated workers as indentured servants, including withholding pay and leave, and subjecting them to other harsh conditions.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/rls/tiprpt/ (<http://www.state.gov/j/tip/rls/tiprpt/>).

c. Prohibition of Child Labor and Minimum Age for Employment

The law prohibits the worst forms of child labor but allows children as young as 12 years of age to do some types of work. The law places limitations on working hours and provides for occupational safety and health restrictions for children. The de facto compulsory education age is 13, which leaves children vulnerable to engaging in child labor. CSOs and labor unions reported that authorities did not effectively enforce the law and that penalties were insufficient to deter violations.

Child labor was common, especially in the informal sector. Local CSOs and the UHRC reported that children worked in fishing, gold and sand mining, cattle herding, truck loading, street vending, begging, scrap collecting, street hawking, stone quarrying, brick making, road construction and repair, car washing, domestic services, service work (restaurants, bars, shops), cross-border smuggling, and commercial farming (including the production of tea, coffee, sugarcane, vanilla, tobacco, rice, cotton, charcoal, and palm oil). Local CSOs and media reported that poverty led children to drop out of school to work on commercial farms while some parents took their children along to work in artisanal mines to supplement family incomes. According to government statistics, children from nearly half of all families living on less than \$1 a day dropped out of school to work. Local CSOs reported that orphaned children sought work due to the absence of parental authority. Local CSOs and local media also reported commercial sexual exploitation of children (see section 6).

Local NGOs reported that children who worked as artisanal gold miners were exposed to mercury, and many were unaware of the medium- to long-term effects of the exposure. They felt compelled to continue working due to poverty and a lack of employment alternatives. Children also suffered injuries in poorly dug mine shafts that often collapsed.

Also see the Department of Labor’s *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/reports/child-labor/findings/ (<http://www.dol.gov/ilab/reports/child-labor/findings/>).

d. Discrimination with Respect to Employment and Occupation

The law prohibits discrimination in respect of employment and occupation; however, the government did not effectively enforce the law, and penalties were insufficient to deter violations. Although the law prohibits discrimination based on race, sex, religion, political opinion, national origin or citizenship, social origin, refugee or stateless status, disability, age, language, and HIV or communicable disease status, it did not prohibit discrimination on the basis of sexual orientations or gender identity and LGBTI persons faced social and legal discrimination.

e. Acceptable Conditions of Work

The law provides for a national minimum wage, which, at 6,000 shillings (\$1.60) per month, is lower than the government’s official poverty income level (\$0.90 per day) and has not changed since 1984. According to CSOs and trade unions, government did not enforce wage laws effectively and as a result, penalties were insufficient to deter violations.

The maximum legal workweek is 48 hours, and the maximum workday is 10 hours. The law provides that the workweek may be extended to 56 hours per week, including overtime, with the employee’s consent. An employee may work more than 10 hours in a single 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. For employees who work beyond 48 hours in a single week, the law requires employers to pay a minimum of 1.5 times the employee's normal hourly rate for the overtime hours, and twice the employee's normal hourly rate for work on public holidays. For every four months of continuous employment, an employee is entitled to seven days of paid annual leave. Nonetheless, local CSOs reported that most domestic employees worked all year round without leave.

The law establishes occupational safety and health standards and regulations for all workers, but according to local CSOs, the Ministry of Labor's Department of Occupational Safety and Health did not fully enforce them. The law authorizes labor inspectors to access and examine any workplace, issue fines, and mediate some labor disputes. While the law allows workers to remove themselves from situations that endanger their health or safety without jeopardizing their employment, legal protection for such workers was ineffective.

Authorities did not effectively enforce labor laws, due to insufficient resources for monitoring. Local NGOs reported that the government employed only 48 labor officers across 117 districts. The labor officers often depended on complainants and local CSOs to travel to inspection sites. PLA reported that many of the 48 labor officers were in fact designated as social workers and only did labor-related work when a complainant reported an abuse.

According to PLA and NOTU, most workers were unaware of their employers' responsibility to ensure a safe working environment, and many did not challenge unsafe working conditions, as they feared losing their job.

Labor officials reported that labor laws did not protect workers in the informal economy, including many domestic and agricultural workers. According to government statistics, the informal sector employed up to 86 percent of the labor force. The formal pension systems covered less than 10 percent of the working population.

PLA reported that violations of standard wages, overtime pay, or safety and health standards were common in the manufacturing sector.

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