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Republic of Uganda

Head of state and government: **Yoweri Kaguta Museveni**

Restrictions on freedoms of expression, peaceful assembly and association continued as the authorities used repressive and discriminatory legislation to stifle civil space. Discrimination, harassment and violence against lesbian, gay, bisexual, transgender and intersex (LGBTI) people increased. Violence against women remained widespread while state hostility increased towards civil society organizations and activists working on human rights, oil governance, corruption and land issues.

Background

The succession of President Museveni as leader of the National Resistance Movement (NRM) and head of state dominated national discourse during 2014. In February the NRM passed a resolution urging party members to endorse President Museveni as sole candidate in the 2016 presidential elections. The resolution also discouraged leaders within the party from harbouring presidential ambitions. In September, Health Minister Ruhakana Rugunda replaced Amama Mbabazi as Prime Minister.

Freedoms of expression, assembly and association

Restrictions on freedom of expression, peaceful assembly and association continued. The Public Order Management Act (POMA), which came into force in November 2013, was used to impose wide-ranging restrictions on public meetings. It gave the police powers to prohibit and disperse public gatherings of a political nature. A petition challenging the POMA's constitutionality filed with the Constitutional Court in December 2013 remained pending.

The POMA was used in the first quarter of 2014 to disperse peaceful assemblies organized as part of the Free and Fair Elections Now campaign and arrest political activists. Often, those arrested were not charged. In April, the Free and Fair Elections Now campaign steering team held a

meeting with the Minister of Internal Affairs. The police did not interrupt subsequent rallies convened by the group.

On 26 February, police declared illegal and dispersed a peaceful protest organized by the End Miniskirt Harassment Coalition outside the National Theatre in the capital, Kampala.

On 22 March in Mbale city, the police used tear gas and fired live ammunition into the air to disperse crowds of people who were marching to the venue of a rally organized by the Free and Fair Elections Now campaign team. Police said that the rally's organizers had not given the notification required under the POMA.

On 27 March, the police prevented Bishop Zac Niringiye, the retired Assistant Bishop of Kampala and anti-corruption activist, from speaking at Kabale University in western Uganda and participating in a scheduled broadcast on Kabale's Voice of Kigezi radio station. Police told Amnesty International that they acted because Bishop Zac had not received authorization from the university to hold a meeting on its premises and the scheduled radio show could incite violence.

During the year the police stopped peaceful demonstrations by a group of unemployed young people referring to themselves as the Jobless Brotherhood. On 17 June, two members of the Jobless Brotherhood, Norman Tumuhimbise and Robert Mayanja, were arrested after they entered Parliament with two piglets to protest against corruption and high youth unemployment. They were later charged with criminal trespass among other charges. On 4 August, nine members of the Jobless Brotherhood, carrying a coffin, were arrested as they demonstrated at the Independence Monument in Kampala. They were charged with participating in an unlawful assembly. In October, Norman Tumuhimbise and Robert Mayanja were arrested following another demonstration in Kampala involving piglets.

In June, the High Court issued its judgment in a case challenging the constitutionality of the February 2012 forced closure of an LGBTI activists' workshop in the town of Entebbe by the Minister of Ethics and Integrity. The applicants argued that the Minister's action violated their rights including freedom of expression, peaceful assembly and association. The High Court ruled that the applicants had not suffered any unlawful infringement of their rights and that they had participated in promoting "homosexual practices" which were offences against morality under the Penal Code.

Rights of lesbian, gay, bisexual, transgender and intersex people

In February, President Museveni signed the 2009 Anti-Homosexuality Bill into law. In August, the Constitutional Court declared the law null and void on the grounds that there was no quorum in Parliament when it was passed. Discrimination, arbitrary arrests, harassment and violence against LGBTI people increased during the five months that the Anti-Homosexuality Act (AHA) was in force. LGBTI support organizations observed a sharp increase in the number of arrests of LGBTI people under the AHA. Some LGBTI people were arrested by police when reporting a crime or when visiting a friend or colleague in detention. Many were held without charge for longer than the 48-hour maximum stipulated by the Constitution. Those arrested reported ill-treatment in detention, including being subjected to physical and sexual assaults, stripping, groping and forced anal examinations. A number of transgender individuals were stripped naked and paraded by the police in front of the media. Some HIV-positive detainees were denied access to anti-retroviral medication.

The authorities also targeted organizations providing services to LGBTI people.

In March, the authorities suspended the work of the Refugee Law Project (RLP) in refugee camps and settlements pending investigations into allegations that the organization was "promoting homosexuality", an offence under the AHA.

In May, the suspension was extended to cover all RLP work relating to refugees and asylum-seekers. The suspension continued to stand even after the Constitutional Court nullified the AHA.

On 3 April, police raided the Makerere University Walter Reed Project, an HIV research project run in partnership between Makerere University and the US Military HIV Research Program. One employee was taken into custody on suspicion of "recruiting homosexuals" but was subsequently released. The clinic was temporarily closed.

The AHA legitimized abuses and violence against LGBTI people by non-state actors whose actions went largely unpunished. One transgender woman was killed and another raped. Evictions, threats and blackmail were the most common abuses against LGBTI people. Increased threat levels for LGBTI people led some to flee Uganda. The AHA restricted the ability of LGBTI people to access health care, especially HIV/AIDS and sexual health care. In one positive move, the Ministry of Health issued a directive in June reaffirming the government's commitment to provide health services without discrimination, including on the basis of sexual orientation.

In October, the Chief Magistrates Court at Buganda Road, Kampala, dismissed charges against Mukisa Kim, a gay man, and Mukasa Jackson, a transgender woman, after the prosecution repeatedly failed to confirm they were ready to proceed with the trial. Mukisa Kim had been charged under the Penal Code with "having carnal knowledge of a person against the order of nature", while Mukasa Jackson had been charged with "permitting a male person to have carnal knowledge against the order of nature".

Violence against women and girls

President Museveni signed the Anti-Pornography Act (APA) into law on 6 February. Immediately after the signing, women whom the public deemed to be dressed indecently were attacked, stripped and beaten by mobs in the streets. The police confirmed four incidents in Kampala city centre but failed to record them or the victims' particulars in the official crime records, or to arrest the perpetrators of the attacks.

Police officers also used the APA to harass women.

In February, Patience Akumu, a journalist and women's rights activist, was briefly refused entry into Naguru police station because of the way she was dressed.

In February, Lilian Drabo, a lawyer based in Kampala, was threatened with arrest because of her clothing at the Nakawa Court in Kampala. The management of the Nakawa High Court Central Circuit had put up a notice warning that it would not tolerate indecent apparel on court premises.

A petition filed in May challenging the constitutionality of the APA remained pending. The then Prime Minister's commitment in February to review the APA had not been implemented by the end of the year.

Right to health – access to HIV/AIDS health care services

In July, President Museveni signed into law the HIV/AIDS Prevention and Control Act. The Act criminalized HIV transmission and exposure and provided for mandatory HIV testing. The Act allowed unjustified breaches of the right to confidentiality. Local and international NGOs raised concerns that women in particular would be impacted adversely and disproportionately by the implementation of the Act.

Human rights defenders

Civil society organizations and activists working on human rights, oil governance, corruption and land issues continued to face threats to their work. NGO offices and staff came under surveillance

while several organizations reported receiving threats. The offices of a number of organizations including ActionAid Uganda, Foundation for Human Rights Initiative, Human Rights Network-Uganda (HURINET-U) and the Anti-corruption Coalition of Uganda were broken into by unidentified individuals. The break-ins appeared to be attempts to access information on the organizations' human rights and governance work. Police investigations into most of these break-ins remained pending.

On the night of 5 May, the offices of HURINET-U were broken into. A server, 29 computers, office cameras, safes, and security cameras were stolen.

On the night of 17 May, the offices of the Uganda Land Alliance were broken into. Documents, computers and cameras were stolen.

A petition challenging the constitutionality of the Non-Governmental Organizations Registration (Amendment) Act filed in 2006 remained pending. Proposals made in 2013 to further amend the NGO Law ostensibly to expand government control over NGO funding and activities remained pending before the Cabinet. Authorities also proposed a Civic Education Policy which if adopted would mean that any programmes to provide civic education – including on human rights – would need accreditation at the district level. Organizations deemed in breach of the policy could have their activities suspended for up to six months, have their accreditation revoked, or even blacklisted.

Police and security forces

In July, groups of armed men staged violent attacks mainly on police posts in Bundibugyo, Kasese and Ntoroko. At least 65 people were killed in the attacks, including civilians, some of the attackers, and members of the police force and the army. Following the outbreak of conflict in South Sudan, Ugandan troops were deployed to Juba city in December 2013 in response to a request by the South Sudan government to help secure the capital. In January, Ugandan troops were present in Bor, Jonglei state, where they supported the South Sudan authorities to regain control of the city from opposition forces. Ugandan troops remained in South Sudan throughout 2014.

International justice

International Criminal Court arrest warrants issued in 2005 remained in force for Joseph Kony, the Lord's Resistance Army (LRA) leader, and three LRA commanders. The men were still at large at the end of the year.

Former LRA commander Thomas Kwoyelo, who in 2011 pleaded not guilty before the International Crimes Division of the High Court to charges of murder, wilful killing and other offences committed in the context of the conflict in northern Uganda, remained remanded in prison. The government appeal against the Constitutional Court's decision that Thomas Kwoyelo was entitled to amnesty under the Amnesty Act of 2000 remained pending before the Supreme Court. A complaint submitted by Thomas Kwoyelo to the African Commission on Human and Peoples' Rights challenging his continued detention by the Ugandan government remained pending.

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