

Flygtningenævnets baggrundsmateriale

Bilagsnr.:	148
Land:	Uganda
Kilde:	Freedom House
Titel:	Freedom in the World 2008
Udgivet:	2. juli 2008
Optaget på baggrundsmaterialet:	16. september 2008



Freedom in the World - Uganda (2008)

Capital:
Kampala

Population:
28,500,000

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

Overview

Concerns about judicial independence in Uganda were reinforced by the security forces' intervention in a politically sensitive trial in 2007. The government also sought to increase limitations on press freedom during the year. Progress was made toward resolving the long-running and gruesome conflict with the rebel Lord's Resistance Army in the north, although ongoing instability in the eastern provinces of the Democratic Republic of Congo spilled over into Uganda.

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

Obote was overthrown a second time in a 1985 army coup. Conditions continued to worsen until the National Resistance Army, led by Yoweri Museveni, assumed power in 1986. Arguing that majoritarian democracy exacerbated religious and ethnic tensions in Africa, Museveni introduced a "no party" system with only one, supposedly nonpartisan, political organization—the National Resistance Movement (NRM)—allowed to operate unfettered. This system remained in place for two decades.

Museveni and the NRM comfortably won presidential and legislative elections in 2001. Human rights groups and donor countries noted that state media and other official resources were mobilized in support of Museveni's candidacy, and that the ban on most formal party activities further hindered the opposition. However, most observers agreed that Museveni would have won in an open contest and described the actual balloting and vote-tabulation processes as largely transparent. The opposition, which claimed that the elections were rigged, boycotted subsequent parliamentary elections. Meanwhile, the NRM's comfortable legislative majority was buttressed by dozens of special-interest representatives, some from groups linked to the ruling party such as the army.

The National Assembly passed the Political Parties and Organizations Act in 2002, setting the conditions under which political parties could be registered and function fully. In 2003, the Constitutional Court ruled that parts of the law were unconstitutional, as they effectively prevented political parties from carrying out

their activities. Despite the ruling, the NRM continued to dominate the nation's political life. In 2004, the Constitutional Court voided restrictions on the freedom of political parties to function. Ugandan voters in 2005 approved constitutional amendments that both lifted the ban on political parties and repealed the prohibition on sitting presidents running for a third term. As a result, Museveni was able to seek reelection in 2006.

A leading Museveni opponent, Kizza Besigye of the Forum for Democratic Change (FDC), returned from exile and announced his intention to run for president. He was subsequently arrested on charges of treason, terrorism, rape, and unlawful possession of firearms. Benefiting from the advantages of incumbency, Museveni defeated Besigye in the 2006 election, taking 59 percent of the vote according to official results. The NRM also won a large majority in concurrent parliamentary elections. Besigye was later cleared of the rape charges, but the treason case was still pending at the end of 2007.

Regional tensions, especially with the Democratic Republic of Congo (DRC), Rwanda, and Sudan, have continued in recent years. In November 2007, for example, Ugandan forces on the border clashed with troops loyal to the Congolese renegade General Laurent Nkunda. Meanwhile, a vicious and long-running guerrilla war undertaken in northern Uganda by the Lord's Resistance Army (LRA), a cult-like Ugandan rebel movement with no clear agenda, appeared to be winding down. In 2005, LRA leader Joseph Kony was indicted by the International Criminal Court (ICC), which called for his arrest. Kony has insisted that the international charges be dropped before any peace deal is finalized. In 2006, the guerrilla group entered into intermittent peace talks with the government that continued throughout 2007, and in late 2007 LRA representatives made a reconciliation tour through parts of Uganda.

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

Political Rights and Civil Liberties

Uganda is not an electoral democracy. A long-standing ban on political party activity was formally lifted only in 2005, and the two-term limit for presidents was removed at the same time. The president and the single-chamber National Assembly are elected for five-year terms. Of the current Assembly's 332 members, 215 are directly elected and 104 are indirectly elected from special interest groups including women, the army, youth, the disabled, and trade unions. There are also 13 ex-officio seats held by cabinet ministers, who are not elected members of parliament and do not have voting rights.

The personalized nature of the Ugandan power structure was reflected in the 2006 parliamentary contest, in which a number of junior cabinet ministers were defeated while the ruling NRM won nearly two-thirds of the seats. The National Assembly has asserted some independence, censuring high-level executive officials and exercising oversight to influence a number of government actions and policies. However, there are significant concerns regarding the ability of opposition parties to compete with the NRM on a relatively level playing field. Opposition parties have protested restrictive party registration requirements and the dominant status of

the NRM. Other controversial issues have included federalism, voter and candidate eligibility, the use of government resources to support NRM candidates, and the government's use of illegal paramilitary groups—such as the Black Mambas and the Kiboko Squad—to intimidate voters and political opponents.

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

A 2007 Transparency International report concluded that although Uganda has certain legislative measures in place to combat corruption, the resources to enforce them are lacking. Institutions including the Inspectorate of Government, the Public Procurement and Disposal of Assets Authority, the Office of the Auditor General, and the Director of Public Prosecutions are understaffed and underfinanced. These agencies have made some headway in the fight against corruption and abuse of office, but a number of alleged corrupt acts by government officials have not been fully pursued. Some governmental corruption has been reported in the media. Uganda was ranked 111 out of 180 countries surveyed in Transparency International's 2007 Corruption Perceptions Index.

The constitution provides for freedom of speech. Independent print media outlets, including more than two dozen daily and weekly newspapers, are often highly critical of the government and offer a range of opposition views. Several private radio and television stations report on local political developments. Supported by legislation limiting press freedoms, however, the government has in recent years demonstrated increased intolerance of press freedom. A sedition law is applied selectively to journalists and others who hold views that are at variance with those of the NRM; for example, in 2007 the International Federation of Journalists called on the government to withdraw sedition charges against three journalists working for the *Monitor*, a private newspaper, in relation to a story alleging that soldiers were secretly trained as policemen in order to subordinate the police force to military control. According to the International Telecommunications Union, the number of internet service providers has grown rapidly in recent years, although access remains limited mostly to major urban centers.

There is no state religion, and freedom of worship is constitutionally protected and respected. Various Christian sects and the country's Muslim minority practice their creeds freely. Academic freedom is also generally respected.

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

According to the International Confederation of Trade Unions, despite repeated

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

The executive does not guarantee the independence of the judiciary. Sensitive human rights issues, such as police brutality, rape, domestic violence, and vigilante justice, remain serious concerns. Prolonged pretrial detention, inadequate resources, the security forces' intermittent refusal to respect civilian courts, and poor judicial administration combine to impede the fair exercise of justice. In 2007, judges briefly went on strike to protest an invasion of the courts by security forces, which rearrested alleged members of a guerrilla movement who had been granted bail. A similar event had occurred in November 2006. The judges resumed work upon receiving assurances from Museveni that such an incident would not be repeated. The Uganda Law Society noted that this episode reflected a broader problem of government officials refusing to comply with certain judicial actions, and the Supreme Court's chief justice spoke out publicly on the lack of resources available to the judicial system. Also in 2007, the East African Court of Justice found Uganda guilty of violating the rule of law and the rights of its citizens by allowing its military to repeatedly interfere with court processes.

Prison conditions are difficult, especially in local jails. According to press reports, there are currently some 26,000 individuals behind bars in the country's 222 prisons, twice the official capacity of the prison system. More than 500 prisoners die annually as a result of poor diet, sanitation, and medical care. Pretrial detainees constitute more than half of the prison population. Critics have warned that the 2002 Suppression of Terrorism Act—which defines any act of violence or threat of violence for political, religious, economic, or cultural ends as a terrorist act—could be used against political opponents.

The numbers of internally displaced persons (IDPs) has diminished in recent years due to reduced tensions in the northern part of the country and a government policy to phase out IDP camps. Concerns remain, however, about serious human rights violations related to the unresolved conflict between LRA rebels and the military. In addition to the more widespread LRA abuses, torture by security forces, especially at the local level, has continued despite the government's assurance that it is not condoned on an institutional level.

Although the constitution enshrines the principle of equality between women and men, discrimination against women remains pronounced, particularly in rural areas. Incidents of domestic violence and sexual abuse, including rape, often go unreported and are rarely investigated. According to the Ugandan Human Rights Commission (UHRC), the most common complaints registered relate to child maintenance and neglect. Polygamy remains legal. There are no laws protecting women from domestic violence, and draft laws, such as the Domestic Relations Bill and the Sexual Offenses Bill, have languished in the National Assembly for years. Cultural practices such as female genital mutilation have persisted. The UHRC and other NGOs indicate that sexual abuse of minors is increasing. According to the ILO, more than 2.7 million children are employed as workers.

Uganda has legislated quotas for women in all elected bodies, from village councils to the National Assembly. Almost 20 percent of Assembly members are female.

One-third of local council seats must go to women. The law gives women inheritance rights over land, but customary patriarchal practices mean that the formal legal provisions are often ignored. Abortion is permitted when the mother's mental or physical health would otherwise be seriously affected.