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UGANDA

Home Office Science and Research Group

COUNTRY OF ORIGIN INFORMATION SERVICE

Country reports are produced by the Science & Research Group of the Home Office to provide caseworkers and others involved in processing asylum applications with accurate, balanced and up-to-date information about conditions in asylum seekers' countries of origin.

They contain general background information about the issues most commonly raised in asylum/human rights claims made in the UK.

The reports are compiled from material produced by a wide range of recognised external information sources. They are not intended to be a detailed or comprehensive survey, nor do they contain Home Office opinion or policy.

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1. Scope of Document

- 1.01 This Country of Origin Information Report (COI Report) has been produced by Research Development and Statistics (RDS), Home Office, for use by officials involved in the asylum/human rights determination process. The Report provides general background information about the issues most commonly raised in asylum/human rights claims made in the United Kingdom. It includes information available up to 31 August 2005.
- 1.02 The Report is compiled wholly from material produced by a wide range of recognised external information sources and does not contain any Home Office opinion or policy. All information in the Report is attributed, throughout the text, to the original source material, which is made available to those working in the asylum/human rights determination process.
- 1.03 The Report aims to provide a brief summary of the source material identified, focusing on the main issues raised in asylum and human rights applications. It is not intended to be a detailed or comprehensive survey. For a more detailed account, the relevant source documents should be examined directly.
- 1.04 The structure and format of the COI Report reflects the way it is used by Home Office caseworkers and appeals presenting officers, who require quick electronic access to information on specific issues and use the contents page to go directly to the subject required. Key issues are usually covered in some depth within a dedicated section, but may also be referred to briefly in several other sections. Some repetition is therefore inherent in the structure of the Report.
- 1.05 The information included in this COI Report is limited to that which can be identified from source documents. While every effort is made to cover all relevant aspects of a particular topic, it is not always possible to obtain the information concerned. For this reason, it is important to note that information included in the Report should not be taken to imply anything beyond what is actually stated. For example, if it is stated that a particular law has been passed, this should not be taken to imply that it has been effectively implemented unless stated.
- 1.06 As noted above, the Report is a collation of material produced by a number of reliable information sources. In compiling the Report, no attempt has been made to resolve discrepancies between information provided in different source documents. For example, different source documents often contain different versions of names and spellings of individuals, places and political parties etc. COI Reports do not aim to bring consistency of spelling, but to reflect faithfully the spellings used in the original source documents. Similarly, figures given in different source documents sometimes vary and these are simply quoted as per the original text. The term 'sic' has been used in this document only to denote incorrect spellings or typographical errors in quoted text; its use is not intended to imply any comment on the content of the material.
- 1.07 The Report is based substantially upon source documents issued during the previous two years. However, some older source documents may have been included because they contain relevant information not available in more recent

documents. All sources contain information considered relevant at the time this Report was issued.

- 1.08 This COI Report and the accompanying source material are public documents. All COI Reports are published on the RDS section of the Home Office website and the great majority of the source material for the Report is readily available in the public domain. Where the source documents identified in the Report are available in electronic form, the relevant web link has been included, together with the date that the link was accessed. Copies of less accessible source documents, such as those provided by government offices or subscription services, are available from the Home Office upon request.
- 1.09 COI Reports are published every six months on the top 20 asylum producing countries and on those countries for which there is deemed to be a specific operational need. Inevitably, information contained in COI Reports is sometimes overtaken by events that occur between publication dates. Home Office officials are informed of any significant changes in country conditions by means of Country of Origin Information Bulletins, which are also published on the RDS website. They also have constant access to an information request service for specific enquiries.
- 1.10 In producing this COI Report, the Home Office has sought to provide an accurate, balanced summary of the available source material. Any comments regarding this Report or suggestions for additional source material are very welcome and should be submitted to the Home Office as below.

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ADVISORY PANEL ON COUNTRY INFORMATION

- 1.11 The independent Advisory Panel on Country Information was established under the Nationality, Immigration and Asylum Act 2002 to make recommendations to the Home Secretary about the content of the Home Office's country of origin information material. The Advisory Panel welcomes all feedback on the Home Office's COI Reports and other country of origin information material. Information about the Panel's work can be found on its website at www.apci.org.uk.
- 1.12 It is not the function of the Advisory Panel to endorse any Home Office material or procedures. In the course of its work, the Advisory Panel directly reviews the content of selected individual Home Office COI Reports, but neither the fact that such a review has been undertaken, nor any comments made, should be taken to imply endorsement of the material. Some of the material examined by the Panel relates to countries designated or proposed for designation for the Non-Suspensive Appeals (NSA) list. In such cases, the Panel's work should not be

taken to imply any endorsement of the decision or proposal to designate a particular country for NSA, nor of the NSA process itself.

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2. Geography

- 2.01 The Foreign and Commonwealth Office (FCO) website, updated on 25 August 2005, states:

“Uganda is a land-locked country lying on the equator in central Africa. It shares borders with Sudan, DR Congo, Rwanda, Tanzania and Kenya. 20% of the country is covered by inland lakes. The rest ranges through tropical rain forest to savannah with mountains on the western border. The climate is tropical.”
[16d] (p1)

- 2.02 As cited by Europa World Yearbook (EWY) of 2005, the country is bordered by Sudan to the north, the Democratic Republic of the Congo to the west, Kenya to the east and Rwanda, Tanzania and Lake Victoria to the south. “The climate is tropical, with temperatures moderated by the altitude of the country, varying between 15°C and 30°C.” [1b] (p4275)

- 2.03 Information sourced from CIA The World Factbook, updated on 10 February 2005, indicates that the Republic of Uganda has a population of 26,404,503 (note: estimates for this country take into account the effects of excess mortality due to AIDS; (US Bureau of Census, July 2004 est.) [44] (p3)

- 2.04 Information sourced from the FCO Country Profile on Uganda of December 2004 indicates that: “There are over 20 tribes, the largest being the Baganda, Banyankole, Basoga, Iteso, Acholi and Langi. The Asian and European communities remain small.” [16c] (p1) The World Factbook states that English is the official language and is taught in grade schools, used in courts of law and by most newspapers and some radio broadcasts. Luganda or Ganda is preferred for native language publications in the capital and may be taught in school. [44] (p34) The FCO country profile of December 2004 states that “Luo is spoken in the north, Ateso in the east, Runyankole, Rukiga, Rutooro and Runyoro in the west and south. The principal religion is Christianity, with the country having a sizeable Muslim minority.” [16c] (p1)

- 2.05 As cited in EWY 2004, the capital city is Kampala and the principal towns are Gulu, Lira, Jinja, Mbale, Mbarara, and Masaka. [1b] (p4281)

For further information on geography, refer to the Europa World Yearbook 2004

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3. Economy

- 3.01 As stated in the United States State Department (USSD) Report covering events in 2004:

“The economy grew at a rate of approximately 6 percent during the year. Agriculture accounted for approximately one-third of the gross domestic product, and foreign economic assistance accounted for approximately half of government expenditures. The privatization of state-owned enterprises continued. Despite government efforts to curb corruption, perceptions of widespread corruption were cited by potential investors as a major concern.”
[2b] (p1)

- 3.02 As noted in the Economic Intelligence Unit (EIU) Country Profile for Uganda for 2005, the improvement in macroeconomic conditions that has been achieved since 1986 is held to be commendable, with GDP growth averaging about 5% per year in real terms:

“Annual fluctuations are linked to weather conditions (owing to the importance of agriculture in the economy), to changes in international coffee prices and to variations in donor funding that affect consumer demand and hence the construction and trading sectors.” [11] (p24)

- 3.03 The EIU report continues:

“The effects on price stability of the government’s adherence to strict monetary discipline and the opening up of the economy to market forces have been dramatic... For 2004 as a whole, provisional data indicate an average annual inflation rate of 3.7%, owing to the very low rates recorded earlier in 2004 balancing out the rapid food-based inflation later on in the year.” [11] (p25)

- 3.04 The International Monetary Fund (IMF) announced the disbursement of about US\$ 3 million to finance Uganda’s poverty reduction and economic growth programme. A press release issued on 24 February 2005 noted that:

“The impressive economic growth and poverty reduction that was achieved through a first wave of reforms has started to taper off, while a firm basis for sustained growth and poverty reduction remains to be established. ... Economic growth rebounded and inflation declined in 2003/04 due to improved agricultural production. However, continuing weaknesses in the implementation of fiscal policy and slippages under the PRGF-supported program in 2003/04 are a concern.” [46]

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4. History

- 4.01 As noted in the FCO Country Profile for Uganda, dated 25 August 2005, the country achieved full independence in October 1962 and Milton Obote was elected Prime Minister:

“Milton Obote, leader of the Uganda People’s Congress (UPC), was elected Prime Minister, with the Kabaka (Buganda monarch) as non executive President. Obote moved against the Kabaka in 1966. A new centralised constitution stripped the kingdoms and monarchical institutions of their powers. In 1971 Obote was ousted in a military coup. Idi Amin then established a brutal dictatorship which lasted until 1979.” [16c] (p2)

- 4.02 The EuropaWorld website states:

“Formerly a British protectorate, Uganda became an independent member of the Commonwealth on 9 October 1962. The Government was led by Dr Milton Obote, leader of the Uganda People’s Congress (UPC) from 1960 and Prime Minister from April 1962. At independence the country comprised four regions, including the kingdom of Buganda, which had federal status. Exactly one year after independence Uganda became a republic, with Mutesa II, Kabaka (King) of Buganda, as first President. In February 1966 Obote led a successful coup against the Kabaka, and in April he became executive President. In September 1967 a new Constitution was introduced, establishing a unitary republic, and Buganda was brought under the control of the central Government. After an assassination attempt on President Obote in December 1969 all opposition parties were banned.”

“Obote was overthrown in January 1971 by the army, led by Maj.-Gen. (later Field Marshal) Idi Amin Dada, who assumed full executive powers and suspended political activity. The National Assembly was dissolved in February, when Amin declared himself Head of State, took over legislative powers and suspended parts of the 1967 Constitution. In August 1972 Amin, proclaiming an ‘economic war’ to free Uganda from foreign domination, undertook a mass expulsion of non-citizen Asians (who comprised the majority of the resident Asian population), thereby incurring widespread international condemnation.”

“Amin’s regime was characterized by the ruthless elimination of suspected opponents, mass flights of refugees to neighbouring countries and periodic purges of the army (which, in turn, perpetrated numerous atrocities). In February 1977 the Anglican Archbishop of Uganda and two government ministers were murdered, arousing further world-wide indignation. Relations within the East African Community (EAC), comprising Uganda, Kenya and Tanzania, deteriorated during the 1970s. In February 1976 Amin claimed that large areas of western Kenya were historically part of Uganda, and in November 1978 Uganda annexed the Kagera salient from Tanzania. In early 1979 an invasion force comprising Tanzanian troops and the Uganda National Liberation Army (UNLA), formed by Ugandan exiles, gained control of the southern region of Uganda. Amin’s forces capitulated, and in April a Tanzanian assault force entered Kampala. The remaining pro-Amin troops were defeated in June. Amin fled initially to Libya, and in 1980 took up permanent residence in Saudi Arabia. He remained in exile there until his death in August 2003.”

“A provisional Government, the National Executive Council (NEC), was established in April 1979 from the ranks of the Uganda National Liberation Front (UNLF, a coalition of 18 previously exiled groups), with Dr Yusuf Lule, a former vice-chancellor of Makerere University, as President. When Lule attempted to reshuffle the NEC in June, opposition from within the UNLF forced his resignation. Lule was succeeded by Godfrey Binaisa (a former Attorney-General), who was, in turn, overthrown by the Military Commission of the UNLF in May 1980, after he had decided to allow only UNLF members to stand in parliamentary elections and attempted to reorganize the leadership of the UNLA. The elections, in December, were contested by four parties and won by the UPC, with Obote, who remained its leader, becoming President for the second time. The defeated parties complained of gross electoral malpractice by UPC supporters.”

“The Obote Government was subject to constant attack from guerrilla groups operating inside the country. Hundreds of Obote’s opponents were detained, including Democratic Party (DP) members of the National Assembly, and several newspapers were banned. Following the withdrawal of Tanzanian troops in June 1981, there were reports from the West Nile Region of further atrocities by Ugandan soldiers. In January 1982 the Uganda Popular Front was formed to co-ordinate, from abroad, the activities of the main opposition groups in exile: the Uganda Freedom Movement (UFM), the Uganda National Rescue Front and the National Resistance Movement (NRM), led by Lule and his former Minister of Defence, Lt-Gen. Yoweri Museveni. The NRM had a military wing, the National Resistance Army (NRA), led by Museveni. Lule died in 1985, whereupon Museveni became sole leader of the NRM and NRA. From 1982 thousands of Ugandans were reported to have fled the country, to escape fighting between guerrilla forces and UNLA troops. In March 1983, during a campaign by the UNLA to repel an NRA offensive, attacks on refugee camps resulted in the deaths of hundreds of civilians, and more than 100,000 people were displaced. The NRA denied involvement in the massacres.” [1d] (Recent History)

- 4.03 The BBC timeline for Uganda notes that Obote was deposed in a military coup in 1985 and was replaced by Tito Okello. [72] (p3) The EuropaWorld website adds:

“In July 1985 Obote was overthrown in a military coup, led by Brig. (later Lt-Gen.) Basilio Okello. (Obote was subsequently granted political asylum by Zambia.) A Military Council, headed by Lt-Gen. (later Gen.) Tito Okello, the Commander-in-Chief of the army, was established to govern the country, pending elections to be held one year later. In subsequent months groups that had been in opposition to Obote, with the exception of the NRA and the NRM (see below), reached agreement with the new administration, and accepted positions on the Military Council. An amnesty was declared for exiles who had supported Amin. The UNLA allegedly continued to perpetrate atrocities under the Okello regime.” [1d] (Recent History)

- 4.04 As cited in the EWY of 2004, the National Resistance Army (NRA) led by Yoweri Museveni, took control of Kampala by force. On 29 January 1986, Museveni was sworn in as President. In February 1986, he announced the formation of a new cabinet, comprising of mainly NRA members and National Resistance Movement (NRM – the political wing of the NRA). The cabinet also included representatives of other political groups including the Democratic Party

(DP), the Uganda People's Congress (UPC), the Uganda Freedom Movement (UFM), the Federal Democratic Movement (FEDEMO) and three members of the previous administration. [1b] (p4275)

4.05 The FCO Country Profile, dated 25 August 2005, notes that:

"Hastily organised elections in 1980 returned Obote's UPC to power on a disputed mandate. 'Obote II' relied heavily on the support of the army and soon became embroiled in a savage guerrilla war against Yoweri Museveni's National Resistance Army (NRA). Obote was overthrown in an army coup in 1985." [16d] (p2)

4.06 The FCO profile of December 2004 notes that in 1995, Uganda adopted a new constitution. Elections took place in May and June 1996, for President and Parliament respectively. These were generally free and fair and President Museveni won the Presidency with 74.2 per cent of the vote. Movement sympathisers won a majority in Parliament. [16c] (p2)

4.07 As noted in EWY 2004, a national referendum on the introduction of a multi-party political system took place in June 2000, at which voters overwhelmingly endorsed the retention of the existing 'no-party' system. [1b] (p4277)

4.08 As cited in the FCO Country Profile, dated 25 August 2005:

"Museveni won 74% of the vote in the 1996 elections and 69% of the vote in 2001. The 2001 elections were marred in places by violence and intimidation and Museveni's main rival, Dr Kizza Besigye, subsequently fled the country." [16d] (p3)

The EWY 2004 notes, following legislative elections in June 2001, the number of seats in Parliament stood at 292, comprising 214 directly elected representatives and 78 nominated members. [1b] (p4277)

4.09 Information sourced from the USSD 2004 indicates that:

"In March 2003, the Supreme Court declared unconstitutional two sections of law that prevented political parties from operating while the 'Movement System' remained in place; however, severe restrictions on political activity continued, particularly for opposition parties." [2b](p1)

As noted in the BBC timeline, in September 2004 the Supreme Court overturned a lower court ruling that cast doubt on the 'no-party' political system. [72] (p4) According to the BBC News Country Profile for Uganda, updated 20 January 2005, the government has said it will ease the severe restrictions on multiparty politics, imposed in 1986, before the 2006 general elections. [62] (p2)

4.10 The BBC News Country Profile for Uganda continues, stating that the government has been unable to end the insurgency in the north and west of the country. Lord's Resistance Army (LRA) rebels have killed and kidnapped many thousands of people. BBC News reported on 22 February 2005 that while efforts to bring about peace talks have made progress, with insurgents and Government ministers meeting face to face for the first time, this has not yet produced a total cease-fire. [69aa]

For further information on history prior to 1962, refer to the Europa World Yearbook 2005 [1a]

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5. State structures

CONSTITUTION

- 5.01 According to the “Europa Regional Survey: Africa South of the Sahara”, published in 2005: “Following the military coup in July 1985, the 1967 Constitution was suspended, and all legislative and executive powers were vested in a Military Council, whose Chairman was Head of State.” [1c] (p1216) In comments prepared for the Advisory Panel on Country Information meeting on 8 March 2005, UNHCR clarified that only Chapter 4 and Articles 3 and 24 of the 1967 Constitution were suspended in July 1985. The suspension did not cover the whole Constitution. [4a] The Europa Regional Survey continues that in January 1986 a further military coup established an executive Presidency, assisted by a Cabinet of Ministers and a legislative National Resistance Council (NRC). In September 1995, a Constituent Assembly enacted a Draft Constitution. The Constitution was promulgated on 8 October 1995. Under its terms, a national referendum took place in 2000. [1c] (p1198)
- 5.02 The USSD report for 2004 reports that:
- “The Constitution provides for an autonomous, independently elected president and a 305-member unicameral parliament whose members are elected to 5-year terms. The President dominated the Government, and Movement supporters remained in control of the Parliament. However, members of the Movement disagreed on several critical issues, including whether the constitutional presidential term limit should be lifted. Supporters of President Museveni retained a majority in Parliament, but not necessarily in sufficient numbers to pass constitutional amendments.” [2b] (p12)
- 5.03 The 1995 Constitution, in text taken from the Ugandan Government website, confers fundamental human rights and freedoms on every person in Uganda. This includes equal protection under the law, equality between men and women in all aspects of life and guarantees the enjoyment of individual rights without discrimination on the basis of sex, race, colour, ethnic origin, social standing or political opinion, and without interference with the rights of others. [18] In comments prepared for the Advisory Panel on Country Information meeting on 8 March 2005, UNHCR stated that:
- “A significant feature of the Constitution is the promotion of affirmative action for the purpose of redressing the imbalances created by history, tradition or custom and affirmative action in favour of marginalized groups.” [4a]
- 5.04 The 1995 Constitution, in text taken from the Ugandan Government website as of 9 April 2003, notes that in addition to the protection for those accused of crimes, individual freedoms include freedom of speech, expression, and the press and other media; freedom of thought, conscience and belief, including academic freedom; freedom to practise any religions and freedom of peaceful assembly, association and movement. [18]
- 5.05 The *New Vision* newspaper reported in an article dated 23 February 2001 that the Government of Uganda had set up a Constitutional Review Commission (CRC) in that month. It noted that: “The Commission has wide remit to consider including decentralisation; the relative powers of the executive, the judiciary and

the legislative; the electoral system; the scope for federalism and the role of traditional leaders.” [50h]

- 5.06 The USSD report for 2004 states,

“In March 2003, the Supreme Court declared unconstitutional Sections 18 and 19 of the PPOA, which prohibit political parties from holding rallies, taking part in election campaigning, or holding offices outside Kampala; however, restrictions on both registered and unregistered opposition parties continued during the year (2004). The Government restricted non-Movement political gatherings and dispersed numerous political meetings not sanctioned by the Movement.” [2b] (p12)

- 5.07 The BBC news article of 2 September 2004 notes that under Uganda’s Movement system, parties are allowed to exist, but they are not allowed to contest elections. Under pressure from donors, the government has now promised to hold multi-party elections in 2006. Mr Museveni is obliged to step down under the terms of the Constitution, but his critics say he is preparing the ground to be allowed to run again. [69w]

- 5.08 The EuropaWorld website states, regarding the history of the curtailment of political parties in Uganda:

“In May 2002 Parliament approved the Political Parties and Organizations Act 2002, which severely curtailed the activities of political parties, while classifying the NRM as a ‘political system’ rather than a party. The Act also provided for the dissolution of all parties not registered by 17 January 2003. However, in March 2003 opposition leaders successfully challenged two clauses of the Act in the Constitutional Court, which ruled that the NRM was not a system, but a political party, and suspended the section of the Act that required parties to register, pending the outcome of a further petition against the Act. (The Attorney-General later clarified that parties would still be obliged to register, but not by a particular time.) The ruling allowed political parties to operate nationally for the first time in 17 years. The NRM became the first party to apply for registration, in June 2003, under the modified name of the National Resistance Movement Organisation (NRM-O); some opposition parties remained reluctant to register under a law that they still regarded as restrictive. Meanwhile, in late May Museveni effected a cabinet reorganization, notably appointing Prof. Gilbert Bukenya as Vice-President, following the resignation of the incumbent, Dr Speciosa Kazibwe, and dismissing a number of ministers who had recently expressed opposition to a proposal to revoke the current two-term limit on the presidential mandate. This proposal was endorsed by the Cabinet in August.” [1d] (Recent History)

- 5.09 The Amnesty International Annual Report for 2004, covering events of 2004, published July 2005, states:

“Throughout 2004, debate continued over the recommendations of the Constitutional Review Commission (CRC) on moving the country towards a multi-party political system and on lifting the two-term presidential limit ahead of elections due in 2006. The government presented a White Paper containing its counter-proposals to the CRC’s recommendations in September [2004]. In November [2004] the Constitutional Court held that certain sections of the hotly contested Political Parties and Organizations Act (PPOA) of 2002 were

unconstitutional and infringed civil and political rights such as the rights to freedom of association and assembly.” [22b]

- 5.10 The UN information service IRIN posted a report on 1 August 2005 regarding the outcome of the referendum on return to multi-party politics in Uganda:

“Ugandans on Thursday voted overwhelmingly to repeal a two-decade ban on political parties in a national referendum that was, however, boycotted by the opposition, the electoral commission announced on Saturday. A total of 92.5 percent of voters who participated in the plebiscite backed the reforms, based on returns from 99.6 percent of the polling stations. The commission hereby declares that the people of Uganda have adopted a multi-party political system henceforth,” Badru Kiggundu, the head of the election commission, said. The ‘no’ vote accounted for only 7.5 percent of the ballots cast, with the overall turnout hovering at 47 percent, Kiggundu told reporters. Although the strong “yes” vote was claimed as a victory for President Yoweri Museveni – who had campaigned to repeal the ban on parties – there were fears that the low turnout had dashed his hopes for a nationwide consensus.” [68ah]

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CITIZENSHIP AND NATIONALITY

- 5.11 In comments prepared for the Advisory Panel on Country Information meeting on 8 March 2005, published February 2005, the UNHCR stated:

“The 1995 Constitution of Uganda on Citizenship states that every person born in or outside Uganda and having one parent or grandparent who is a citizen of Uganda by birth and belongs to one of the indigenous communities as stipulated in the Constitution shall be a citizen of Uganda. This provision by necessary implication rules out children born of parents who are non-citizens of Uganda.” [4a]

- 5.12 The Advisory Panel on Country Information comments add that Citizenship can also be registered when an application is made with proof of a legal and subsisting marriage to a Ugandan Citizen or 3 years of such other period as may be prescribed by Parliament, or someone who has voluntarily migrated to and has been living in Uganda for at least 10 years or who on the commencement of the 1995 Constitution has lived in Uganda for at least 20 years. [4a]

- 5.13 The 1995 Constitution, in Chapter Three “Citizenship”, states:

“A child of not more than 5 years of age found in Uganda, whose parents are not known, shall be presumed to be a citizen of Uganda. On application, a child under the age of eighteen years, neither of whose parents is a citizen of Uganda, and who is adopted, shall be registered as a citizen of Uganda. [59]

- 5.14 The 1995 Constitution adds:

“A person may be deprived of Ugandan citizenship, if acquired by registration, if they have voluntarily acquired citizenship of another country, voluntary service in the armed forces or security forces of a country hostile to or at war with Uganda, or had acquired citizenship by fraud, deceit or bribery.” [59]

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POLITICAL SYSTEM

THE 2000 REFERENDUM

- 5.15 The 2000 referendum A CNN website news article of June 2000 states that a referendum was held on 29 June 2000 on the future of politics in the country - whether to adopt 'Movement' or 'Multiparty'. [54a] The Movement System attracted 4.322 million votes, accounting for 90.7 percent of the total, while the multi-party drew only 442,823 votes registering 9.3 per cent, states a Xinhua News Agency article of 2 July 2000. [64b]
- 5.16 An Agence France Presse article of 29 January 2003 noted that there were also 148,800 invalid votes cast, three per cent of the ballot, which electoral officials attributed to a lack of civic education and illiteracy. [48]

THE MARCH 2001 PRESIDENTIAL ELECTIONS

- 5.17 The March 2001 presidential elections CNN reported on their website on March 2001 that a number of influential candidates had announced their intentions to stand in the approach to the presidential election that month. The main candidates for the presidency were Karuhanga Chapaa, Muhammad Kibirige Mayanja, Francis Bwengye and Aggrey Awori. President Museveni, in power from 1986, won 70 per cent of the vote in the presidential elections of 1996. [54b] The Europa World Yearbook of 2003 states that Museveni found himself challenged by Kizza Besigye, his former physician and comrade in arms during the guerrilla war, which brought Museveni to power. Unlike most of the other candidates, who were mostly connected with discredited political parties, Besigye, a member of Museveni's NRM, presented a real challenge. [1a] (p1116)
- 5.18 *The Monitor* newspaper reported pre-election violence in an article of 10 January 2001, noting an incident of 8 January where three people were injured when armed men shot at a convoy of vehicles carrying Dr Besigye's supporters. It added that UPDF commanders, who were operating in the district, were accused of engaging in political campaigns and threatening supporters of some presidential candidates. [31g] On 19 January 2001, surprise presidential candidate and Bakayimbira Dramactors director, Charles James Ssenkubuge released a press statement, reported in *The Monitor* 20 January 2001, stating that he was quitting the race for the presidency due to intimidation. He also claimed that he had received anonymous phone calls of a threatening nature. [31i]
- 5.19 The EuropaWorld website provides the following summary of the March 2001 presidential elections:

"A presidential election was held on 12 March 2001. The election had been scheduled for 7 March, but was delayed to allow the Electoral Commission time to check and amend the electoral register after it was found to contain about 2.5m. more voters than there were citizens eligible to vote. At the election, which had a participation rate of 70%, Museveni was re-elected President, winning 69.3% of the votes cast. His main challenger, Kiiza Besigye, won 27.8%. There were some allegations of electoral malpractice and intimidation of

opposition politicians, but international observers held that this did not affect the overall result. Besigye, who had served with Museveni during the civil war as his personal physician, represented the first real challenge to Museveni's authority." [1d] (Recent History)

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THE JUNE 2001 LEGISLATIVE ELECTIONS

- 5.20 The June 2001 legislative elections The EuropaWorld website, updated 2005, summarises the June 2001 elections:

"Legislative elections were held on 26 June 2001, at which 50 parliamentarians, including 10 ministers, failed to secure re-election. The rate of voter participation was reported as being low. The total number of seats in Parliament was increased to 292 (comprising 214 elected and 78 nominated representatives), of which the NRM reportedly secured more than 70%. In July Museveni appointed a new Cabinet, which included the 10 ministers who had failed to retain their parliamentary seats in June. Notably, Amama Mbabazi was appointed as Minister of Defence, a portfolio hitherto held by Museveni. Besigye fled to the USA in August, claiming to have feared for his personal security in Uganda, and subsequently held talks with senior US officials." [1d] (Recent History)

- 5.21 It was reported in the Africa Research Bulletin, August 2001 that President Museveni had made wide-ranging changes in his new Cabinet and relinquished the portfolio of the Minister of Defence which he had held for the last 15 years, to Amama Mbabazi. The 64-strong Cabinet and junior Ministers has 17 new entrants, eight ex-officio members and 16 women. [56c] Reuters reported in an article dated 25 July 2001 that one of the women, Dr Speciosa Wandira Kazibwe, had been appointed Vice President. [65c] On 22 May 2003 IRIN reported in an article that Dr Kazibwe had resigned her political role in order to pursue a PhD at Harvard School of Medicine in the United States. Her resignation led to a mixed reaction from Ugandan women's organisations. While many have welcomed the stand taken on such issues as domestic violence and independence from spouses, the article claimed that she has been seen as being a product of 'mere tokenism' by Jackie Asiime-Mwesige, co-ordinator of the Uganda Women's Network. [68aa]
- 5.22 Human Rights Watch note in their 2003 report that in May 2002, Parliament adopted the highly contested Political Organisations Law, which retained current constitutional restrictions on political parties and added new ones. It outlawed most activities normally associated with political parties, such as opening and operating branch offices, and holding delegates' conferences and rallies. Existing political parties would "legally cease to exist" if they failed to register within six months of the law's entry into force. [35c]
- 5.23 On 18 February 2003, as reported in *The Monitor*, President Museveni surprised Movement leaders when he passionately called for a return to political party competition. [31h]
- 5.24 On 21 March 2003, BBC News reported that a court in Uganda had ruled as unconstitutional a law which prevents political parties from carrying out their activities. Under the Political Organisations Act (2002) the court agreed that it

effectively makes Uganda a one-party state in favour of the government-sponsored system of government. According to the judgement, the Movement is now treated as a political party that cannot enjoy preferential treatment. [69r]

5.25 The Amnesty International annual report of 2003 notes that:

“On 21 March [2003], the Constitutional Court declared Sections 18, 19 and 21 of the Political Parties and Organizations Act (2002) null and void as they contravened the Constitution. This allowed political organizations to participate more freely in public life, although political parties remained banned from such participation until they registered with the Registrar General.” [22]

5.26 A BBC News report of 1 April 2003, entitled, “MPs oppose third term for Museveni”, notes that the ruling Movement had sought to lift the two-term limit, provided for in the Constitution, for a serving president. This was sharply criticised by the Local Government Minister. [68a] However, a couple of days later, BBC News Africa reported in an article dated 3 April 2003 that some 200 members of the NRM’s top decision-making organ, the National Executive Committee had reached a decision to remove the presidential term limit. Ugandan opposition leaders vowed to block the decision. [69q]

5.27 The IRIN news report of 2 July 2004 entitled: “Plans unveiled for return to multiparty elections” reports that in June 2004, opposition politicians won an important legal battle against the Government over the legality of the enactment of the law governing the 2000 referendum. The courts ruled that the law which paved the way for the referendum was null and void. [68ae]

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NEXT ELECTIONS

5.28 Next elections The IRIN news report of 2 July 2004 notes that the Ugandan Government confirmed that it would relax restrictions on political party activity and hold a referendum in February (2005) to decide whether the country should revert back to full multi-party politics with presidential and parliamentary elections being planned for between February and March 2006. [68ae] A *New Vision* report of 2 July 2004, “Presidential Poll Date Set”, notes that the President stated that the referendum to approve the Constitution (Amendment) Bill and its ratification by district councils would be done by February 2005, while the question of the referendum will be drafted in January 2005. [50ap]

5.29 The IRIN report posted on 2 July 2004, “Plans unveiled for return to multiparty elections”, adds further detail: Justice Minister Janat Mukwya told IRIN:

“The road map shows how the country will move in the next two years. We have budgeted for the referendum, and a number of activities will follow, including amending laws to conform with the decision that would have been taken by the people through a referendum.” [68ae]

Other government sources told IRIN that the referendum would also decide whether a ceiling on terms of Ugandan presidents should be maintained. Controversy has been generated by demands from President Yoweri Museveni’s supporters that he should be allowed to contest for a third term at

the end of his current term in 2006. The constitution currently limits the president to two terms. [68ae]

5.30 According to a BBC News report of 25 February 2005:

“The Ugandan government has announced the new political roadmap ahead of elections early next year. It includes a broad referendum on whether to return to a system of multi-party politics. In an attempt to counter divisions after years of war, parties have been severely restricted since President Yoweri Museveni came to power in 1986. But as the political parties prepare themselves for the 2006 election, the tension is rising. Currently, the Ugandan parliament is debating a constitution amendment bill which contains numerous proposals – from Swahili being declared the second official language to the issue of dual nationality. There are also hotter topics – like the two-term limit on the presidency and whether a return to multi-party politics is a good idea. All the proposals have been heaped together in what is known as an omnibus bill, and having debated the issues, the MPs must vote on the bill by the end of April.” [69z]

5.31 The BBC reported on 12 July 2005 that President Museveni had given ‘a lengthy address’ to begin the ‘Yes’ campaign for the referendum on restoring multi-party politics. The report adds: “In a separate move, MPs voted for the second time to scrap presidential term limits to allow the president to run for a third time in 2006.” The news report states:

“Since Yoweri Museveni came to power 19 years ago, Uganda has operated a unique political system which severely restricts political parties. He introduced the so-called Movement System to prevent sectarian violence.” The same report summarises the president’s reasoning for readopting a multi-party system, opposition doubts and the opposition’s intention to boycott the referendum. [69af]

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REFORM AGENDA (POLITICAL GROUP)

- 5.32 The Reform Agenda was an opposition pressure group founded by Besigye after his bid for presidency failed. However, as noted in a 29 January 2003 article, “What’s behind the spate of arrests?” from *New Vision* (a Government newspaper), security organisations claimed that RA was more than a pressure group. [50a] In July 2002, *The Monitor* reported that the Reform Agenda (RA) had elected Dr Besigye as National Chairman in absentia; Deputy Chairman of the RA, Sam Njuba, said that the group has reconstructed itself into a pro-reform, pro-democracy pressure group and resolved not to register under the newly passed Political Parties and Organisations Act. [31aa]
- 5.33 On 5 January 2003, *The Monitor* reported that the Reform Agenda had advised Besigye not to return to Uganda but to stay in exile. This followed a statement by President Museveni the previous week that Besigye was free to return to Uganda. However, Njuba (RA’s Deputy Chairman) said that the Government would have to guarantee Besigye’s freedom if it is serious about his return. [31e]
- 5.34 The 29 January 2003 *New Vision* article quoted an official from RA as saying that about 50 RA activists had been arrested by security operatives. Security organisations accused all those arrested of being involved in armed rebellion.

Bushenyi RDC Mr Barnabas Bamusede Bwambale said, in his personal opinion, there were genuine fears that the RA offers the political base and network from which the People's Redemption Army would draw inside support. The military establishment also made remarks that Besigye has links with the Lord's Resistance Army (LRA). However, an RA Activist said that any talk linking them to the LRA is aimed at intimidating them into submission and a ploy by the Government to label them as a rebel group and consequently outlaw them. [50a]

(see, para 6.132 [PRA](#))

5.35 On 29 January 2003, BBC Monitoring reported that President Museveni had agreed to talk to RA members. At an RA press conference on 27 January 2003, it was revealed that the RA were ready for such a meeting. [66g] In February 2003, the *New Vision* reported that the RA had resolved that their exiled leader, Dr Besigye, should lead their delegation and take part in the proposed talks with the President. Vice-chairperson Njuba said that the RA gave certain conditions for the talks: there had to be an agenda, Besigye had to lead the delegation, the meeting had also to be with other opposition leaders and RA prisoners were to be released first. [50i]

5.36 The USSD report for 2004 states:

"The RA alleged in 2003 that more than 280 of its members had been arrested in 2003 and 2002 due to their political opinions. The Government maintained that the arrests were lawful and that some of those arrested would be prosecuted for treason. RA supporter Dan Magarura, who in 2003 was arrested on treason charges, was released on bail in September 2003." [2b](p.5)

FORUM FOR DEMOCRATIC CHANGE (POLITICAL GROUP)

5.37 It was reported in the *New Vision* newspaper on 10 August 2004 that:

"Reform Agenda, the Parliamentary Advocacy Forum (PAFO) and the National Democrats Forum leaders yesterday formally announced the formation of a new party, the Forum for Democratic Change (FDC). The leaders, including Sam Njuba of RA, Augustine Ruzindana of Pafo and Chapaa Karuhanga of the NDF, addressed a press conference at the RA offices in Kampala. Other leaders including Reagan Okumu, Geoffrey Ekanya and Joyce Sebugwawo of RA, Salaamu Musumba, Ben Wacha, Abdu Katuntu, Jack Sabiiti of Pafo, NDF secretary general John Matovu and a prominent city lawyer, attended the conference. Present also were former ESO chief David Pulkol, now of the National Progressive Movement party, former minister Prof. Edward Kakonge and Luweero district PAFO coordinator Baale Bwanika." [50aq]

5.38 Comments prepared for the APCI Meeting in March 2005 added that, in February 2003, it was reported in *The Monitor* that the former Kampala mayor, Nasser Sebagala had said that Besigye should return from exile. Mr Sebagala supported Besigye in the 2001 elections after he himself was not nominated. Sebagala is back in Uganda after pursuing a bachelor's degree in politics and economics in the UK. [4a]

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JUDICIARY

- 5.39 The US State Department Report on Human Rights Practices for 2004 (USSD report for 2004), published 28 February 2005, states:

“The Constitution provides for an independent judiciary, and the Government generally respected this provision in practice; however, the President had extensive legal powers of judicial appointment. The President appoints Supreme Court, High Court, and Court of Appeal judges with the approval of Parliament. The President also nominates, for the approval of Parliament, members of the Judicial Service Commission, who make recommendations on appointments to the High Court, the Court of Appeal, and the Supreme Court. The judiciary ruled against the Government on several high-profile cases during the year; however, judicial corruption was a serious problem. For example, a High Court judge was accused during the year of soliciting a \$500,000 (850 million shillings) bribe; the case was pending at year’s end. The lower courts remained understaffed, weak, and inefficient.” [2b] (p6)

- 5.40 The same report also states that:

“The highest court was the Supreme Court, followed by the Court of Appeal, which also functioned as the Constitutional Court for cases of first instance, the High Court, the Chief Magistrate’s Court, local council (LC) level three (sub-county) courts, LC level two (parish) courts, and LC level one (village) courts. A minimum of six justices could sit on the Supreme Court and the Court of Appeal.” [2b] (p6)

- 5.41 The USSD report of 2004 reported that:

“The civilian judicial system contained procedural safeguards, including bail and the right of appeal; however, an inadequate system of judicial administration and a lack of resources, resulting in a serious backlog of cases, limited the right to a fair trial. During the year, the High Court reduced its backlog from 84 to 51 cases. All non military trials were public.” [2b] (p7)

- 5.42 Although the USSD report of 2004 notes that many defendants (or ‘accused persons’ as they are more commonly known in Uganda [4a]):

“... could not afford legal representation. The Constitution requires that the Government provide an attorney for indigent defendants accused of capital offenses, but there rarely was enough money to retain adequate counsel. The Uganda Law Society (ULS) operated legal aid clinics in four regional offices, although services remained limited due to funding constraints. The ULS also assisted defendants in military courts. The local chapter of Uganda Women Lawyers Association and the FHRI practiced public interest law from offices in Kampala. The Law Development Center operated a legal aid clinic to address cases involving children and those accused of petty crimes. A public defense service also operated; however, it lacked government funding and relied solely on donor support.” [2b] (p7)

- 5.43 In a *New Vision* article of 10 June 2002, the Chief Registrar of the High Court announced that Chief Magistrates Courts would start handling cases of defilement and rape and shall have high powers to grant bail. It was agreed that the age of consent remains at 18 years, but the sentence reduced to life

imprisonment. The number of Chief Magistrates is to be increased from 29 to 59 in order to handle the backlog of cases in courts. [50ak]

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TREASON

5.44 The US State Department Report on Human Rights Practices for 2004 (USSD report for 2004), published 28 February 2005, states: "The Constitution provides for bail in all but capital cases and cases of treason." [2b] (p6) The USSD for 2003 states: "If the case is presented to the court before the expiration of this period, the Constitution does not limit pre-trial detention." The report notes that the Government had continued to arrest people on treason charges. [2a] (p9)

5.45 In the past, states the USSD report for 2003, numerous human rights abuses were committed in connection with treason cases, including political detention, detention without charge, detention in unregistered and unofficial places of remand, and mistreatment, including torture. [2a] (p9-11) The USSD Report for 2004 adds:

"During the last 2 years, the Government has arrested and charged with treason more than 40 persons for collaborating with the People's Redemption Army (PRA); none of the 40 had been tried by year's end. For example, on November 22 and December 13, security forces detained, respectively, Joseph Musasizi, the brother of 2001 presidential candidate Kizza Besigye, and George Owakukiroru, an elected official in the Rukungiri district government; both Musasizi and Owakukiroru, who were members of the opposition Forum for Democratic Change (FDC), were being detained at year's end. During November and December, the CMI arrested 16 persons, most of whom were opposition supporters, on charges of treason; all 16 were being detained at year's end." [2b] (p5)

The same report states: "Prisoners held on treason charges complained that security officers kept files on and harassed their visitors." [2b] (p5)

5.46 Detainees included members of the Islamic Tabliq group, some of whom were released and then rearrested, notes the USSD 2003 report. [2a] (p9-11) Fifteen Tabliq Muslims were acquitted of treason by the High Court on 12 July 2002. On their release they were taken to a religious leader for counselling and then, according to *The Monitor* in an article dated 13 July 2002, were allowed home. [31m] With regards to a similar case, the USSD report for 2004 adds: "On August 13 [2004], 22 members of a Muslim group were set free after treason charges were withdrawn; the 22 were arrested in 2003 for allegedly financing the ADF." [2b] (p7) The USSD report for 2004 notes the case of members of the Uganda Peoples Congress (UPC) party:

"On July 16 [2004], a court in Lira charged five of the missing members – Francis Odong, Gaba Otim, Joseph Eteng, Kenneth Oting, and Cyprian Okello – with treason. At year's end, seven members were in detention and eight remained unaccounted for." [2b] (p7)

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LEGAL RIGHTS/DETENTION

- 5.47 The USSD report for 2004 reporting on the situation of arbitrary arrest or detention stated that:

“The Constitution prohibits such practices; however, members of the security forces arrested and detained citizens arbitrarily during the year.” [2b] (p5)

Comments presented to the March 2005 meeting of the APCI note that under the Constitution, a suspect must be charged within 48 hours of arrest and be brought to trial or released on bail within 120 days for minor offences and within 360 days for capital offences. [4a]

- 5.48 The USSD report for 2004 continues, noting however:

“... many persons were detained for more than 48 hours without being charged... however, if the case is presented to the court before the expiration of this period, there is no limit on pre trial detention. Detainees must be informed immediately of the reasons for their detention, although authorities did not always enforce these procedural protections in practice. Suspects must have access to a lawyer; however, there was no provision ensuring family visitation. The Constitution provides for bail in all but capital cases and cases of treason.” [2b] (p5)

- 5.49 The USSD report of 2004 adds:

“Legal and human rights groups criticized the excessive length of detention prior to trial, which in many cases amounted to several years; such lengthy pretrial detentions both violated the constitutional rights of the detainees and contributed substantially to prison overcrowding. Pretrial detainees comprised 60 percent of the prison population. The average time in pretrial detention was between 2 and 3 years. During the year, the UHRC heard several cases brought by prisoners challenging the length of their detention.” [2b] (p6)

- 5.50 The Human Right Watch Annual Report of 2003 states that the Anti-Terrorism Act of 2002 has a broad definition of terrorism, describing it as the “use of violence or threat of violence with intent to promote or achieve political, religious, economic and cultural or social ends in an unlawful manner.” The law carried a mandatory death sentence for those found to be terrorists. It could threaten also the legitimate work of journalists who publish material considered ‘likely to promote terrorism.’ [35c]

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DEATH PENALTY

- 5.51 According to the Amnesty International Annual Report of 2004, covering events from January - December 2003:

“At least 432 people were under sentence of death. No executions of civilians took place. Government and military officials repeated their readiness to execute soldiers as a disciplinary measure to safeguard state security; at least three soldiers were executed. In July, 398 death row inmates, including 16 women, filed a petition before the Constitutional Court challenging their death sentences on the grounds that they were unconstitutional, inhuman and degrading. The petition was based on Articles 24 and 44 of the Constitution

prohibiting any form of torture or cruel, inhuman or degrading treatment and punishment. The Attorney General opposed the petition. On 3 March, three UPDF soldiers were executed by firing squad in circumstances where the swiftness of their trials, without any possibility of appeal, constituted a denial of the right to a fair trial. Private Richard Wigiri was executed in Kitgum Matidi Township, near Kitgum, after a military court found him guilty of murdering a civilian in December 2002. Privates Kambacho Ssenyonjo and Alfred Oketch were executed after a military court near Kitgum found them guilty of killing three people on 4 January 2003.” [22a] (p3)

5.52 According to the USSD report of 2004:

“The military court system often did not assure the right to a fair trial. Although the accused had the right to legal counsel, some military defense attorneys were untrained and could be assigned by the military command, which also appointed the prosecutor and the adjudicating officer. The law establishes a court-martial appeals process; however, a sentence passed by a military court, including the death penalty, could be appealed only to the senior leadership of the UPDF. Under circumstances deemed exigent, a field court martial could be convened at the scene of the crime; however, the law does not permit an appeal under this provision. In 2002, the ULS filed a petition challenging the execution of soldiers under field court martial without the right of appeal; the case had not been resolved at year’s end.” [2b] (p7)

5.53 According to a BBC News Report of 4 March 2003, in March 2003, the Ugandan army executed three soldiers in public after they were found guilty of murdering several civilians near the northern town of Kitgum. The Ugandan army has been known to execute its own soldiers. The same report adds that in 2002, two young soldiers were executed after being found guilty in a field court martial of murdering an Irish priest and his two Ugandan employees. [69p]

5.54 The Hands Off Cain group, an NGO dedicated to the abolition of the death penalty worldwide, reports, in its website review of worldwide practices, that the Ugandan Constitutional Court, on 10 June 2005, struck down the imposition of death sentences, but rejected the full abolition of capital punishment. [3]

Prior to the 10 June 2005 ruling, the USSD report for 2004 outlines a range of sentences up to the death penalty which can be imposed for defilement (sex with minors). [2b] (p16) The Hands Off Cain website states that the Penal Code carries 15 capital offences. [3]

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TORTURE

5.55 The USSD report for 2004 states:

“The Constitution prohibits such practices; however, there were widespread and credible reports that security forces tortured and beat suspects in unregistered detention facilities to force confessions. Between January and December [2004], the UHRC received 2,249 complaints of mistreatment; 179 of those complaints involved torture. The UHRC Tribunal confirmed many of these complaints and ordered the Government to compensate the victims. Security units involved in torture included the regular police, the UPDF, and the Violent

Crimes Crack Unit (VCCU); on occasion, such torture resulted in death.” [2b] (p3) The report also notes that during the year, the UHRC Tribunal awarded compensation to several persons who had been abused by security forces. [2b] (p3)

- 5.56 HRW reported, in the 2004 Human Rights Watch report “State of Pain: Torture in Uganda” (published in March 2004), that since 2001 there has been an escalation of human rights violations by security and intelligence agencies. These forms of torture include beatings with hammers and sticks with protruding nails and electrocution. [10b] (p4) The “State of Pain” report describes the forms of torture in use in Uganda, including kandoya (tying hands and feet behind the victim) and suspension from the ceiling of victims tied kandoya; “Liverpool” water torture (forcing the victim to lie face up, mouth open, under a flowing water spigot); severe and repeated beatings with metal or wooden poles, cables, hammers and sticks with nails protruding; pistol-whipping; electrocution; male and female genital and body mutilation; death threats (through showing fresh graves, corpses and snakes); strangulation; restraint; isolation; and verbal abuse and humiliation. [10b] (p23) Some of these practices are reported to have resulted in the death of detainees in custody. HRW says that an informal survey at Kigo Prison near Kampala, where ‘political’ cases are held, indicated in June 2003 that 90 percent of detainees/prisoners had been tortured during their prior detention by state military and security agencies.” [10b] (p4)
- 5.57 A *New Vision* article of 5 April 2004 noted that Ugandan Government officials have dismissed the report and the Uganda Human Rights Commission (UHRC) has accused the HRW of “repackaging old information” and “marketing it to the world as fresh findings on torture by state security agencies.” UPDF spokesman Maj. Shaban Bantariza said in the same article that the alleged torture victims cited in the HRW report were “not political opponents but criminals and terrorists.” Bantariza said Rashid Kawawa, one of the alleged torture victims in the HRW report, was arrested and charged in court with taking part in ADF rebel bombings in Kampala in 2001. He said another suspect, Ibrahim Lwere, was found with a gun and incriminating documents. [50ao] Jemera Rone, the researcher of the HRW report countered that: “The issue was not whether the cases were fresh or old. The whole thing is about torturing suspects which is still going on in Uganda.” [50ao]
- 5.58 The HRW report, “State of Pain” report, also notes:
 “Uganda set up a shadow sector of security operations to contend with armed rebel groups and crime but now, the security system serves to punish and deter political opposition by detaining and torturing supporters of the political opposition.” [10b] (p19)
- 5.59 The HRW report adds that victims are blindfolded and taken to unknown locations known, as ‘safe houses’ which it claims have become an established feature of the Ugandan system of detention. HRW says the ‘safe houses’ provide Ugandan security and military forces with the opportunity for unseen torture and interrogation of suspects. [10b] (p23)
- 5.60 The USSD report for 2003 notes that following widespread public outcry and an exchange of accusations, the Parliamentary Subcommittee on Defence and Internal Affairs presented a report exonerating security forces of torture

charges; however, several members of the subcommittee disputed the validity of the report. On 16 July 2003, the UHRC acting chairperson Joel Omara testified before the Legal and Parliamentary Affairs Committee that several persons in Kigo Prison had been tortured by security organisations and that CMI personnel were being used to illegally arrest and torture persons to encourage them to pay their financial debts. [2a] (p6-7) According to the USSD 2004 no action was taken during the year against the security organizations that reportedly tortured prisoners in Kigo Prison or CMI personnel who were illegally arresting and torturing persons to force them to pay their financial debts. [2b] (p4)

5.61 The USSD report for 2004 notes that during the year, the UHRC Tribunal awarded compensation to several persons who had been abused by security forces. [2b] (p3)

5.62 The Amnesty International Annual Report 2004 states:

“Throughout 2003 operatives from the police, various security agencies and the army, including the Violent Crime Crack Unit (VCCU), the Internal Security Organization, the Chieftaincy of Military Intelligence and the Joint Anti-Terrorism Task Force were persistently reported to have tortured people detained on suspicion of political or criminal offences. Suspects were held incommunicado at unrecognized detention centres commonly referred to as ‘safe houses’. According to official reports, security forces frequently extracted information through torture and other cruel, inhuman or degrading treatment.” [22a] (p2)

5.63 The Human Rights Watch report of May 2005, entitled “Concerns regarding torture and other cruel, Inhuman or degrading treatment or punishment in Uganda”, reports that the Ugandan Human Rights Commission (UHRC) had received 446 torture complaints during 2003:

“Most complaints were against the police, the army and the VCCU. The UHCR recognised that most of the torture complaints were closely linked to three illegal practices: ‘The use of torture was closely linked to the use of illegal detention places, detention beyond 48 hours as stipulated by law and the involvement of other security organs in police functions.’” [10e] (p.11)

INTERNAL SECURITY

5.64 The Europa World Yearbook 2003 notes:

“In August 2001, the Uganda People’s Defence Forces was estimated to number 50,000 to 60,000 men including paramilitary forces (a border defence unit of about 600 men, a police air wing of about 800 men, about 400 marines and local defence unit totalling about 15,000 men). Disruptive activity by rebel groups in northern and western Uganda, in conjunction with Uganda’s military involvement in the Democratic Republic of the Congo from the middle of the 1998 resulted in higher levels of military expenditure during the 1990s.” [1a] (p4192)

5.65 The US State Department Report on Human Rights Practices 2003 (USSD report for 2003) reports that the Internal Security Organisation (ISO) remained under the direct authority of the President. It notes that although the ISO primarily was an intelligence-gathering body, its operatives occasionally detained civilians.

The Chief of Military Intelligence (CMI), under UPDF control, detained civilians suspected of rebel and terrorist activity. The police were organised as a national force under the authority of the Ministry of Internal Affairs. All security forces were under Government control and were responsive to the Government. [2a] (p1)

5.66 The USSD report for 2004 states:

“Security forces committed unlawful killings and were responsible for short-term disappearances. Torture by security forces and beating of suspects to force confessions were serious problems. Security forces were responsible for incommunicado detention, and prison conditions remained harsh and frequently life threatening. The Government punished some security force officials who were guilty of abuses; however, impunity remained a problem.” [2b] (p1)

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SECURITY FORCES

5.67 The US State Department Report on Human Rights Practices 2004 (the USSD report for 2004), published on 28 February 2005, states:

“The Uganda People’s Defense Force (UPDF) was the key security force, and a civilian served as Minister of Defense. The Internal Security Organization (ISO) remained under the direct authority of the President, and was an intelligence-gathering body; however, its operatives occasionally detained civilians. The Chieftancy of Military Intelligence (CMI), under UPDF control, detained civilians suspected of rebel and terrorist activity. The police were organized as a national force under the authority of the Ministry of Internal Affairs.” [2b] (p1)

5.68 The same report notes that:

“The UPDF continued ‘Operation Iron Fist’ in its 18-year war against rebels of the Lord’s Resistance Army (LRA) in the northern and eastern portions of the country and in southern Sudan. A ceasefire announced by the Government on November 14 expired on December 31 after the two sides failed to agree on terms for its extension. Local leaders formed Local Defense Units (LDUs) to reinforce government efforts to protect civilians from LRA attacks.” [2b] (p1)

5.69 According to the USSD report for 2004:

“The country provided the use of its airfields and other logistical support for international peacekeepers operating in the Democratic Republic of the Congo (DRC); however, there continued to be allegations that security force members and some government officials supported militia activities in the DRC and profited from illegal trade.” [2b] (p1)

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PRISONS AND PRISON CONDITIONS

5.70 The USSD report for 2004 states:

“Prison conditions remained harsh and frequently life threatening, primarily as a result of the Government’s severely inadequate funding of prison facilities. In addition, there were several reports that security forces and guards tortured inmates. Prison conditions came closest to meeting international standards in Kampala, where prisons provided medical care, running water, and sanitation; however, these prisons also were among the most overcrowded. There were an estimated 19,000 inmates in the country’s prisons and police cells. By one estimate, the country’s prisons held approximately three times their planned capacity. The central prison system continued to work with NGOs and the donor community to improve prison buildings, water and sanitation systems, food, and the provision of uniforms; however, progress was minimal during the year.” [2b] (p4)

5.71 The USSD report for 2004 further states:

“Although the law provides for access to prisoners by their families, ignorance of this right and fear of prison authorities often limited family visits. The Uganda Human Rights Commission (UHRC) reported that it received allegations that officers in charge of police cells sometimes demanded bribes to allow visits.” [2b] (p4)

5.72 The USSD report of 2004 adds:

“The Government permitted access to prisons by the International Committee of the Red Cross (ICRC), foreign diplomats, and local NGOs, principally FHRI and the Uganda Prisoners’ Aid Foundation. The UHRC visited numerous prisons and reported on its findings publicly; however, the UHRC also complained that it was not given access to UPDF detention facilities or ‘safe houses’. Prison authorities required advance notification of visits, a process that was sometimes subject to administrative delays.” [2b] (p4-5)

5.73 The same report notes, in addition, that:

“The Community Service Act seeks to reduce prison congestion by allowing minor offenders to do community service instead of being imprisoned. Since 2001, 1,726 offenders have been sentenced to community service in 4 pilot districts. By year’s end, the program had been expanded to 10 additional districts.” [2b] (p4)

5.74 *The Monitor*, in an article dated 11 February 2003, reported that the treatment of suspects detained in alleged torture chambers had dominated debate in Parliament. Kashari MP John Kazoora informed the house that he had received reports of suspects being dumped in cages of snakes and crocodiles. [31x] On 20 February 2002, the *New Vision* newspaper reported that inmates at Kigo Prison narrated the alleged torture they went through at the hands of the military before they were taken to court. One inmate said he was forced to accept that he communicated with Kizza Besigye as he was forced to face snakes, the incident happening in a place not known to him. [50ae]

5.75 The USSD report for 2004 states:

“Female prisoners were held in segregated wings with female staff in most prisons; conditions were severely substandard. Due to lack of space in juvenile facilities, juveniles often were held in prisons with adults. The central prison system maintained one juvenile prison and four remand homes. School facilities

and health clinics in all five juvenile institutions were grossly inadequate; prisoners as young as 12 performed manual labor from dawn until dusk. Severe overcrowding also was a problem at juvenile detention facilities and in women's wings. The remand home in Kampala, designed for 45 inmates, held more than 80 children. In Kampala jails, pretrial detainees were kept separate from convicted prisoners; however, in the rest of the country, due to financial constraints, pretrial detainees and convicted prisoners sometimes were held together." [2b] (p4)

MILITARY SERVICE

5.76 It is noted in the US State Department Report on Human Rights Practices for 2003 (USSD report for 2003), that there is no military conscription in Uganda. The USSD report for 2003 states that:

"The Uganda People's Defence Forces (UPDF) is under full civilian control. The recruitment criteria is a minimum age of 18, recommended by the local council structure, medically fit and educationally literate. However, in practice some recruiters have allowed 17 year olds to enlist. LDUs may recruit children under the age of 18 with parental consent." [2a](p18)

5.77 The War Resisters International Report, "Refusing to Bear Arms", notes that there is no provision for conscientious objection. In 1991, under the National Resistance Army (NRA) Code of Conduct, applications from professional serving soldiers for discharge were made under an individual basis. The report concludes that it may prove difficult for professional serving soldiers to leave the armed forces. [17]

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LRA REBELS JOIN THE MILITARY

5.78 The BBC reported on 13 July 2004 that thousands of people had turned out to watch, as around 300 former Ugandan Lord's Resistance Army (LRA) rebels marched through Gulu town before heading to a showground for a passing-out ceremony. They were there welcomed into the regular Ugandan army. [69x] IRIN reported in an article dated 14 July 2004 that the former rebels included nine women whom the LRA had abducted from villages in northern Uganda and forced to become fighters. [68af]

5.79 According to army spokesman Major Shaban Bantariza in the BBC 13 July 2004 article, the new recruits have received three months' military training and political education. The new recruits will be going back to fight the LRA, their former allies. "'They can now turn away from being terrorists into a people's defence force,' he told the BBC. 'They have been helping us a great deal in tracking their [former] colleagues.'" [69x] An army spokesman told IRIN that the rebels would make up the army's 105 battalion, which would be commanded by a UPDF major and would be expanded with time. [68af] The IRIN article adds that those integrated had to be between 18 and 30 years of age. [68af]

5.80 However, IRIN, in the same article of 14 July 2004, states that some humanitarian bodies have questioned the wisdom of making these fighters part of the army, saying they required longer periods of counselling because many

were children when they were abducted and forced to commit atrocities: “These people cannot be in their normal senses to handle a service like the army. They required months of counselling before the idea of introducing them to any vocation could arise,’ said a church worker in northern Uganda who preferred not to be named.” [68af] The IRIN article added a further comment: “They only know that to go out and fight is to kill people. Three months could not change this attitude and all of them needed psychiatric help after going through those rituals of killing by the LRA.” [68af]

5.81 Major Bantariza countered in the same article that the political education they received was meant to re-orient them so that they become part of a pro-people army and abandon past traits. “A number of them have known only fighting for the best of their lives, it would have been difficult to ask them to take up a different vocation,’ he said. ‘We even asked them to take options and they opted for the army.’” [68af]

5.82 The International Crisis Group report, “Building a comprehensive peace strategy for northern Uganda”, of 23 June 2005, continues the point, stating:

“Former LRA commanders say that most of their old colleagues in the bush would agree [to] integration into the army as part of a peace deal. One elaborated: ‘These commanders are warlords. Most have learned that the gun can bring them everything they need: women, children, food, clothes, and happiness. They are gun-minded. They will need these things in their new life. The resettlement package needs to maintain their self-respect.’”[87a] (p8)

5.83 The BBC article of 13 July 2004 adds that Major Bantariza stated that many of the former rebels were not the leaders of the atrocities, “We should make a difference between the misleaders and the misled, the ones that have formed the new battalion are basically the misled” added in the BBC article. [69x]

5.84 The IRIN report notes that senior rebel commanders who surrendered recently [in 2004] and held meetings with top government officials, including President Yoweri Museveni, witnessed Tuesday’s ceremony after returning to Gulu from the capital, Kampala. They had gone to Kampala to apply for pardon under an existing amnesty law. [68af]

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MEDICAL SERVICES

5.85 According to the January 2000 Country Health Briefing Paper on Uganda produced by the British Department for International Development, the 1993 Health Policy clearly set out consolidation and rehabilitation as the main strategies. This is being updated by the Government which has entered into negotiations with donors with a view to implementing a sector wide approach. The underlying theme is to increase access to a minimum essential package of health services. This allows for limited expansion of the health infrastructure. Services are currently being provided by a combination of public and private sources, with the public sector playing a key role. With decentralisation, the districts have taken on the responsibility for delivering district health services, receiving block grants from the Ministry of Health. The role of the Ministry of Health is now focussed on providing technical support, supervision and

monitoring, setting norms and standards, mobilising resources, and donor co-ordination. The NGO sector also plays an important role. [19]

5.86 The Ugandan Ministry of Health website's Health Policy Statement, dated 2001/2002, sets out key achievements and challenges since the late 1980s:

“1.1 Over the past fourteen years considerable effort has been made to restore the functional capacity of the health sector, reactivate disease control programmes and re-orient services to Primary Health Care. The positive impact of these measures is evidenced by the fall in infant mortality rates and the rising utilization of services.

1.2 However this steady improvement is still clouded by several factors such as:

- The high prevalence of preventable communicable diseases;
- The rising incidence of non-communicable diseases;
- The rapidly increasing demand for services due to population growth and effects of HIV/AIDS [and]
- The resource constraints.

“The diseases responsible for the largest proportion of morbidity and mortality continue to be: Malaria, Acute Respiratory Infections, HIV/AIDS, Tuberculosis, Malnutrition, Maternal and Perinatal Conditions, cardiovascular conditions, and Trauma/accidents.” [37b] (Policies and Programmes)

5.87 The organization of the Ugandan public health service is outlined on the Ministry of Health website, which notes the services and resources available in an overview entitled “Health Infrastructure”, stating:

“Service outlets comprise 1,738 facilities, of which 1,226 belong to government, 465 belong to NGOs and 47 belong to the private sector. The facilities include 104 hospitals (57 government, 44 NGO and 3 Private), 250 health centres (179 government, 68 NGO and 3 private), palliative care 2 (government 1, NGO 1) and others (989 government, 352 NGO and 41 private).” [37b] (Health Infrastructure)

5.88 Radio Uganda relayed in a report, dated 10 September 2001, and is entitled “Mental health services to be strengthened”, that the Government, with the assistance of the African Development Bank, established a support to the health sector reform plan. A statement issued by the permanent secretary, Ministry of Health, Richard Muhinda, said the project is aimed at strengthening mental health services in Uganda and added that it will also serve to address primary health care in northern Uganda. [49d] Radio Uganda, in “New Hospital in Gulu hopes to attract patients from abroad” dated 1 October 2001, also relayed that in October 2001, a new hospital opened in Gulu. The new hospital specialises in specialist services that will minimise travel for medical treatment outside Uganda as well as generating revenue from international services. [49b] The hospital website states that the facility deals in such areas as cancer treatment, rheumatology, orthodontics, oncology, metabolic medicine, neurology, nephrology and cardiology. See the website (source 26) for full details of facilities, specialisms and payment options (including assisted). [26]

- 5.89 The Sickle Cell Association of Uganda's website states that Uganda has one of the highest sickle cell prevalence rates in Africa although the exact numbers are not known. [50r] Health officials estimate that over 25,000 children in Uganda are born every year with sickle cell. According to experts on the disease most of the deaths could be avoided by simple interventions if the communities are sensitised. Chairperson of The Sickle Cell Association of Uganda said the association would offer counselling and sensitisation to reduce the stigma among the sufferers. [50r]
- 5.90 According to Government figures Uganda has an estimated 5.3 million cases of malaria for a population of 21.1 million. According to Medecins sans Frontières in a 2002 report, in Bundi Bugyo hospital, in the east of the country next to the border with Democratic Republic of Congo, 60 per cent of hospital stays in the paediatric department are linked to malaria. Reducing malaria morbidity and mortality is one of Medecins sans Frontières's priority objectives. [55]

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HIV/AIDS

- 5.91 In December 2000, the Bill Gates Foundation donated US\$15.3m (over sh27b) to Uganda for the implementation of national population programmes focussing on adolescents and HIV/AIDS. [50y] A report in May 2001 stated that the Government of the United States of America was to introduce two new development programmes and a total of \$50m to help fight the HIV/AIDS pandemic in Uganda. [31p] According to an HIV/AIDS surveillance report released by the Ministry of Health in June 2003, the Ministry's statistics state that as of 31 December 2002, 4,523 Ugandan children under the age of 12 years had died as a result of the disease, representing 7.4 per cent of all recorded AIDS cases, with the figure of 56,451 (92.6 percent) reported adult AIDS cases. [37c](p.23) A *New Vision* article of 11 November 2002 stated that out of 1.05 million Ugandans living with HIV/AIDS, 105,055 were children under the age of 15 years. [50ag]

The Ministry of Health Surveillance report of June 2003 states that, by December 2002, new HIV infections in Uganda were running at 70,170 a year; new AIDS cases estimated at 73,830 a year; and 75,290 deaths were estimated in 2002. [37c](p.50)

- 5.92 According to the country profile issued by the Center for Disease Control and Prevention Global AIDS Program (GAP) for 2003:

"Uganda's response to HIV/AIDS has been comprehensive and, therefore, is seen as a model for the rest of sub-Saharan Africa. Since 1992, HIV prevalence in Uganda has dropped by more than 50% (the most marked decline has been people ages 15-19 and 20-24 years), and significant changes in HIV-related behaviors have been documented. The government's openness about HIV/AIDS has led numerous multilateral and bilateral, indigenous, and international non governmental organizations (NGOs) to work on HIV/AIDS in Uganda. In addition, numerous community-led initiatives characterized Uganda's early response to HIV/AIDS. The overall prevalence of HIV/AIDS in the country is 4.8%, with prevalence estimates of roughly 10% and 4% for the urban and rural populations, respectively. The total of new AIDS cases in 2002 was 73,830, compared to 99,031 new cases reported in 1999 and 2000

combined. Of the new AIDS cases in 2002, 17,050 were in children under 15 years of age. Transmission is mainly heterosexual (75%-80%); mother-to-child-transmission (MTCT) accounts for 15%-25%; infected blood products 2%-4%, and use of non-sterile instruments less than 1%". [21b]

- 5.93 An article in *The Monitor*, dated 16 August 2005, recounted a presentation "Bringing Services Closer To People Living With HIV/Aids, A Taso Home Based Care, Community Nursing Initiative" with credit going to Dr Alex Coutinho, Bennet Joseph Kizito and C. Nabiryo, given at the (biannual) International Aids Society (IAS) Conference on HIV Pathogenesis and Treatment, held (in 2005) in Brazil from 24-27 July 2005:

"According to this presentation, at least 64.3 percent of The Aids Support Organisation (Taso) clients have to travel more than 10kms each time they are going to the nearest Taso centre for Medical, material or psychosocial support. But the researchers noted that considering that 75 percent of these clients are too poor with no regular source of income at all, returning for services at Taso becomes difficult." [31ak]

"As a result, the Taso Home Based Care initiative saw the recruitment of former Public Health or private nurses who live within the community to serve a radius of 5km around them. Seven out of 10 Taso centres have recruited at least 10 community nurses each, starting from April 2004." [31ak]

"These nurses were identified by their respective communities and trained by Taso in HIV/Aids care and counselling, Palliative care, Principles and practice of Antiretroviral Therapy (ART). They provide Taso clients in their communities with home based care (even to those who are bedridden), pain and symptom management and counselling as well as monitor and reinforce adherence to ART and Anti-TB treatment. Monitoring and giving first aid treatment for side effects in addition to referring clients to health centres, Taso clinics or government hospitals were also part of their roles." [31ak]

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ANTI-RETROVIRAL DRUGS (ARV'S)

- 5.94 A *New Vision* article of 19 November 2002, entitled "Uganda gets \$36m to fight AIDS", notes that Anti-Retroviral Drugs (ARVs) are available in Uganda, and the Government is to receive a further US\$36 million under the Global Fund for HIV/AIDS to help fight the AIDS pandemic. [50n] IRIN reported on 13 March 2003 that the Minister of Health stated that a total of 10,000 ARV users (one-third of the ARV users in sub-Saharan Africa), are in Uganda. [68f] In a PR Newswire Association article of February 2003 AIDS Healthcare, one of the United States' specialised provider of HIV/AIDS medical care were said to operate a completely free AIDS treatment clinic in Masaka. [43]
- 5.95 *The Monitor* article dated 16 August 2005 outlines another presentation at the July 2005 IAS conference:

"There had been inference that the introduction of Antiretroviral drugs (ARVs) in Uganda was likely to lead to complacency in prevention of HIV/Aids. It is in light of the above that a study by the Academic Alliance for Aids care and prevention in Africa, was done in Kampala to assess the effect of ARVs on risk behaviour

regarding HIV/Aids. Carried out between October 28, 2004 and December 22, 2004, the study was cross-sectional in design, employing both quantitative and qualitative methods of data collection.” [31ak]

“...The researchers concluded that beliefs regarding the effect of ARVs on risk behaviour were diverse. Availability of ARVs had not significantly led to increased risk behavioural practices, they said. Credits of the study go to E. Muhwezi, L. Atuyambe, S. Kasasa, G. Wamuyu-Maina, E. Otolok-Tanga and S. Neema.” [31ak]

A further study mentioned at the IAS Conference concluded:

“Findings of this evaluation prove the fact that ARVs notably improve the quality of the lives of HIV/Aids patients. The availability of free ART through government programmes, the Global fund and the US Presidential Emergency Plan For Aids Relief Program (PEPFAR) has improved the lives of some patients who had been condemned to death by HIV.” [31ak]

- 5.96 Dr Stockley of “The Surgery, Kampala” has informed The Home Office that HIV treatment is readily available from any hospital and many private clinics in Uganda. There is considerable expertise within Uganda in HIV, as experts from USA and Britain, in particular the CDC and the MRC, are doing a lot of research in Uganda. Some Ugandan specialists also have internationally recognised experience. [75]

Most ARV drugs are held by Dr Stockley to be available, such as Zalcitabine:

“The latest most expensive drugs are unnecessary in treatment and we see no reason to use them as first line treatment. All my patients have responded to the cheap drugs and we see almost no side effects at all. Most of my European patients who come out on the expensive drugs feel ill most of the time and are usually delighted to switch to the cheaper drugs with fewer or no side effects”. [75]

Dr Stockley continues, noting that Indian generic drugs are used in preference to the more costly western versions and even European doctors in Uganda use these Indian generics by choice in preference to heavily promoted brand names. Management of HIV is considered to be adequate and in many centres at least as good as in the UK. The drugs are very readily available at relatively cheap prices. A plane ticket to UK costs the same as 2 years’ treatment. [75]

- 5.97 However, according to a report issued by the International AIDS charity AVERT (updated April 2005):

“Few people living with HIV/AIDS have adequate access to anti-retroviral therapy which means that many people continue to die from AIDS-related diseases. The graph (above) [Not shown] shows a prevalence rate of over 30% in the early 90s. In resource-poor countries such as Uganda, poor nutrition, geographic instability, poor sanitation and water-supplies reduce people’s chances of remaining healthy, especially if their immune systems are damaged by AIDS. In such circumstances, progression from HIV infection to death from AIDS-related diseases is likely to take less than 4 years. It can be said with surety that all of the 30% of Uganda’s population who were infected with HIV in the early 90s are now dead. This is one very significant explanation for the

decline in HIV prevalence. There have, however, been other factors which have also had an effect on lessening the prevalence rate.” [25a] (p5)

5.98 The AVERT report further states,

“Only very recently, in June 2004, Uganda has begun to offer free ARV medication to people with AIDS. This initial consignment has been funded by the World Bank, with future drugs to be paid for by a Global Fund grant of US\$70million. It is also hoped that funding will be forthcoming from President Bush’s promised US\$15billion which is set aside to fight AIDS in fourteen badly-affected countries, including Uganda. This has to be accompanied by education of these HIV+ people since as they will live long enough and remain healthy enough to be sexually active. In October 2004, the Ugandan Ministry of Health claimed 25,000 were being treated out of a minimum estimate of 110,000 in need. ... In June 2004, free ARV distribution began in all areas of Uganda, and the health minister was quoted as saying that at least 2,700 people would be treated by the first batch of medicines. ‘Priority’ he said, ‘would be given to the poor including some civil servants’.” [25a] (p7)

5.99 The Human Rights Watch (HRW) issued a report in March 2005, entitled “The less they know, the better”, that criticised the development of the Ugandan Government’s reliance upon abstinence-based HIV/AIDs combat strategies, stating:

“Widely hailed as a leader in the prevention of human immunodeficiency virus / acquired immune deficiency syndrome (HIV/AIDS), Uganda is redirecting its HIV prevention strategy for young people away from scientifically proven and effective strategies toward ideologically driven programs that focus primarily on promoting sexual abstinence until marriage.” [10f] (p1)

5.100 HRW in the same report notes that such a change in emphasis affects human rights:

“As their proponents admit, abstinence-only programs are not simply about preventing HIV/AIDS, but about promoting moral values. However, censoring or distorting factual information about HIV/AIDS is not a moral value. Moreover, casting HIV/AIDS as a ‘moral’ disease that results from ‘promiscuity’ – as abstinence-programs invariably do – reinforces the deadly stigma associated with HIV/AIDS. Throughout the 1990s, Uganda stood for the idea that AIDS could affect anyone, not simply ‘promiscuous’ people. The idea proved critical to respecting the human rights of people living with AIDS and protecting them from violence and discrimination. Now, abstinence-only programs give Ugandans a new reason to stigmatize people living with AIDS and to judge their actions as immoral or blameworthy.” [10f] (p78)

5.101 The Global Fund, an NGO funder in Uganda, issued a statement “Global Fund suspends grants to Uganda”, on 24 August 2005, stating:

“The Global Fund to Fight AIDS, Tuberculosis and Malaria has temporarily suspended all of its five grants to Uganda and asked the Ugandan Ministry of Finance to put in place a new structure that will ensure effective management of the grants. The Global Fund’s decision was based on a review undertaken by PricewaterhouseCoopers of one of the five grants, which revealed evidence of serious mismanagement by the Project Management Unit (PMU) in the Ministry

of Health. To date, the PMU has been responsible for overseeing the implementation of Global Fund programs in Uganda. While the review centered on the Round 1 HIV/AIDS grant, the same PMU manages all five grants, and to minimize risk all five have been temporarily suspended. The other grants include a second grant for HIV/AIDS, two grants to combat malaria, and one grant targeting tuberculosis. These grants are worth a total of US\$ 201 million over two years, of which US\$ 45.4 million has been disbursed to date.” [13]

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MENTAL ILLNESS

5.102 According to the World Health Organisation (WHO) World Report 2005:

“Mental health services in Uganda were decentralized in the 1960s, and mental health units were built at regional referral hospitals. These units resembled prisons and were manned by psychiatric clinical officers. Services were plagued by low staff morale, a chronic shortage of drugs and no funds for any community activities. Most people had little understanding of mental disorders or did not know that effective treatments and services were available. Up to 80% of patients went to traditional healers before reporting to the health system. In 1996, encouraged by WHO, the health ministry began to strengthen mental health services and integrate them into primary health care. Standards and guidelines were developed for the care of epilepsy and for the mental health of children and adults, from community level to tertiary institutions. Health workers were trained to recognize and manage or refer common mental and neurological disorders. A new referral system was established along with a supervisory support network. Linkages were set up with other programmes such as those on AIDS, adolescent and reproductive health, and health education. Efforts were made to raise awareness of mental health in the general population. The Mental Health Act was revised and integrated into a Health Services Bill. Mental and neurological drugs have been included in the essential drugs list. Mental health has been included as a component of the national minimum health care package. Mental health is now part of the health ministry budget. Mental health units are to be built at 6 of the 10 regional referral hospitals, and the capacity of the 900-bed national psychiatric hospital is to be reduced by half.” [73b]

5.103 The World Health Organisation (WHO) reported in 2001 that, in 2000, Uganda formulated a mental health policy based on advocacy, promotion, prevention, treatment, and rehabilitation. This revised the previous policy formulated in 1996. [73a] The same WHO report adds that though Uganda treats mental health as part of the primary healthcare system, treatment for severe mental disorders is not available at the primary level, although such treatment is available at the 10 regional referral centres and the National Mental Referral Hospital. Uganda spends around 0.7 percent of the total health budget on mental health and there exists an essential drugs list (for therapeutic drugs), first formulated in 1993 and subsequently reviewed in 1996 and 2001. [73a]

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PEOPLE WITH DISABILITIES

- 5.104 The US State Department Report on Human Rights Practices 2004 (the USSD report for 2004) states:

“The Constitution provides persons with disabilities ‘a right to respect and human dignity’; however, widespread discrimination by society and employers limited job and educational opportunities for such persons. There was no statutory requirement that buildings be accessible for persons with disabilities.” [2b] (p16)

- 5.115 The same report notes that:

“There was a Minister of State for Disabled Persons, and five seats in Parliament were reserved for representatives of persons with disabilities. There was also a Department for Disabled Persons within the Ministry of Gender, Labor, and Social Development; however, this institution lacked sufficient funding to undertake or support any significant initiatives.” [2b] (p16)

- 5.116 The USSD report of 2004 adds that:

“The Children’s Act required that children with disabilities be given necessary special facilities; however, in practice inadequate funding hampered enforcement of this provision.” [2b] (p16)

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EDUCATIONAL SYSTEM

- 5.117 The US State Department Report on Human Rights Practices for 2004 (the USSD report for 2004), published 28 February 2005, notes:

“The Government continued the Universal Primary Education (UPE) program, which provided free education through the seventh grade; however, education was not compulsory. UPE increased funding for education, provided additional skills training for teachers, and reduced the textbook to student ratio; however, some provisions had not been implemented fully by year’s end. Strained finances, corruption, instability in some areas, infrastructure problems, and inadequate teacher training prevented full implementation. The UPE program made education more accessible financially; however, parents still had to pay for school supplies and some school costs.” [2b] (p14)

- 5.118 In comments prepared for the Advisory Panel on Country Information meeting on 8 March 2005, UNHCR states:

“The first group of pupils sat for their primary leaving examinations in 2003. The Ministry of Education observed that the performance was generally encouraging.” [4a]

- 5.119 The same report notes:

“According to UNICEF, the country’s primary school enrolment rate was 86 percent for both boys and girls. Girls and boys theoretically had equal access to education in the lower grades; however, the proportion of girls in higher school grades remained low because families traditionally favored boys when making educational decisions. Boys also were more likely to finish primary school and

performed better on examinations for admission into secondary school. The Government continued several programs to promote a national plan for the education of girls. According to the 2002-03 National Household Survey, only 59 percent of adult women were literate compared with 80 percent of adult men." [2b] (p14)

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6. Human Rights

6.A HUMAN RIGHTS ISSUES

OVERVIEW

- 6.01 Regarding the human rights situation in Uganda in 2004, the US State Department 2004 Report on Human Rights Practices, published in February 2005, reported that:

“The Government’s human rights record remained poor; although there were some improvements in a few areas, serious problems remained. Domination by the Movement of the political process and continued restrictions on political party activity limited the rights of citizens to change their government. Security forces committed unlawful killings and were responsible for short-term disappearances. Torture by security forces and beating of suspects to force confessions were serious problems. Security forces were responsible for incommunicado detention, and prison conditions remained harsh and frequently life threatening. The Government punished some security force officials who were guilty of abuses; however, impunity remained a problem. Arbitrary arrest and detention, including those of opposition supporters, and prolonged pretrial detention were problems. Poor judicial administration, lack of resources, a large case backlog, and lengthy trial delays limited due process rights, including the right to a fair trial. Security forces at times infringed on citizens’ privacy rights. The Government at times restricted freedom of speech, the press, and association, and severely restricted freedom of assembly.” [2b] (p1)

- 6.02 The Human Rights Watch (HRW) annual report for 2004 on Uganda (published 13 January 2005) states:

“The war in northern Uganda, which started when President Yoweri Museveni and the National Resistance Movement/Army took power eighteen years ago in 1986, continued in 2004. Violence and related human rights abuses abated somewhat by mid-year yet predictions of an imminent military solution to the conflict proved unfounded. The war pits the northern Lord’s Resistance Army (LRA) against the government’s Ugandan Peoples’ Defence Forces (UPDF) and the people of the three northern districts where the Acholi live – and the war has expanded to parts of eastern Uganda in 2003-04. In February, the LRA committed the worst massacre of the entire conflict in an eastern district by attacking Barlonyo internally displaced person’s camp, defended only by a small local defence unit, and killing more than 330 people. The LRA continues in its practice of abducting children, who remain the main victims of this war. President Museveni did, however, take an unprecedented step in referring the case of Uganda’s LRA to the International Criminal Court (ICC) in December 2003. The ICC agreed to undertake an investigation but peace activists in Uganda remain wary that Museveni will manipulate this international institution to punish his foes, and thereby diminish chances for a negotiated settlement, while avoiding investigation of the Ugandan’s army’s abuses. Ugandan security agencies have proliferated and are implicated in torture and illegal detention of suspected rebels and rebel sympathizers. The Ugandan government continued to support armed groups in the conflict in the Ituri region of the Democratic

Republic of Congo (DRC), despite officially withdrawing from eastern DRC in accordance with the Luanda accords signed in September 2002.” [10c] (p1)

- 6.03 The LRA committed human rights abuses during 2004. The 2004 HRW report states:

“The LRA persisted in its policy of abducting northern Ugandan children to use as soldiers and forced sexual partners for its forces in 2004. This has brought the number of abducted children to a new high. More than 20,000 children have been seized by the LRA over the course of the war. In total, more than 1,300,000 civilians are currently forced to live in government-controlled displaced camps.

In 2004, the LRA continued with renewed severity its attacks on civilians living in displaced persons and Sudanese refugee camps and others it considered to be collaborating with the UPDF. An LRA raid on Barlonyo camp near Lira in eastern Uganda resulted in up to 337 deaths. This attack was followed by a protest demonstration of more than 10,000 people, angry at the lack of government protection in the camps. Many questioned the willingness and effectiveness of the UPDF to protect civilians against the LRA, claiming that it is often absent or too late to respond when the LRA strikes. President Museveni in a rare move, apologized for UPDF’s failure to stop the massacre. The LRA continued in its offensive through the year, killing civilians, abducting children, destroying and looting property and taking captives to porter the loot in a number of other raids on internally displaced persons camps. Cases of LRA mutilation of suspected spies, including cutting off lips and limbs, were reported.” [10c] (p1)

- 6.04 The UPDF has also committed human rights abuses in northern Uganda. The HRW annual report for 2004 states:

“The UPDF has also committed abuses in the north, including arbitrary detention, torture, rape, and stealing. A few civilians have pending civil actions for damages on account of this ill treatment; the UPDF soldiers are rarely criminally prosecuted for abuse of civilians. Furthermore, the failure to protect civilians in the north has been persistent. The Human Rights Committee, a body that monitors state compliance with the International Covenant on Civil and Political Rights, noted in its concluding observations on Uganda the failure of the state ‘to ensure the right to liberty and security for persons affected by the armed conflict in northern Uganda.’” [10c] (p1)

- 6.05 The same HRW Report also states that:

“Ugandan security and intelligence agencies have used torture to coerce detainees to provide information or confess, detaining suspects in illegal places of detention called ‘safe houses’, and holding them for weeks or months without ever charging them with any crime. Methods of torture include suspending suspects tied ‘kandoya’ (tying hands and feet behind the victim) from the ceiling, severe beating and kicking, and attaching electric wires to the male genitals. Among the agencies accused of torture are the UPDF’s Chieftancy of Military Intelligence (CMI), the Internal Security Organisation (ISO), the Violent Crime Crack Unit (VCCU) and ad hoc agencies such as the Joint Anti-Terrorist Task Force (JATF). In October the Uganda Human Rights Commission (UHRC) found that torture continued to be a widespread practice amongst security

organizations in Uganda, being commonly used to humiliate and breakdown suspects in investigation.” [10c] (p2)

6.06 The EuropaWorld website (updated 2005) notes:

“In December 2003 [President] Museveni undertook a purge of the UPDF, dismissing a number of senior army officers, some of whom were to be tried by court martial over allegations of corruption. The dismissals also appeared to target those loyal to Maj.-Gen. James Kazini, who had been removed from the position of Commander of the UPDF in June as a result of his alleged involvement in the plundering of the DRC’s mineral resources while the UPDF was deployed in that country.” [1d] (Recent History)

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AMNESTIES

- 6.07 The USSD report for 2004 notes the following regarding the 2000 Amnesty Act: in December 1999 Parliament passed a Bill granting a general amnesty to all rebels who had been fighting to overthrow the Museveni Government and who were prepared to renounce rebellion. An Amnesty Act was passed in January 2000 with a date of commencement of 21 January 2000. The Act provided for an “amnesty for Ugandans involved in acts of a war-like nature in various parts of the country and for other connected purposes.” The Act was to remain in force for six months and on expiry it could be extended by statutory instrument. [38] The 2000 amnesty law applies to all persons involved in insurgencies since the Movement came into power in 1986. Between January and December, 3,048 former LRA combatants were granted amnesty; 7,613 former combatants have received amnesty since 2000. The amnesty law was extended through December. [2b] (p7)
- 6.08 An IRIN article dated 22 January 2003 notes that the amnesty covers any Ugandan residing within or outside of the country. [68]
- 6.09 On 30 August 2001, IRIN reported in an article entitled “Amnesty chief encourages rebel surrenders” that the Amnesty Commission chief Justice Onega had stated that rebels convicted of treason were eligible for pardon under the amnesty initiative. Increasing numbers of LRA combatants took up the offer of amnesty over the following months. [68p]
- 6.10 According to the Government-owned newspaper *New Vision*, in an article entitled “1671 rebels surrender under Amnesty Law”, dated 28 January 2002, between July 2000 and January 2002, 1,671 rebels had surrendered under the amnesty law and were issued with certificates by the Amnesty Commission. According to the Amnesty Commission over 700 other rebels based in Sudan had sent ‘signals’ that they were willing to surrender under the law. [50p] Also in a *New Vision* article, dated 16 July 2002, the First Deputy Prime Minister and the Minister of Internal Affairs said that during the last financial year, the Amnesty Commission had granted amnesty to 5,000 people. They also expect to grant another 6,000 persons who have reported. [50ah]
- 6.11 The IRIN article dated 22 January 2003, “IOM assists Ugandan rebels to get amnesty”, notes that in January 2003, the International Organisation of Migration (IOM) office in Kenya launched a programme to screen former LRA

rebels who wish to apply for amnesty and return to Uganda. [68j] In a news report posted by IRIN on 28 January 2003, a total of 358 Ugandans had registered with the IOM to take advantage of the amnesty. [68k]

- 6.12 The BBC notes in an article dated 13 July 2004, entitled “Former rebels join Uganda’s army” that the amnesty still exists for those [rebels] who escape or are rescued during clashes with the army, and the level of forgiveness amongst the civilian population is high. [69x] The BBC notes in the news report “Uganda ‘war crimes’ probe opens” of 29 July 2004, that concerns have been raised that prosecuting the LRA leadership would be unlikely to bring an end to the war. [69y] The BBC news report of 13 July 2004 mentions the extension of the amnesty through integration of the rebels into the army. [69x]
- 6.13 The International Crisis Group’s 23 June 2005 report, “Building a comprehensive peace strategy for northern Uganda” states:

“The Amnesty Commission, a statutory government body, is the major player in Kampala on this issue but it has only just begun the attempt to run a comprehensive national disarmament, demobilisation, and reintegration (DDR) program. Since May 2005, when a limited DDR program was formally launched, the Commission has given in-kind and cash reintegration packages to 600 of the 6,000 LRA ex-combatants it has identified as eligible to receive assistance. The program was extended to Gulu on 27 May [2005] and to Kitgum on 16 June [2005]. Once it is fully operational, the Commission will have the capacity to take in 200 ex-combatants daily, some of whom will be referred to specific agencies for psychosocial and other additional support.” [87a] (p.8)

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FREEDOM OF SPEECH AND THE MEDIA

- 6.14 The USSD 2004 Report states that:

“The Constitution provides for freedom of speech and of the press; however, the Government at times restricted these rights in practice. In addition, the law criminalizes offenses committed by the media and limited the media’s ability to function effectively. The Government at times harassed and intimidated journalists, who continued to practice self-censorship. The Government did not restrict academic freedom....Private media were generally free and outspoken. There were many privately owned publications and broadcasts. The *New Vision*, a government-owned daily newspaper, sometimes included reporting that was critical of the Government. *The Monitor*, the country’s largest independent daily newspaper, consistently was critical of the Government. During the year, four independent weekly newspapers began publication. The *East African*, a Kenya-based weekly publication that provided extensive reporting on the country, continued to circulate without government hindrance. Unlike in the previous year [2003], there were no reports that persons were arrested for publicly criticising the Government. ...During the year, the Government cited national security as grounds to suppress media reporting that criticized the Government [for] its handling of the LRA conflict, particularly reports that the LRA had killed UPDF soldiers. In January [2004], army spokesperson Shaban Bantariza accused two *Monitor* journalists of being LRA rebel collaborators; the two journalists had covered the killing of UPDF soldiers

by LRA rebels. In September [2004], Vice President Gilbert Bukenya accused the electronic media of 'painting a false image of the Government.' [2b] (p9).

6.15 The USSD 2004 report also states that:

"The Government continued to operate Radio Uganda, the only national radio station, and one television station (UTV), whose reporting was not considered to be independent. At year's end, there were at least 60 private radio stations in operation, with another 60 awaiting licensing. Several independent media outlets broadcast daily or weekly political talk shows, including recorded off-site radio public debates called 'ekimeeza' (table talk), which were often very critical of the Government.

On November 25 [2004], Minister of Information James Nsaba Buturu instructed the Uganda Broadcasting Council to revoke the licenses of those stations that 'abuse the President or use offensive language and fail to correct the behavior.' Buturu also announced that no additional licenses would be issued for stations seeking to broadcast in Kampala; in 2003, the Broadcasting Council proposed regulations that would limit the number of FM radio stations, allegedly to prevent overburdening the airwaves and adversely affecting the quality of broadcasting. Critics charged that the restrictions targeted independent radio, which was the primary news source for 80 percent of the population. There were four local private television stations and numerous private television stations available via satellite." [2b] (p9).

6.16 The Human Rights Watch 2005 Report on Uganda states:

"The temporary closure by army and police of the independent *Monitor* newspaper in late 2002 has had a chilling effect on that newspaper and on free speech generally. Journalists from the paper continued to come under attack in 2004, two of whom were publicly denounced as 'rebel collaborators' by the spokesman for the UPDF. However, in February [2004] the Supreme Court enhanced freedom of expression in Uganda by repealing a frequently invoked law allowing reporters to be prosecuted for reporting subversive 'false news' in a ruling in favour of the *Monitor* newspaper. Following this the Chief Magistrates Court in Kampala in April ruled in favour of *The Monitor* in another case brought by the government who alleged the newspaper has endangered national security by reporting on the war in the north." [10ca] (p3)

6.17 The BBC Country Profile on Uganda, dated 20 January 2005, also reports that there is press and media freedom in Uganda. The Country Profile states:

"Uganda has seen a mushrooming of privately-owned radio and television stations since the government loosened its control of the media in 1993. The government occasionally voices unhappiness about the conduct of some [of] the 100-or-so private radio and TV stations. Some have been accused of raising ethnic tensions and of being negative in their reporting. State-owned Radio Uganda broadcasts throughout the country in English and several vernacular languages. BBC World Service is widely available on FM, and Radio France Internationale operates on FM in Kampala. Although the print media are led by the state-owned New Vision newspaper, it enjoys considerable independence and often publishes articles which are anti-government." [62]

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JOURNALISTS

- 6.18 The USSD report for 2004 states that:

“Unlike in the previous year [2003], no journalists were arrested or detained; however, journalists were harassed during the year [2004]. On June 18, six journalists covering a court martial that involved army corruption were convicted by the same tribunal of contempt of court. Some of the six, who were sentenced and released without detention, were not provided legal counsel. At least some of the convictions were being appealed at year’s end.

...On February 11 [2004], the Supreme Court in a unanimous decision declared unconstitutional the law prohibiting publication of ‘false information’. On February 21, the Government dropped its case against two editors and a journalist for the Monitor on charges of publishing ‘false news’ that threatened national security. The case arose from a Monitor report on an alleged UPDF helicopter crash in 2002.” [2b] (p9) ...”Media laws require that journalists be licensed to meet certain standards, such as possessing a university degree in journalism or the equivalent. A 1994 law also provides for a Media Council with the power to suspend newspapers and deny journalists access to state information.” [2b] (p10)

- 6.19 A BBC news report, dated 19 August 2005, and entitled “Banned Ugandan radio back on air”, related that:

“A ban on a Ugandan radio station that aired a heated phone-in about the death of Sudan’s vice-president and southern leader John Garang has been lifted. ... Journalist Andrew Mwenda, who hosted the phone-in, was charged with sedition and could face five years in prison. ...Mr Mwenda suggested that Uganda’s President Yoweri Museveni was partly responsible for the crash [in which Garang died].” [69af]

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FREEDOM OF RELIGION

- 6.20 The US State Department 2004 Report on Religious Freedom, published in September 2004, reports that:

“The Constitution provides for freedom of religion; however, in practice the Government imposed some minor restrictions.

“There was no change in the status of respect for religious freedom during the period covered in this report, and government policy continued to contribute to the generally free practice of religion; however, local authorities prevented some nighttime religious meetings for security reasons. During the period covered by this report, no members of religious groups under suspicion of being “cults” were arrested or detained for illegal assembly or public nuisance.” [7b] (p1)

- 6.21 The USSD Religious Freedom 2004 Report states, regarding inter-religious tension:

“The generally amicable relationship among religions in society contributed to religious freedom; however, there were isolated cases of tension between Muslims and evangelical Christians over the issue of slaughtering animals for public sale during the period covered by this report. Unlike the previous year, the negative backlash from the Kanungu killings is no longer an issue, except in Kanungu District, where authorities closed one church suspected of ‘cult-like’ activities.” [7b] (p1)

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RELIGIOUS GROUPS

6.22 The USSD Religious Freedom 2004 Report states that:

“Christianity is the majority religion, and its adherents constitute approximately 75 percent of the population. Muslims account for approximately 15 percent of the population. A variety of other religions, including traditional indigenous religions, Hinduism, the Baha’i Faith, and Judaism, are practiced freely and, combined, make up approximately 10 percent of the population. Among the Christian groups, the Roman Catholic and Anglican churches claim approximately the same number of followers, accounting for approximately 90 percent of the country’s professed Christians. The Seventh-day Adventist Church, the Church of Jesus Christ of Latter-day Saints (Mormons), the Orthodox Church, Jehovah’s Witnesses, the Baptist Church, the Unification Church, and the Pentecostal Church, among others, also are active. Muslims are mainly Sunni, although there are Shi’a followers of the Aga Khan among the Asian community. Several branches of Hinduism also are represented among the Asian community. There are few atheists in the country.” [7b] (p1)

6.23 The USSD Religious Freedom 2004 Report also states:

“In many areas, particularly in rural settings, some religions tend to be syncretistic. Deeply held traditional indigenous beliefs commonly are blended into or observed alongside the rites of recognized religions, particularly in areas that are predominantly Christian.” [7b] (p1)

6.24 All Ugandan religious organisations must register with the Government, as is the case for all Ugandan NGOs. The USSD Religious Freedom 2004 Report states that:

“All indigenous nongovernment organizations (NGOs), including religious organizations, must register with the NGO Board, a division of the Interior Ministry that regulates and oversees NGO services. According to the NGO Registration Act (1989), failure to register is a criminal offense punishable by a fine of not less than \$6 (10,000 shillings) and not exceeding \$115 (200,000 Shillings). Failure to pay such [a] fine can result in the imprisonment of those responsible for the management of the organization, for up to a year. [7b](p1-2)

“A harsher new NGO Registration Amendment Bill that was introduced in 2001 remained under consideration by the Parliamentary Defense and Internal Affairs Committee. However, the bill has encountered significant opposition from civil society groups and several committee members, such that its enactment in its current form may be blocked.” [7b] (p2)

“...The Government continued to refuse to grant registration to the World Last Message Warning Church, an apocalyptic group under suspicion following the 2000 killings of more than 1,000 citizens; however, there were no reports that the Government refused to grant such registration to any other religious organization.” [7b] (p2)

- 6.25 Some local authorities have temporarily restricted the activities of religious organisations for security and public morality reasons. The USSD Religious Freedom 2004 Report states that:

“Some local governments have temporarily restricted operation of religious organizations for reasons of security and protection of public morality. In August 2003, Masaka district officials asked the Chairman of the Masaka District Traditional Healers Association to close a traditional shrine belonging to Mawawu Kasozi. The estimated 50 nightly visitors to the shrine were allegedly required to disrobe, leading to district concerns about the morality of the institution’s activities. In November 2003, police in Nebbi District temporarily closed a mosque during Eid-al-Fitr prayers, after reports of violence and of a person injured. Kanungu District officials reportedly closed a church in February [2004], alleging similarities with a local “cult” group, Movement for the Restoration of the Ten Commandments of God, deemed responsible for the mass killing of its followers in 2000. [7b] (p2)

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FREEDOM OF ASSEMBLY AND ASSOCIATION

- 6.26 The Human Rights Watch report, “Concerns regarding torture and other cruel, inhuman or degrading treatment or punishment in Uganda”, published in May 2005, states:

“Political opponents have frequently been threatened, arrested, detained, ill-treated and tortured. Particularly targeted are those who supported Kiiza Besigye in the 2001 presidential election, and who subsequently formed a political group called Reform Agenda. Besigye was President Museveni’s strongest opponent in that election and fled the country in 2001 after harassment. In 2004 Reform Agenda merged with other groups to form what is now a registered political party, the FDC.” [10e] (p5)

- 6.27 The USSD report for 2004 states:

“The law restricts freedom of assembly, particularly for political groups, by prohibiting any activities that interfere with the Movement system of governance in practice, security forces often enforced these restrictions. For groups legally authorized to operate, permits were not required for public meetings; however, groups were required to notify the police prior to such gatherings. Police denied permission to hold public rallies to several opposition political groups during the year [2004] and, on several occasions, disrupted or forcibly dispersed opposition meetings and other events. Security forces arrested and detained opposition members.

“Mainstream political opposition groups, including the FDC, the Democratic Party (DP), and the UPC, generally complied with government restrictions to hold meetings only in enclosed spaces; however, the ruling Movement had

frequent public demonstrations in support of President Museveni and his efforts to eliminate presidential term limits.

“During the year, security forces arrested and intimidated members of the opposition and disrupted numerous rallies and political events. On April 1 [2004], the Inspector General of Police, Major General Edward Katumba Wamala, directed police officers to arrest members of any unregistered political organization that held or was attempting to hold a political rally.

“The Constitution provides for freedom of association; however, the Government severely restricted this right in practice, particularly for opposition political parties and organizations (see Section 3). NGOs were required to register with the NGO Board, which included representation from the Ministry of Internal Affairs as well as other ministries.” [2b] (p10).

- 6.28 The BBC reported on 24 March 2005 that “More than 1,000 opposition supporters have staged a rare demonstration in the Ugandan capital, Kampala” and added “...The fact that the demonstrations this week have been peaceful will be welcomed by those calling for democratic change in Uganda.” [69ad] The BBC reported on 31 March 2005 that “Police have used water cannon, tear gas and pepper spray to break up an opposition rally.” [69ae]

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EMPLOYMENT RIGHTS

- 6.29 The USSD report for 2004 states:

“The Constitution provides for the right of every person to join workers’ associations or trade unions; however, at times the Government did not respect this right in practice. Employers often did not observe the requirement to recognise a union. The right to form unions extended to civil servants; however, many ‘essential’ government employees were not permitted to form unions, including police, army, and management-level officials throughout government. The Government failed to enforce the rights of some employees to join unions in newly privatised industries and factories.

“...The law does not prohibit anti-union discrimination by employers, and union activists were not protected sufficiently from retribution for union activities; however there were no reported incidents of government harassment of union officials during the year. There were reports that several private companies urged workers not to take part in unionization efforts.

“...The Constitution provides for the right to strike; however, the Government seldom defended this right, and government policy required labor and management to make ‘every effort’ to reconcile labor disputes before resorting to strike action. This directive presented unions with a complicated set of restrictions. If reconciliation did not appear to be possible, labor had to submit its grievances and give notification of the strike to the Minister of Labor, who usually delegated the dispute to the IC. In principle, IC rulings were final, but in practice, they could be appealed to the High Court, an option often taken by employers. The Minister of Labor generally did not permit strikes in the absence of a determination from the IC that ‘every effort’ had been exhausted. The

Government only took limited action on organized labor complaints; however, frustrated laborers often went on strike anyway.” [2b] (p18)

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PEOPLE TRAFFICKING

6.30 The USSD report for 2004 states:

“The law does not specifically prohibit trafficking in persons; however, it prohibits trafficking-related offenses. The penalty for the procurement of women for purposes of prostitution or detention with sexual intent is up to 7 years’ imprisonment; the penalty for trading in slaves is up to 10 years’ imprisonment. A range of sentences up to the death penalty can be imposed for defilement (sex with minors). Forced labor is a misdemeanor. There were reports that persons were trafficked to, from, or within the country. During the year, persons were arrested for trafficking-related offenses; however, none reportedly were convicted.” [2b](p17).

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FREEDOM OF MOVEMENT

6.31 The USSD report for 2004 states:

“The Constitution provides for these rights; however, the Government at times limited them in practice. Some local officials reportedly demanded payment of fees before writing a letter of introduction on behalf of individuals changing their residence. A married woman must obtain her husband’s written permission on her passport application if children are to be listed on her passport.” [2b] (p12)

6.32 The same report states:

“Continued attacks by the LRA and Karamojong warriors caused many ethnic Acholis and Iteso to leave their homes for urban centers, IDP camps, and villages guarded by the UPDF and LDUs. According to the U.N. office of the Coordinator for Humanitarian Affairs, there were more than 1.3 million registered IDPs as a result of this violence. At year’s end, the number of IDPs per affected district were: Gulu, 558,765; Kitgum, 267,078; Pader, 279,589; and Lira, 298,197.” [2b] (p12).

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REFUGEES

6.33 The USSD report for 2004 states:

“The law does not provide for the granting of asylum or refugee status in accordance with the definition of the 1951 U.N. Convention Relating to the Status of Refugees or its 1967 Protocol; however, the Government has established a system for providing protection to refugees. In practice, the Government provided protection against refoulement, the return of persons to a country where they feared persecution. The Government granted refugee status or asylum and generally cooperated with the office of the U.N. High

Commissioner for Refugees (UNHCR) and other humanitarian organizations in assisting refugees and asylum seekers. Unlike during the previous year, the Government did not forcibly relocate refugees or deny UNHCR access to camps.” [2b] (p13)

In comments prepared for the Advisory Panel on Country Information meeting on 8 March 2005, UNHCR stated, “The Refugee Bill of 2003 does provide the procedure for the refugee status determination procedure.” [4a]

- 6.33 On 24 June 2003, IRIN posted a report that states that the Office of the UN High Commissioner for Refugees (UNHCR) and the Governments of Rwanda and Uganda had signed a tripartite agreement on the voluntary repatriation of thousands of Rwandan refugees living in Uganda. It is estimated that 2.5 million people fled Rwanda during and after the 1994 genocide that claimed the lives of at least 800,000 Rwandans, mostly Tutsis and politically moderate Hutus. Up to 26,000 Rwandans are presently reported to be in refugee camps mostly in western Uganda. [68ad] Comments made to the APCI for the March 2005 meeting noted that approximately 2,300 Rwandese have repatriated between January 2004 and December 2004. [4a]

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6.B HUMAN RIGHTS SPECIFIC GROUPS

ETHNIC GROUPS

- 6.35 According to the Economist Intelligence Unit’s Country Profile on Uganda, last updated 13 December 2004:

“Only about 11% of Ugandans are classed as urban dwellers; of these, 40% live in the capital, Kampala, which had an estimated population of 1.2m in 2000. The second-largest town is Jinja, with a population in 2000 of around 65,000. Ugandan society is thus overwhelmingly rural. There is a major ethnic division between Bantu groups, who live mainly in the south, and Nilotic groups, who live largely in the north. In the early years of independence there was an important community of about 70,000 Asians of Indian and Pakistani origin, and almost 10,000 Europeans. However, since the expulsion of ‘non-citizens’ (as they were described by the government of Idi Amin) in 1972, both these groups have been reduced to a negligible size, although there is evidence of Asians returning in recent years. The most widely spoken indigenous language is Luganda (the language of the Baganda), although English and Swahili are widely used.” [11] (p13)

- 6.36 The US State Department Report on Human Rights Practices 2004 reports that:

“The Constitution prohibits discrimination based on race, sex, disability, language, or social status; however, the Government did not enforce the law in matters of locally or culturally accepted discrimination against women, children, persons with disabilities, or certain ethnic groups. Continued instability in the northern region led to violations of the rights of some Acholi, an ethnic group that comprises a significant part of the population; LRA rebels, although predominantly Acholi themselves, were responsible for the most serious human rights violations.” [2b](p15)

- 6.37 According to the U.S. States Department of State Background Note on Uganda, issued January 2005:

“Africans of three main ethnic groups – Bantu, Nilotic, and Nilo-Hamitic – constitute most of the population. The Bantu are the most numerous and include the Baganda, which, with 18% of the population, constitute the largest single ethnic group. Individual ethnic groups in the southwest include the Banyankole and Bahima, 10%; the Bakiga, 8%; the Banyarwanda, 6%; the Bunyoro, 3%; and the Batoro, 3%. Residents of the north, largely Nilotic, include the Langi, 6%, and the Acholi, 4%. In the northwest are the Lugbara, 4%, and the Karamojong, 2%, occupy the considerably drier, largely pastoral territory in the northeast. The Basoga, 8%, are among ethnic groups in the east. Europeans, Asians, and Arabs make up about 1% of the population with other groups accounting for the remainder.” [41] (p1)

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ACHOLI

- 6.38 According to the US State Department Background note, issued January 2005, the Acholi account for around four per cent of Uganda’s population. They live primarily in the north of Uganda. [41] (p1)

- 6.39 The FCO Country Profile on Uganda of December 2004 notes:

“The Lord’s Resistance Army (LRA) has been conducting an insurgency in the Acholi area of Northern Uganda for over 15 years. This has involved a brutal campaign of atrocities against the local Acholi and Langi population, often in punishment for failure to support their cause. Over 50% of the population of Gulu, Kitgum and Pader Districts in northern Uganda – about 1.4 million people – now live in Internally Displaced Persons camps. Uganda launched a major military operation (known as ‘Operation Iron Fist’) against the LRA in March 2002, to which the LRA responded by intensifying their attacks in northern Uganda. The International community is supporting efforts by Betty Bigombe, a former Ugandan Minister, to initiate a dialogue. Bigombe’s tentative efforts have made some progress in the early months of 2005. The International Criminal Court is considering possible indictments against LRA leaders.” [16c] (p3)

- 6.40 The USSD report for 2004 states:

“Civil strife in the north and east led to the violation of the rights of members of the Acholi, Langi, and Ateso ethnic groups, who primarily resided in the districts of Gulu, Kitgum, Pader, Lira, Apac, and Soroti. LRA rebels, who themselves largely were Acholi, committed abuses against ethnic Acholi and other ethnic groups. The LRA in particular was implicated in the killing and kidnapping of Acholi tribe members. During the year [2004], the UPDF committed abuses against ethnic Acholi during combat operations against the LRA. Ethnic Acholi leaders also complained that outsiders were attempting to take advantage of continuing instability to steal their land.” [2b] (p18)

- 6.41 The USSD report for 2004 also noted that:

“Continued attacks by the LRA and Karamojong warriors caused many ethnic Acholis and Iteso to leave their homes for urban centers, IDP camps, and villages guarded by the UPDF and LDUs. According to the U.N. office of the

Coordinator for Humanitarian Affairs, there were more than 1.3 million registered IDPs as a result of this violence.” [2b] (p12)

- 6.42 A 2001 article called “Africa’s Untold Genocide – Military repression of the Acholi community” published on the africanfront.com website, noted that:

“Over the course of the last 15 years Acholis have been gradually eliminated from the political life of Uganda. President Yoweri Museveni revealed in August 2001 that while the level of absolute poverty has reduced from 56 to 35 percent in most parts of the country, in northern Uganda it has instead gone up from 60 percent to 66 in the last three years. Museveni attributed the mass poverty in northern Uganda to the continued insurgency and the aftermath of rebel activities, which have left in place dysfunctional families and ruined infrastructure. In the current Museveni cabinet of 66 people, Northern Uganda that makes up 50% of the state has only nine representatives. Compared to the numbers from other regions. Museveni appointed a total of 19 ministers from Buganda and a whole 25 from western Uganda. Statistics show that this state of affairs is duplicated in other political appointments and jobs.” [84]

- 6.43 A full examination of the conflict in northern Uganda and the position of the Acholi is contained in the 1997 study “The Bending of the Spears”, which is attached as source 51. The continued instability in the north led to violations of the rights of some Acholi. Most ‘violations’ of Acholi rights resulted from LRA actions. [51]

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KARAMOJA

- 6.44 The Karamoja website ‘Culture of the Karimojong’ section notes that they descended from a group of people referred to as the Nilotes. They migrated from an area near the Nile Valley in Southern Sudan and Ethiopia. A portion of these groups settled on the high, dry plateau of Karamoja. Karamoja lies mostly in the northeastern region of Uganda and nearly straddles Uganda’s border with Kenya. They built a culture revolving around the herding of cattle and the raiding of cattle from neighbours has been part of the Karimojong culture for centuries. [6a] (p.2)

- 6.45 According to the Karamojadata website:

“Karamoja is visibly the poorest and most underdeveloped part of Uganda with 8 in 10 of its people under the nationally defined poverty line. (UPPAP Studies, MFPED, 2003). It has the lowest literacy rate, with the average for the three districts being 8% (Census 2002). It has the highest infant mortality rate (147 per 1,000 live births), lowest life expectancy (37 years) and the worst human development index (UNDP, 1999). Recent studies show that the Karamoja Region is the only region in the country that has registered the highest and fastest increase in poverty levels (UPPAP, 2003)” [6b] (p1-2)

- 6.46 The USSD report for 2004 noted that:

“Raids by armed cattle rustlers of the Karimojong ethnic group continued during the year [2004] in Katakwi, Kotido, Kumi, Nakapiripirit, Moroto, Kaberamaido, Pader, Lira, and Kapchorwa districts in the northeast. These raids resulted in the deaths of more than 100 persons and the displacement of

thousands. The Government continued its Karamoja disarmament program during the year [2004]. UPDF forces killed numerous persons during clashes with armed Karamojong warriors during the year [2004].

... During the year [2004], raids by armed Karamojong warriors in Katakwi, Kotido, and Kapchorwa Districts in the northeast resulted in approximately 100 deaths. The raids reportedly exacerbated ethnic tensions in the northeast. The Government's mandatory disarmament program for Karamoja, which has caused confrontations between the UPDF and the Karamojong, continued, and negotiations continued for a Karamojong-led solution. The UPDF and police continued efforts to improve security conditions by arresting cattle rustlers and preventing cross-border incursions." [2b] (p18)

6.47 The Karamoja website, "Culture of the Karimojong", section also notes:

"The Karimojong have always been nomadic pastoralists. They keep cattle, goats, sheep, camels especially those neighbouring the Turkana of Kenya (Matheniko) and donkeys. In the past, the Karimojong practiced a rotational grazing system, transhumance, which was well guided by the availability of pasture and water. Construction of county, district and international boundaries by the colonial administration, coupled with insecurity partly prevented this practice and has led to overstocking of animals on the floral species and over concentration of animals at watering points. Cattle provide the Karimojong with a major means of daily living, insurance against periodic famines, bride prices and are considered a symbol of one's social status. The cattle provide food, clothing/bedding, while goats which mainly browse provide the same, but are mainly intended for cultural rituals." [6a] (p5-6)

6.48 The Ugandan Human Rights Commission (UHRC) published a report in March 2004, "Human rights and the search for peace in Karimojong" that opens with the statement:

"The conflict in Karamoja and the neighbouring districts is historical. Subsequent governments in Uganda have tried to deal with it with varying degrees of success. To date there has been no lasting solution to the problem, and as a result the protection of a number of human rights have been put to question, among which are: the right to life, the right to education, the right to peace and security, the right to adequate standard of living, the right to property, right to development, freedom from discrimination, the right to health, and freedom from torture and inhuman and degrading treatment." [8a]

6.49 The UHRC's conclusions in "Human rights and the search for peace in Karimojong" run:

"The UHRC would like to see improvement in the human rights regime improvement in tandem with development efforts, since the two are inter-linked and cannot be divorced from each other. The realization of human rights will be clearly enhanced by improvement in the overall human development of the region." [8a]

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WOMEN

6.50 Amnesty International's Annual Report for 2003, published 2004, states that few cases of sexual violence in the home, including rape in marriage and rape of minors, were prosecuted in 2003. [22a]

6.51 The Human Rights Watch produced a news report, "The hidden costs of the DRB", on 7 June 2005, which adds:

"Domestic violence and marital rape, which affect approximately 40 percent of Uganda's women and girls, also have tragic health costs, particularly in light of HIV/AIDS. A recent study found that women in rural Uganda who reported having been forced to have sex against their will had eight times the risk of becoming infected with HIV." [10g]

6.52 The USSD report of 2004 notes:

"Violence against women, including rape, remained common. A 2003 Johns Hopkins University study indicated that one in three women living in surveyed rural areas experienced verbal or physical threats from their partners, and 55 percent sustained physical injuries as a result of domestic abuse. The law prohibits assault, battery, and rape; however, there were no laws that specifically protected women from spousal abuse. Many law enforcement officials continued to view wife beating as a husband's prerogative and rarely intervened in cases of domestic violence. Women remained more likely to sue for divorce than to file rape or assault charges against their husbands." [2b] (p15)

6.53 According to the PeaceWomen campaign by Women's International League for Peace and Freedom, in October 2003:

"A coalition of women groups, including the Uganda Resource Center and the AIDS Information Center, launched a campaign demanding a law to protect women from domestic violence, which has been blamed for the high prevalence rate of HIV/AIDS among them. The coalition maintain that the proposed Domestic relations Bill, which is supposed to tackle the domestic violence, is too general and contains components which are controversial, and therefore, is not the right tool to weed out domestic violence. Women demand to pull domestic violence out of the Bill and let it stand alone as a separate law to reduce the risk of contracting the HIV/AIDS among them." [79]

6.54 The USSD report for 2004 also notes:

"Security forces were sometimes implicated in widespread reports of rape and sexual violence against women and girls. In some instances, perpetrators were punished after victims complained; however, most such incidents went unpunished, in part because the procedures for making such complaints were not widely known." [2b] (p8)

6.55 An article in *New Vision* published by BBC Monitoring on 24 November 2004 noted that:

"An international women's group has accused the UPDF [Ugandan People's Defence Forces] and Karimojong warriors of committing crimes in the war-ravaged north. The Women's Initiatives for Gender Justice (WIGJ), which has been monitoring the International Criminal Court (ICC) activities in northern Uganda, said testimonies had shown that it was not only the Lord's Resistance

Army (LRA) rebels committing crimes in the area....WIGJ Chairperson Vahida Nainar said, 'Most of the women, victims and survivors we spoke to identified the government's failure to protect them as a cause for their sufferings.' She said the government and the ICC did not consult people of northern Uganda, creating arguments about the period from which ICC would begin investigations. Vahida asked the government to compensate the war victims. 'Identify and punish the offenders in the army who have committed crimes and violations of human rights in northern Uganda,' Vahida said." [50ar]

6.56 The USSD report for 2004 also noted that:

"The Constitution requires elections through electoral colleges for the 81 seats reserved for special interest groups in Parliament: 56 seats were reserved for women; 5 for organized labor; 5 for persons with disabilities; 5 for youth; and 10 for the army, which were selected by the UPDF High Command, chaired by President Museveni." [2b] (p14)

6.57 The Amnesty International Annual Report for 2004, covering events from January to December 2004, published July 2005 states:

"Reports of rape, including of young girls, were widespread and appeared to be on the increase. In Kabarole, in the west, 54 children were reportedly raped in the first quarter of 2004. In Gulu, the figure rose from 55 in August to 65 in September. Between January and June, 320 child rape cases were reported in the southern area in the districts of Rakai, Kalangala, Masaka and Sembalule, and 682 in Kampala, compared to 437 for the same period in 2003. Nearly half those facing capital charges were accused of raping children. ...Support services remained inadequate, and in the absence of appropriate medication, the population, especially children and women, was highly vulnerable to sexually transmitted infections, including HIV/AIDS." [22b]

6.58 According to the Women of Uganda Network website last updated 15 September 2004, a number of organisations exist in Uganda to assist women. These include the Association of Women Lawyers (FIDA(U)), Christian Women Concern, Hope After Rape, Coalition on Violence Against Women, and others. A copy of the list is attached as source. [80]

6.59 The WomenWatch website run by the Committee for the Elimination of Discrimination Against Women (CEDAW) notes that Uganda became a signatory of the Committee for the Elimination of Discrimination Against Women in July 1980. In their first annual report on 31 May 1995 (14th Session) covering Uganda many issues were raised. Among these was the fact that women did not enjoy the right to extend their citizenship to their children born outside the country unlike male citizens. The Committee also wanted to know why it was that 49 per cent of households were headed by a single woman. [27]

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DOMESTIC RELATIONS BILL (DRB)

6.60 Amnesty International in their annual report for 2003, published 2004, notes that a Domestic Relations Bill was presented to Parliament for debate in December

2003. It addressed issues such as the criminalization of marital rape, property in marriage, polygamous marriages, bride price, widow inheritance and minimum age for marriage and cohabitation. [22a]

- 6.61 The Human Rights Watch produced a newsreport, "The hidden costs of the DRB", on 7 June 2005, which comments on the progress of the Domestic Relations Bill, and states:

"President Yoweri Museveni recently said the Domestic Relations Bill, which would bolster women's rights in the family and criminalize marital rape, is 'not urgently needed.' But what could be more urgent than stopping the brutal violence that puts women and girls at risk of HIV/AIDS, harms economic development, and violates fundamental human rights? The Domestic Relations Bill, which has languished in parliament for more than a decade, would afford women and girls greater equality in matters relating to marriage, divorce and family property. Importantly, it would also criminalize marital rape. Debate on the bill was scheduled for May [2005], but has been postponed until this month." [10g]

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CHILDREN

- 6.62 The US State Department Report on Human Rights Practices 2004 (USSD report for 2004), published 28 February 2005, reports:

"The Government demonstrated a commitment to improving children's welfare. Education received the largest percentage of the national budget. The Government did not enforce effectively the Children's Statute, which outlines broad protections for children, because of the large proportion of children in the population (approximately half of the country's population was under 15), staffing and fiscal constraints on the judiciary, and cultural norms. The law stipulates parents' responsibilities and provides extensive protection for children in a wide variety of areas, including financial support, foster care placement, adoption, determination of parentage, and treatment of children charged with offenses. The law also prohibits children from taking part in any activity that was likely to injure the child's health, education, or mental, physical, or moral development; however, the Government often did not enforce these prohibitions." [2b] (p16)

- 6.63 The USSD report for 2004 also notes:

"The Government continued the Universal Primary Education (UPE) program, which provided free education through the seventh grade; however, education was not compulsory. UPE increased funding for education, provided additional skills training for teachers, and reduced the textbook to student ratio; however, some provisions had not been implemented fully by year's end. Strained finances, corruption, instability in some areas, infrastructure problems, and inadequate teacher training prevented full implementation. The UPE program made education more accessible financially; however, parents still had to pay for school supplies and some school costs." [2b] (p16)

- 6.64 The USSD report for 2004 also notes:

“Girls and boys theoretically had equal access to education in the lower grades; however, the proportion of girls in higher school grades remained low because families traditionally favored boys when making educational decisions.” [2b] (p16)

- 6.65 A report by the Women’s Commission, “Learning in a War Zone: Education in Northern Uganda”, dated February 2005, notes:

“When families in northern Uganda can afford to send a child to school, they often choose their sons; parents may feel that given the traditional role of women marrying, tending crops and raising children, they do not need education as much as their male siblings. Parents in situations of insecurity also know the risks that their daughters take in going to and from school; gender-based violence and rape. There are reports of girls who do better than boys in school being bullied by boys. Given this, parents may want to keep their girls at home to protect them.” [85a] (p5)

- 6.66 The USSD report for 2004 states:

“Child abuse remained a serious problem, particularly rape and other sexual abuse of girls, offenses known as ‘defilement.’ Defilement applied to all cases of sexual contact outside of marriage with girls younger than 18 years of age, regardless of consent or the age of the perpetrator. The perpetrators of defilement often were family members, neighbors, or teachers. During the year [2004], 1,878 persons were convicted of defilement, and 1,818 suspects were awaiting trial at year’s end [2004]. Defilement carried a maximum sentence of death; however, no court sentenced persons convicted of defilement to death during the year [2004]. In practice, defilement cases often were settled by a payment to the girl’s parents.” [2b] (p16)

- 6.67 The Human Rights Watch (HRW) Uganda report for 2004 notes that:

“The LRA persisted in its policy of abducting northern Ugandan children to use as soldiers and forced sexual partners for its forces in 2004. This has brought the number of abducted children to a new high. More than 20,000 children have been seized by the LRA over the course of the war. In total, more than 1,300,000 civilians are currently forced to live in government-controlled displacement camps.” [10c]

- 6.68 The Coalition to Stop the Use of Child Soldiers briefing entitled “Child Soldier Use 2003: A Briefing for the 4th UN Security Council Open Debate on Children and Armed Conflict”, and published on 16 January 2004, reports:

“In March 2003, Human Rights Watch documented on-going recruitment of children into Local Defence Units (LDUs), which were intended to provide security to local villages, but were reportedly used to fight with the Ugandan People’s Defence Forces (UPDF) against the Lord’s Resistance Army (LRA) in northern Uganda, and even in the Democratic Republic of Congo and Sudan. Recent reports from Coalition to Stop the Use of Child Soldiers partners on the ground indicated on-going child recruitment into the UPDF, including of children who had escaped from the LRA. Coalition members have also reported recruitment of children into local defence groups in northern Uganda, especially the Arrow Group. On a recent visit to Lugore training camp, UNICEF identified 120 children among the recruits. Reliable sources also identified UPDF recruits

among demobilized child soldiers in Yumbe. International organizations were not granted access to many more military training camps where it was suspected that many more children were held. At least two children formerly with the LRA were detained by the government on treason charges, despite the amnesty in place.” [82]

- 6.69 The Global Report 2004, from the Coalition to Stop the Use of Child Soldiers, covering Uganda, notes:

“In November 2003 the UN Secretary-General identified the LRA and the government’s armed forces and the LDUs as users of child soldiers, and in particular noted that ‘Abducted children are subjected to brutal treatment and other egregious personal violations. In Northern Uganda, LRA has abducted thousands of children and forced them to become child soldiers and to commit atrocities.’” [82]

- 6.70 According to the UNICEF publication, “Child soldiers trapped in vicious cycle of war”, dated 16 February 2004:

“Many former child soldiers in Uganda who have been freed from the rebel Lord’s Resistance Army (LRA) have been drawn again into armed conflict – this time with the national army.... Many of the former child soldiers have no other job skills and working for the army is often seen as a lesser of two evils. ... The former child soldiers need a chance to integrate into the society. They need to find their families, return to school and have a normal life, which could take quite a long time.” [83]

- 6.71 On 30 January 2003, IRIN reported that the deteriorating humanitarian situation in northern Uganda was placing children under the age of five years at a high risk of mortality. The WFP who were distributing food in the region said that the humanitarian situation was getting worse according to the international NGO, Action Against Hunger in Pabbo. [68i] A follow-up article by IRIN from 5 March 2003 quoted WFP stating that over 31 per cent of children under the age of five years were suffering from acute malnutrition in Anaka camp in Gulu district. [68j] IRIN reported on 29 August 2005 that a Ugandan Ministry of Health report published in August 2005 stated:

“A total excess mortality of 28,283 of which 11,068 [are] children under five, can be projected for the entire Acholi region between January and July 2005, namely about 1,000 excess deaths per week,’ the report, released in August [2005] stated.” [68ai]

- 6.72 The Global Report 2004 regarding Uganda, from the Coalition to Stop the Use of Child Soldiers, and published 16 January 2004, notes:

“From mid-2003 LRA abductions spread from the north into eastern Uganda. UNICEF estimated that 8,400 children were abducted between June 2002 and May 2003. In July 2003 more than 20,000 child ‘night commuters’ were estimated to seek safety each night in Gulu, Pader and Kitgum towns, to reduce the risk of abduction. On 14 July 2003 an estimated 20,000 children marched in Kitgum to protest against continued abductions. A similar march took place in Gulu in August 2003.” [82]

- 6.73 The same report notes:

“Human Rights Watch reported a dramatic rise in ‘night commuters’, children who move into towns and villages at night, coming back in the morning to reduce the risk of abduction. The organization said that the number of night commuters in Gulu had tripled between February and May 2003 to over 13,000. In July 2003, *The Monitor* estimated that 20,000 children were estimated to seek safety each night in Gulu, Pader and Kitgum towns. Other estimates suggested 20,000-30,000 young ‘night commuters’ in Gulu town alone.” [82]

- 6.74 A report by the Women’s Commission for Refugee Women and Children, dated February 2005, entitled “Resilience in the Darkness: an update on child and adolescent night commuters in northern Uganda”, notes:

“Girls, women, boys and men amongst the night commuters and staff report that sexual harassment and rape continue to occur along transit routes and in sleeping spaces in town centres. Most youth report that they are still walking either alone or with a small group of other youth. A small percentage of the night commuters are adults and parents, but generally, most parents are still not accompanying their children to the sleeping spaces. The road that leads to the sleeping centers remains unlit and perilous for the unaccompanied children.” [85b]

- 6.75 The Human Rights Watch Annual Report for 2004, published 13 January 2005, states, regarding the LRA’s policy of abducting children:

“The LRA persisted in its policy of abducting northern Ugandan children to use as soldiers and forced sexual partners for its forces in 2004. This has brought the number of abducted children to a new high. More than 20,000 children have been seized by the LRA over the course of the war.” [10c] (p1)

- 6.76 The USSD report for 2004 notes:

“There were an estimated 2 million children who had lost one or both parents. This large number of orphans resulted from wars and other instability, population dislocation, and HIV/AIDS. [2b](p17) An article in the *Monitor* newspaper dated 4 February 2004 noted that “Uganda has the highest number of orphans in Africa, an official from the Uganda HIV/Aids Control Project has said. Mr Julius Byenkya said 70 percent of them were orphaned by HIV/Aids.” [31ag]

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CHILD CARE ARRANGEMENTS

- 6.77 According to the Ministry of Gender, Labour and Social Development in Uganda, there are no state-owned orphanages in Uganda, and neither does the state sponsor any such institutions. According to the Ministry, the Government has no long- or medium-term plans to establish child care facilities. The information was provided via the UK Foreign and Commonwealth Office (FCO). [47c]

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FEMALE GENITAL MUTILATION (FGM)

6.78 The AFROL website carries a gender profile on Uganda, undated, which states:

“Female genital mutilation, which is widely condemned by international health experts as damaging to both physical and psychological health, is practiced only by the Sabiny tribe, located in the highly rural Kapchorwa district in the east, whose members number fewer than 10,000. Among the Sabiny, initiation ceremonies involving FGM have been carried out every 2 years for girls between the ages of 14 and 16 years. Such a ceremony was held in 1998. An NGO based in Kapchorwa registered 965 females who were subjected to FGM in 1998, nearly double the figure that the Government reported in 1996. There is no law against the practice, but government and women’s groups working with the U.N. Population Fund continue to carry out a program to combat the practice through education. The program has received strong government support and some support from local Kapchorwa leaders. The program emphasizes close cooperation with traditional authority figures and peer counseling [sic]. Significant press attention to these ongoing efforts brought public attention to the problem throughout the year.” [91a]

6.79 The US State Department Report on Human Rights Practices 2004 reports:

“There was no law against FGM, but the Government, women’s groups, and international organizations continued programs to combat the practice through education. These programs, which received some support from local leaders, emphasized close cooperation with traditional authority figures and peer counseling. Significant press attention to these ongoing efforts brought public attention to the problem during the year [2004]. [2b] (p15)

6.80 The same USSD report notes that:

“FGM was performed on girls in the Sabiny and Pokot ethnic groups. [2b](p16) FGM was practiced by the Sabiny ethnic group, located in rural Kapchorwa District, and the Pokot ethnic group along the northeastern border with Kenya. There were approximately 10,000 Sabiny and approximately 20,000 Pokot in the country. Among the Sabiny, initiation ceremonies involving FGM were carried out every 2 years. In August [2004], an official in Moroto District confirmed more than 84 cases of FGM in his sub-county; in 2003, there were 30 cases. In Kapchorwa District, there were 594 cases of FGM during the year [2004], according to an anti-FGM organization.” [2b] (p15)

6.81 However, according to an article dated 25 January 2005, in *New Vision*:

“Data from all the district’s 49 parishes showed that the number of women who underwent the ritual dropped from 621 in the 2002 circumcision season. The data showed that 261 women were saved from the knife through peer education and provision of initiatives to the circumcision surgeons, some of whom hail from Kenya.” [50as]

6.82 An article in *The Monitor* dated 19 November 2003 reported that, Sabei Elders Association chairman, William Cheborion, said that 75 per cent of the Sabiny are now opposed to the practice. He said that the number of people supporting FGM is now very small. Cheborion said that their target for elimination of the practice is 2006. [31v]

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HOMOSEXUALS

6.83 The International Lesbian and Gay Association's (ILGA) "World Legal Survey", published 31 March 2000, stated that under the Ugandan Penal Code homosexuality is illegal for men. Homosexual acts between women are not mentioned. The maximum penalty for homosexuals in Uganda is life imprisonment. Section 140 of the Penal Code criminalises 'carnal knowledge against the order of nature' with a maximum penalty of life imprisonment. Section 141 prohibits 'attempts at carnal knowledge' with a maximum penalty of 7 years' imprisonment. Section 143 punishes acts of, procurement of, or attempts to procure acts of 'gross indecency' between men in public or private with up to 5 years' imprisonment. Prosecutions are rare. [57] The 12 July 2005 Human Rights Watch news report, "Same-sex marriage ban deepens repression", adds:

"Both in Britain and Uganda, these terms ['carnal knowledge against the order of nature'; 'attempts at carnal knowledge'; 'gross indecency'] were long understood to describe consensual homosexual conduct." [10d] (p1)

6.84 The ILGA "World Legal Survey" continues that in September 1999, President Museveni called for the arrest of homosexuals for carrying out 'abominable acts'. This comment followed the wedding of two gay men. [57]

6.85 In March 2002, while accepting an award for his Government's successful campaign against HIV/AIDS, President Museveni said "We don't have homosexuals in Uganda so this is mainly heterosexual transmission." [21] In December 2002, the Bishop of Mukono Diocese cautioned Christians against homosexual organisations that want to join the church in the pretext of funding them. [50t]

6.86 According to an article dated 30 November 2004, by 365Gay.com published on the Sodomy Laws website

"The government of Uganda has has [sic] issued a warning to the UN joint program on HIV/AIDS that it risks being thrown out of the country if it offers AIDS education to gays. Information Minister James Nsaba Buturo accused UNAIDS and the Uganda AIDS Commission of holding 'a secret meeting' with members of Uganda's gay community. Buturo said that any initiatives with gays would be a violation of Ugandan law. Homosexuality is illegal in the country and Buturo said that contacts with gays in which UNAIDS gave sexual advice would be a crime. The government has recently called on police to crack down on homosexual activity." [45]

6.87 The 2005 revision of the Family Code has given rise to discussion of the issue of extending the concept of marriage to homosexual couples, and homosexuality in general in Ugandan society. The Ugandan Parliament voted on 5 July 2005 to ban marriage for same-sex couples: the Human Rights Watch news report, "Same-sex marriage ban deepens repression", of 12 July 2005 recounts:

"On July 5 [2005], by a vote of 111 to 17 with three abstentions, the Ugandan parliament approved a proposed constitutional amendment stating that

'marriage is lawful only if entered into between a man and a woman,' and that 'it is unlawful for same-sex couples to marry.' The amendment must still pass a third reading in parliament, which is expected later in the month. A parliamentary spokesman said that specific criminal penalties will be enacted later when the Ugandan penal code is revised." [10d] (p1)

- 6.88 The same HRW news report notes: "[In 2005] State-sponsored media have called for stronger measures against homosexual conduct." [10d] (p1) The HRW news report adds:

"The report [a previous HRW report of March 2005 on 'abstinence-until-marriage' HIV-prevention programmes] found that abstinence-until-marriage programs were jeopardizing Uganda's successful fight against HIV/AIDS by denying young people information about any method of HIV-prevention other than sexual abstinence until marriage. These programs intrinsically discriminate on the basis of sexual orientation, since gays and lesbians are not allowed to marry in most jurisdictions." [10d] (p2)

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REBEL GROUPS

THE LORD'S RESISTANCE ARMY (LRA)

- 6.89 The Lord's Resistance Army, which has been fighting the Ugandan Government for nearly 18 years, has become known for its brutality. The Ugandan Refugee Law Project (RLP) produced a report called "Uganda: Behind the Violence" in February 2004 about the LRA after interviewing around 900 people from northern Uganda, including many former fighters, to try to discover just what it and its mysterious leader, Joseph Kony, stand for. [5] (p13)
- 6.90 The report states that the seeds of this 18-year conflict were sown in the defeat in 1986 of Presidents Milton Obote and Tito Okello by forces loyal to Uganda's current leader, Yoweri Museveni. The remnants of the defeated forces fled north, to their home areas – fearful that the new Government would carry out attacks in retribution for Government massacres in the Luwero triangle under the previous regimes. [5] (p13)
- 6.91 According to the RLP report, the defeated fighters reformed and eventually rallied to a spiritualist, Alice Lakewanya, in the hour of their despair. She was in turn defeated in 1987 and other rebels failed to capitalise, leaving a power vacuum in northern Uganda that Joseph Kony filled with the Lord's Resistance Army. [5] (p13-14)
- 6.92 The RLP report states that:
- "The leader of the LRA Joseph Kony is himself shrouded in a veil of secrecy: on the one hand he is presented as a disorganised criminal who can be quickly and easily crushed, and on the other he is portrayed as an invincible messenger of God which no bullets can penetrate. A BBC reporter confirmed what RLP found in the field: 'Little is known about the rebel leader– and it is clear that this is exactly how he likes it. He has created an aura of fear and mysticism around himself which is an image difficult to dispel'. Given this

confusion, numerous labels have been used to describe Kony and the LRA: 'lunatic', 'irrational', 'inexplicable', 'terrorist bandits' and 'thugs'." [5] (p14-15)

6.93 The RLP report argues that these caricatures have had important practical implications, making it hard to know what strategies would be most effective in ending the war. [5] (p14-15)

6.94 In addition, according to the RLP report there is an important spiritual dimension to the LRA. It states that:

"Although the group is not a cult, Kony uses his spiritual and biblical revelations to manipulate people much like a cult leader, but does not appear to brainwash them heavily: most LRA members end up believing in his spiritual power, but they are not mesmerised by his presence. Kony has a multi-layered spiritual vision, but Kony also uses this spiritualism to maintain control, starting with his overall vision of liberation and destruction and continuing with individual spirits that 'guide' specific military tactics." [5] (p14-15)

6.95 Andrew Harding, states in his article on BBC News from 3 March 2004, that:

"The LRA has so successfully terrorised the population that it only needs to carry out the occasional massacre to keep hundreds of thousands of civilians on the run." [69v]

6.96 The USSD 2004 states that:

"The LRA continued to abduct thousands of civilians for training as guerrillas; most victims were children and young adults whom the LRA forced into virtual slavery as laborers, soldiers, guards, and sex slaves." [2b] (3)

6.97 The USSD 2004 continues:

"More than 85 percent of LRA forces were made up of children whom the LRA abducted and forced to fight as rebels; most LRA rebels were between the ages of 11 and 16." [2b] (p17)

6.97 It is reported by the RLP that these child soldiers are often forced to kill their own parents so they have no way back. [5] (p19)

6.98 President Museveni wishes to use military means to end this conflict, but many church and traditional leaders believe that only talking can halt the LRA's murderous campaign. Kony and his senior commanders believe that if they surrendered the government would kill them, says the RLP. [5] (p15)

6.99 The RLP reports that in addition to the spiritual dimension, there is considerable debate within the discourse on the war as to whether or not the LRA has a political agenda. Having a political agenda is seen by many of those commenting on the war as a precondition for conducting negotiations with Kony, and his apparent lack of a clear political program has generated considerable confusion. [5] (p14) Andrew Harding of the BBC states: "The LRA has no obvious territorial or political goals." [69v]

6.100 The RLP report notes that:

“This lack of clarity was reflected on the ground: some respondents in the conflict zone expressed the belief that he has no political agenda, while others said that Kony may have an agenda but that it was not yet articulated. Indeed, many interviewees were profoundly confused about the fact that Kony claimed to be fighting for them, yet was killing and abducting them at the same time.” As one northern politician says in the report, “Now the LRA say that their agenda is democracy, multi-partyism, land, etc. They even claim they are upset by rigged elections! Ha! They are just jumping on the bandwagon, any bandwagon that comes.” [5] (p14-15)

6.101 The USSD 2004 states that:

“LRA attacks increased during the first half of the year [2004], and there were numerous atrocities. Civilians were summarily executed, often by gruesome methods, to terrorize local populations or as retribution for violating various LRA edicts, such as the prohibition on riding bicycles. LRA rebels also attacked private homes, schools, churches, and IDP camps in which persons were killed, injured, raped, mutilated, or abducted. During the year [2004], LRA attacks resulted in the deaths of several thousand persons, including children; numerous injuries; and the destruction of homes and property. During the first 3 weeks in February [2004], LRA attacks in Lira district IDP camps resulted in more than 250 deaths and the displacement of 283,000 persons.” [2b] (p9)

6.102 IRIN reported on 15 July 2004 that the 70-year-old LRA ‘Brigadier’ Kenneth Banya had been captured following a battle at Okidi, along the River Unyama in Gulu District. Banya was, army spokesman Maj Shaban Bantariza said, “the most senior adviser to Lord’s Resistance Army leader Joseph Kony.” [68gg]

6.103 The same IRIN news article dated 15 July 2004 goes on to mention that Bantariza told IRIN that: “He has been the heart and spirit of the rebellion. He is the main military and technical brain behind the rebel movement. He has been attached to Kony in Sudan.” The former Uganda National Liberation Army (UNLA) major and escort to President Yoweri Museveni is the first high-profile capture for the army since the rebellion started some 18 years ago. [68gg]

6.104 The same IRIN article also notes that Bantariza emphasised the significance of the capture, saying that following Banya’s apprehension, a number of other rebel commanders had surrendered, including another veteran, ‘Major’ Isiah Luwum, who, the army spokesman said, was one of those who had joined the rebel force in its early days. Two other commanders with the rank of ‘captain’ had also followed Luwum with a total of 32 fighters and a quantity of arms and ammunition. [68gg]

6.105 According to an article in the BBC News dated 29 July 2004:

“The World Court has begun an investigation into alleged war crimes committed by Ugandan rebels....” International Criminal Court prosecution spokesman Christian Palme told the BBC ‘We are investigating any crimes committed in northern Uganda after July 2002. We have the full support for this from the authorities in Uganda’.” [69y]

6.106 The USSD report for 2004 notes:

“Security forces tortured and abused civilians suspected of collaborating with the LRA; however, unlike in previous years, there were no reports that security

forces killed suspected collaborators. ... There also were persistent and credible reports that the UPDF failed to protect civilians threatened by the LRA. On February 5 [2004], for example, more than 40 persons were killed during an LRA attack on the Abiya IDP camp in Lira District under the protection of a small UPDF force; most of the UPDF unit had left to collect their pay, and the unit's commander allegedly had gone to Kampala without authorization. ... No action was taken against LRA rebels who were responsible for numerous killings in 2003 and 2002." [2b] (p9)

6.107 According to the Human Rights Watch Annual Report for 2004 on Uganda:

"The LRA persisted in its policy of abducting northern Ugandan children to use as soldiers and forced sexual partners for its forces in 2004. This has brought the number of abducted children to a new high. More than 20,000 children have been seized by the LRA over the course of the war. In total, more than 1,300,000 civilians are currently forced to live in government-controlled displaced camps." [10c] (p1)

6.108 The same HRW report notes:

"In 2004, the LRA continued with renewed severity its attacks on civilians living in displaced persons and Sudanese refugee camps and others it considered to be collaborating with the UPDF. An LRA raid on Barlonyo camp near Lira in eastern Uganda resulted in up to 337 deaths. This attack was followed by a protest demonstration of more than 10,000 people, angry at the lack of government protection in the camps. Many questioned the willingness and effectiveness of the UPDF to protect civilians against the LRA, claiming that it is often absent or too late to respond when the LRA strikes. President Museveni, in a rare move, apologized for UPDF's failure to stop the massacre." [10c] (p1)

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PEACE PROCESS

6.109 As recorded in the Africa Research Bulletin [ARB] Volume 41 Number 11 pages 16004 and 16005, Uganda's Government declared a temporary truce on 14 November 2004 to allow rebels in the north of the country to meet and discuss plans for talks to end the 18-year civil war. President Museveni ordered a seven-day suspension of UPDF operations in a limited area of Acholi, to allow the leadership of Joseph Kony's group to meet and confirm that they accepted his offer to come out of the bush. In early November 2004, an LRA spokesman telephoned a radio station and called for talks – and for Museveni's Government to show its commitment to peace – in a rare statement by rebels. A statement from State House said that if after the meeting, the Kony groups make a clear recorded statement that they accept the President's offer, then a ten-day cessation of UPDF operations will be ordered. [56d]

6.110 The same ARB report states that the army said it would continue operations against remnants of Kony's group in all other areas of northern Uganda and southern Sudan "...until the government gets an irreversible commitment indicating their intention to end...once and for all the terror campaign." Although the statement detailed a seven-day truce, it detailed a nine-day period, saying hostilities would be suspended between 1500 GMT on 14 November 2004 and 0400 GMT on 23 November 2004. The UPDF withdrew 15,000 troops from the

gazetted areas for a cease-fire. The troops will now guard displaced peoples' camps, schools and roads. [56d]

- 6.111 According to a Reuters, Australia article published on ReligionNewsBlog.com dated 31 December 2004, posted on 30 December 2004:

"The Ugandan Government and the rebel Lord's Resistance Army are to sign a ceasefire today [30 December 2004], opening the way for an end to a bloody 18-year insurgency. ... Both sides expressed hope the ceasefire would bring an end to a war described by the UN as the world's most-neglected humanitarian emergency. 'This is a very important day because the Government of Uganda and the Lord's Resistance Army rebels have agreed to sign the agreement to end hostility before this year ends,' said the chief negotiator and former government minister, Betty Bigombe." [81]

- 6.112 A report featured in the ARB Volume 42, Number 1, 1 - 31 January 2005 notes:

"The Ugandan President, Yoweri Museveni, said the army would resume all-out war in the north, who he says rejected a ceasefire deal expected to pave the way on ending the 18-year civil war. The ceasefire expired on 31 December 2004, the day the talks between the government and the Lord's Resistance Army [LRA] collapsed....However, efforts to resume the talks were not entirely buried." [56e]

The initiator and chief mediator, Ms Betty Bigombe, continued to meet with LRA leaders to revive the negotiations. Following the failure of the peace talks, the UPDF reoccupied the 100sq km truce area that President Museveni had gazetted for the LRA rebels to assemble in for the talks. [56e]

- 6.113 According to the same article in the ARB:

"The comprehensive peace accord signed on January 9th [2005] between the Sudanese government and the southern-based Sudan People's Liberation Movement/Army (SPLM/A) should help resolve the 18-year war in northern Uganda, officials say. Following the peace agreement, SPLA leader, Colonel John Garang said Joseph Kony's LRA rebels must vacate southern Sudan.... In mid-January 2005 the government gave the rebels more time to study the peace proposals. Ms Bigombe had met with the rebel negotiating team several times and the consensus is that the peace process is on track. Mr Museveni has said that if Ms Bigombe's peace mission fails, the African Union (AU) can intervene. It would try alternative mediation. Meanwhile the International Criminal Court (ICC) hopes to start its first war crimes trial in six months. Joseph Kony is slated to be the first." [56f]

- 6.114 The BBC Monitoring website published an article in *New Vision* dated 12 January 2005 stating that:

"Chief peace broker Betty Bigombe has met a top rebel team to discuss the draft peace terms to pave the way for another meeting next week and for the signing of the peace accord to end the northern war. To show their commitment to peace, a senior LRA [Lord's Resistance Army] commander, Brig. Onen Kamdulu, a confidante of rebel leader Joseph Kony, handed over his three wives and child to Bigombe. The 11-point memorandum of understanding the government gave to LRA calls for a joint monitoring team composed of two

government representatives, two LRA representatives and 'such a number of international observers as shall be agreed upon by the parties.'" [50at]

- 6.115 An excerpt from a report by Ugandan TV published by BBC Monitoring on 13 January 2005 noted that:

"Government has commended the parties that participated in peace resolution that led to the signing of the peace agreement between the Sudanese government and the SPLA [Sudan People's Liberation Army], the minister of state for information, Dr James Nsaba Buturo, said today [13 January 2005] at a weekly press briefing held at Nakasero [Kampala]. ... He assured all Ugandans that with such peace developments in the Sudan the LRA [Lord's Resistance Army] rebels of Joseph Kony will no longer have bases in southern Sudan, hence the end of the conflict in northern Uganda." [78]

- 6.116 An article in *New Vision* dated 5 February 2005 reported that "The LRA director of operations, Col. Onen Kamdulu, has surrendered in Palukere, Atyak." He claimed he reported to the UPDF at about 9 a.m. with his wife Santa Lalam and his escort. He said he would join the other former LRA commanders to end the war. Meanwhile President Museveni declared a new 18-day cease-fire to allow the rebels to organise talks with the Government. [50au]

- 6.117 The BBC reported on 16 February 2005 that a key official in the LRA had surrendered. The article states that:

"Brigadier Sam Kolo, the LRA's top negotiator in the recent peace talks, gave himself up to the army, according to government mediator Betty Bigombe. He was attacked by rebels as he tried to escape and phoned the army who came to his rescue in Kitgum district. ... Ms Bigombe, a former Ugandan minister who is acting as a mediator in the conflict, insisted his surrender would not affect the peace talks and said she would continue to negotiate an end to the war. 'I want to assure everyone that it does not mark the end of the peace process. I already talked to Vincent Otti, who told me he was going to take over and be in charge of the peace talks in the absence of Bri Kolo,' she told the BBC Focus on Africa programme." [69ab]

- 6.118 The BBC reported on 23 February 2005 that the LRA rebels in the north are suspected to have carried out two attacks, killing at least ten people. These attacks have led to calls for more troops to be deployed to protect the civilians. Ugandan Army spokesman, Major Banatariza, said a group of rebels were pursued and eight LRA members have been killed since the attack. [69ac]

- 6.119 The Amnesty International Annual Report for 2004, covering events from January to December 2004, published July 2005, states:

"Abuses by the armed opposition Lord's Resistance Army (LRA) increased during the first half of the year [2004]. The government asked the International Criminal Court (ICC) to investigate war crimes and crimes against humanity in the context of the war in northern Uganda. Rape of girls was widespread, and other torture persisted. The media continued to be attacked." [22b]

"...The first half of the year [2004] saw an upsurge in LRA attacks on civilians in Gulu, Kitgum, Lira and Pader districts." [22b]

“...In February [2004] the LRA attacked Barlonyo Internally Displaced People Camp in Lira District, killing over 200 people. President Museveni visited the district and apologized for the lack of protection provided by the Uganda People’s Defence Force (UPDF).” [22b]

“...In January [2004] the Prosecutor of the ICC announced that he would take steps to investigate and prosecute war crimes and crimes against humanity committed in the conflict in northern Uganda. This followed a request from the Ugandan government at the end of 2003 for the ICC to investigate crimes committed by the LRA. In July the ICC Prosecutor indicated that he would investigate crimes by both the LRA and government forces. The government pledged its support for the ICC investigations and published the International Criminal Court Bill to implement the ICC Statute in domestic law. The Bill had not been enacted by the end of 2004.” [22b]

“In November [2004], during government efforts to resolve the conflict, officials announced that if leaders of the LRA were to stop fighting and engage in internal reconciliation mechanisms, the state could withdraw its case from the ICC. However, there is no evidence that once a state party has referred a situation to the ICC that it can “withdraw” the referral.” [22b]

- 6.120 In the overview of the International Crisis Group (ICG)’s report of 23 June 2005, “Building a comprehensive peace strategy for Northern Uganda”, the ICG states:

“Peace may yet be possible in Northern Uganda in 2005. Many elements seem to be in place, but they need to be pursued by President Museveni’s government in a more comprehensive framework, given stronger international support and – most urgently – be committed to by the rebel Lord’s Resistance Army (LRA) in the context of a specific process with a clearly definable endgame. The outlines of rebel demands are clearer, the government has expressed flexibility, and the LRA military position is becoming more tenuous. However, there has not yet been tangible progress. The unanswered question is whether Joseph Kony, the unpredictable insurgent leader, is truly nearing a strategic decision that his prospects and those of his supporters are better served by a deal or whether he is merely playing for time in order to regroup as he has done several times previously. The International Criminal Court (ICC) is expected to issue arrest warrants for Kony and senior deputies shortly, which will put new pressure on all concerned, including the government and its authorised mediator, Betty Bigombe, to decide whether they will continue with the effort at negotiation. Patience is wearing thin on all sides. The mediation has been pursued in recent months against a backdrop of continuing LRA atrocities directed at Acholi civilians. The LRA remains focused on terror tactics, not the control of territory. Even with gradually eroding force levels, it still can wreak havoc with spectacularly brutal strikes, which prevent resettlement of the 1.5 million displaced persons and give the appearance the government is not in firm control of the North.” [87a] (p1-2)

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ALLIED DEMOCRATIC FORCES (ADF)

- 6.121 A news report from *The Monitor* on 5 February 2001 states that former ADF rebel, Zarome Bwambale said to Zedeqiya Karokora, District Commissioner of Kasese, that at least 30 rebels said they wanted clearance in order to

surrender. They also wanted to be reassured that their lives were safe. [31y] According to a Reuter's news report on 2 April 2001, 53 rebels from the ADF were freed in the first application of the Amnesty Law, which was enacted more than one year ago. [65d] In *New Vision* newspaper of February 2002, it was reported that as a result of intensified UPDF operations in the Rwenzori region 20 ADF rebels and 7 others, including 2 commanders, were captured. [50o]

6.122 *New Vision* newspaper, in a news report of 15 May 2002, reports that since the Amnesty Law came into force over 500 ADF rebels have surrendered in Kasese. Their former Chief of Staff Chris Tushabe Benz surrendered two years ago and is now a UPDF Major. [50ab]

6.123 According to the USSD report for 2004:

"August 13 [2004], 22 members of a Muslim group were set free after treason charges were withdrawn; the 22 were arrested in 2003 for allegedly financing the ADF." [2b] (p6) According to an answers.com article posted on the Wikipedia website, "As of 2004, the ADF had been largely destroyed by the Ugandan People's Defense Force." [77]

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WEST NILE BANK FRONT (WNBFB)

6.124 An AllAfrica news report of 8 August 2005 relayed a *New Vision* article that states the following regarding the WNBFB:

"Over 5,000 West Nile Bank Front (WNBFB) former combatants are to be integrated into the Uganda People's Defence Forces (UPDF), Maj. Gen Taban Amin has said, writes Frank Mugabi. Amin said the group includes tank instructors and the artillery and anti aircraft crew with military and guerrilla experience of over 20 years. Amin, son of former president Idi Amin, was the commander-in-chief of the WNBFB, a rebel group that had formerly established bases in DR Congo. The conflict ended under a peace agreement and the rebels were offered amnesty. Amin said he was in contact with his 14,300 former troops, most of whom are resettled in the West Nile sub-region and that many had shown interest in joining the UPDF [the Ugandan Army]. He said some would be shaped into a reserve force and the rest would form a taskforce for the Movement." [50aw]

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UGANDA NATIONAL RESCUE FRONT (UNRF II)

6.125 *The Monitor*, in an article dated 3 September 1998, noted that the United National Rescue Front II (UNRF II) operates from Sudanese bases and was also supported by the Government of Sudan. It is reported in the same article that the UNRF II have split into two factions, the original led by Juma Oris and the breakaway group by Ali Bamuzes. [31ab]

6.126 *New Vision* reported on 2 May 2002 that the Government of Uganda had sent a nine-member team led by the First Deputy Prime Minister and Minister of Internal Affairs to talk peace with the UNRF II rebels in Yumbe District. [50aa] The Xinhua News Agency reported on 25 May 2002 that after four days of talks the two sides had agreed to formalise a cease-fire agreement. [28f] An IRIN news report, "Government in peace deal with UNRF II rebels", posted 26 June

2002 mentions that the peace process started in 1998 and culminated on 15 June 2002, with the Government of Uganda and the UNRF signing a formal cease-fire agreement. [68x]

- 6.127 BBC News reported on 26 December 2002, that two days earlier a peace deal had been signed between the Government and the UNRF rebels after over five years of negotiations between the two sides. In the peace deal about 700 of the rebels were to be integrated into the Ugandan army while the remainder will be given resettlement packages. The article states that the UNRF rebels had not been a serious destabilising threat in recent years. [69a]
- 6.128 According to the Coalition to Stop the Use of Child Soldiers's Global Report 2004 on Uganda:

“Around 1,000 combatants of the Uganda National Rescue Front II and their families returned to Uganda in April 2002, having been based in Sudan since 1997. After negotiations with the government, 135 child soldiers were handed over to UNICEF.” [76]

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NATIONAL ARMY/UNION FOR THE LIBERATION OF UGANDA (NALU/NULU)

- 6.129 The ADF website claims the National Army/Union for the Liberation of Uganda (NALU/NULU) is an ADF-affiliated group. They have claimed responsibility for terrorist attacks that resulted in fatalities. [30] The GlobalSecurity.org website states that NALU/NULU's aims were unclear and most of its operations were aimed against the local peasant population. It faded from view in 1994 and was thought defunct, most of the members having been absorbed into the ADF. [12] However, they re-emerged in 1997 under the leadership of Jafari K Salimu and issued both a manifesto (source 30) dedicated to overthrowing the Government and an invitation to President Museveni to meet them. [30]

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CITIZENS ARMY FOR MULTIPARTY POLITICS (CAMP)

- 6.130 BBC Monitoring noted in July 1999 that the Citizens Army for Multiparty Politics (CAMP) had originally been led by Brigadier Smith Opon Acak (who had been Obote's army chief of staff). He was shot by the UPDF in July 1999 when they raided his camp near the town of Lira in northern Uganda. Of the 43 others present, 4 were captured and the others escaped. [66f]
- 6.131 According to an article dated 23 December 2003, in *The Monitor* (via AllAfrica), CAMP is one of a number of groups that took up arms to fight the National Resistance Movement. The article notes from a report by Amnesty International in December 2003 that between 2000 and 2003, 10,000 rebels surrendered and applied for amnesty. Of those who surrendered, 3,848 were from the LRA, 2,902 were from the UNRF II, 1,990 from WNBF and 659 from the ADF. There is no mention in the article about any CAMP members surrendering at that time. [31af]

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PEOPLE'S REDEMPTION ARMY (PRA)

- 6.132 **The PRA prior to 2005.** Mention is made of the PRA in the United States State Department Reports on Human Rights Practices for 2003 (published March 2004) and for 2004 (published February 2005). In USSD for 2003:

“On May 2 [2003], security agents in Kabale arrested Patrick Biryomumaisho Kirasha and four others accused of recruiting persons for the People’s Redemption Army (PRA) rebel group. They were taken to an unknown location in Kampala. At year’s end, they remained in detention.” [2a] (p4)

In USSD report for 2004:

“During the last 2 years, the Government has arrested and charged with treason more than 40 persons for collaborating with the People’s Redemption Army (PRA); none of the 40 had been tried by year’s end. ...Patrick Biryomumaisho Kirasha and four others accused in 2003 of recruiting persons for the PRA rebel group remained in detention at year’s end.” [2b] (p4)

- 6.133 **June 2005 reports** A news report in *the Monitor* (Ugandan National Paper) on 30 June 2005 states:

“Prof. Ogenga Latigo, FDC’s vice-chairperson, said the headmaster of the school, Mr Wilfred Ochan, has now been labelled a recruiter for the People’s Redemption Army (PRA). ‘They are now saying he is recruiting for PRA because he is an Acholi,’ Latigo said. PRA is a shadowy rebel group that is linked to FDC by government security officials.

Ochan responds. But Ochan, while speaking to Daily Monitor yesterday dismissed the PRA links.” [31ag]

- 6.134. Information from an *Africa News* report dated 29 June 2005 indicates that the PRA is held to operate / based in eastern Congo:

“It [the African Union] said other armed groups in eastern Congo were Burundi’s Front national de liberation Forces (FNL) headed by Agathon Rwasa, in the region of Uvira; the Allied Democratic Forces/National Army for the Liberation of Uganda (ADF/NALU) in the Beni/Butembo region; and the People’s Redemption Army whose precise locations are yet to be verified.” [20a]

- 6.135 A 27 June news article in *Africa News* reported on an official complaint from Uganda’s President Museveni to DR Congo’s President Kabila regarding the alleged harbouring of Ugandan armed groups:

“[Ugandan] Defence Minister Amama Mbabazi said he could not comment directly on Museveni’s letter. But he said Uganda had legitimate concerns about instability in eastern Congo. ‘We have security concerns because both the Allied Democratic Forces (ADF) and People’s Redemption Army (PRA) rebels are still alive and active and preparing to attack Uganda from Congo,’ Mbabazi told Reuters.

Britain said recently that there was no evidence that PRA exists in DRC.” [20b]

- 6.136 In *The Monitor*, in an article dated 27 June 2005, states:

“The Forum for Democratic Change (FDC) party has no plans to change the government using arms, Dr Sulaiman Kiggundu, a party envoy, has said. ... He accused the government of constantly linking FDC with the Peoples’ Redemption Army (PRA), saying it is the government’s imagination.” [31ah]

6.137 An article of 9 June 2005 in *New Vision* (Kampala) states:

“The Forum for Democratic Change (FDC) has said the People’s Redemption Army (PRA) is a creation of the Government. ... ‘PRA is a government creation to undermine democracy,’ Prof. Latigo Ogenga, the FDC vice-chairperson, said.” [50av]

6.138 A journalist in the *Washington Times* (USA), in an article dated 5 June 2005, claims the PRA are the Lord’s Resistance Army (LRA). No corroboration on this point from other sources could be found – contradicted by a number of sources – and the association seems to be incorrect:

“The ‘Lord’s Resistance Army’, also known as the ‘Peoples Redemption Army’, is headed by Joseph Kony, a self-proclaimed prophet whose creed are [sic] the ‘Ten Commandments.’ It’s pure voodoo. Over the last two decades, Kony and his goons kidnapped some 20,000 young boys and forced them to become bloodthirsty terrorists.” [71a]

6.139 **Information on PRA from earlier in 2005** A news report in *The Monitor* on 20 January 2005 stated:

“The Chieftaincy of Military Intelligence (CMI) [Ugandan Government security agency] has always claimed that [Uganda Peoples’ Defence Forces (UPDF) officer, Colonel Edson] Muzoora is one of the leaders of the People’s Redemption Army (PRA), a fledgling rebel force allegedly trained by the Rwanda government to fight Uganda.” [31ai]

6.140 The report continues:

“The acting Chief of Military Intelligence, Lt. Col. James Mugira, on Monday told *The Monitor* that Muzoora is thick into PRA activities. ‘We have captives who were in Ituri with him, those who have stayed with him in other places and witnesses who are relatives of the people he was working with who have details about him.’” [31ai]

6.141 However, the same article reports that such allegations of membership of the PRA by Muzoora and other UPDF activists are refuted:

“In a faxed message to *The Monitor* from his exile base in South Africa, Muzoora said, ‘I have never joined any rebel activity and I don’t have any plan to do so’ adding that, ‘I will stay in South Africa and any other place till the political situation in Uganda changes.’ ... Lieutenant Colonels Samson Mande, Anthony Kyakabale (exiled in Sweden) and Col. Kizza Besigye, now exiled in South Africa, have also persistently denied any links to the rebel PRA.” [31ai]

6.142 *The Monitor* reports, in an opinion piece of 8 April 2005, that the FDC opposition party has been critical of Ugandan Government PRA allegations, with an FDC activists stating:

“CMI believes the Peoples Redemption Army (PRA) to be so sophisticated that it is commanded from Sweden and South Africa but operates in the Democratic Republic of Congo (DRC) with technical support from Rwanda. PRA rebels may have never fired a single shot inside or outside Uganda, but its existence has been established and propagated by security agents at well choreographed public viewings of ‘suspects’ who are usually FDC supporters. The suspect supporters are picked from DRC, Kenya and more recently Arua and Kanungu districts in Uganda. Interestingly most rebels who are captured are not in possession of any military weapon. So if the PRA exists, it is perhaps the most peaceful rebel force on the African continent.” [31aj]

- 6.143 The Human Rights Watch report, “Concerns regarding torture and other cruel, inhuman or degrading treatment or punishment in Uganda”, published in May 2005, summarises its opinions regarding the PRA:

“Security agencies claim that members of Reform Agenda – now in the FDC – are actively involved with the People’s Redemption Army (PRA). The PRA is a rebel group based in the Ituri district of the eastern Democratic Republic of Congo. While dozens of political opponents and others have been arrested in connection with the PRA, no criminal trial has shown the link between the PRA and Reform Agenda or the FDC. Many observers believe that poses little threat to security, law and order. Others have questioned the existence of the PRA because it has not conducted military operations inside Uganda. Some detainees have ‘confessed’ PRA links to the press while in military custody and later said these confessions were made under duress. These detainees have been charged with treason or terrorism and detained for long periods. A few have been amnestied and released.” [10e] (p5-6)

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6.C HUMAN RIGHTS - OTHER ISSUES

TREATMENT OF FAILED ASYLUM SEEKERS

- 6144 Information from Uganda via the UK Foreign and Commonwealth Office, dated 21 August 2001, states that the Ugandan Department of Immigration have confirmed that only failed asylum seekers who had previously committed a crime in Uganda, and are on their wanted list, would be arrested on arrival in the country and that someone would not be imprisoned simply for being returned to Uganda as a failed asylum seeker. [14c]

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TREATMENT OF NON-GOVERNMENTAL ORGANISATIONS (NGOs)

- 6.145 The USSD 2004 notes:

“A number of domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Government officials generally were responsive to their views; however, in August 2003, President Museveni issued a statement calling on civil society organizations to avoid involvement in partisan politics. Active domestic groups included the FHRI [Foundation for Human Rights Initiative]; FIDA-U [Uganda Association of Women Lawyers]; Human

Rights Focus; the National Association of Women's Organizations of Uganda; the International Federation of Human Rights; and the Human Rights and Peace Center of Makerere University. Government officials continued to attend conferences and seminars hosted by NGOs on social problems and cooperated with NGOs on legal and prison reforms." [2b] (p14)

The USSD 2004 also noted that NGOs were required to register with the NGO Board, which included representation from the Ministry of Internal Affairs as well as other ministries. [2b] (p11)

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INTERNALLY DISPLACED PERSONS (IDPs)

6.146 The Internally Displaced Persons [IDP] website, "Profile of Internal Displacement: Uganda", updated 24 February 2005, reports:

"The ongoing peace talks between the government and the rebel group, Lord's Resistance Army (LRA), have revived cautious hopes that the plight of the internally displaced people (IDPs) in northern Uganda may finally be eased. While the official number of IDPs has decreased slightly from 1.6 million in June 2004 to around 1.4 million in February 2005, the real number could be more than 2 million as hundreds of thousands of IDPs live with relatives or in camps not yet fully recognised by the government. IDPs living outside official camps have not been registered and do not benefit from UN food assistance." [9] (p8)

6.147 The IDP website also states:

"The intensity and frequency of LRA attacks have reduced considerably in the second half of 2004 and some NGOs reach far-away camps without armed escort. Nonetheless, insecurity prevails and many humanitarian organisations prefer to access the camps protected by the Ugandan army. Living conditions in the camps are appalling, with a widespread lack of infrastructure and basic services, including schools, health care, and water and sanitation facilities. IDPs living in unrecognised camps have not received any food assistance. Abductions, killings and looting by the LRA continue to impede any large-scale return movements." [9] (p8)

6.148 The IDP website further notes:

"Increased military and international political pressure has led to a weakening of the LRA and seems to have removed whatever it might have had of a political agenda. This appears to have resulted in the LRA oscillating between the willingness to engage in peace talks and a violent struggle for mere survival. To fill their ranks, the LRA has resorted to the abduction of children. An estimated 20,000 children have been abducted by the rebels during the 19-year conflict, nearly half of them reportedly in the two years up to May 2004. Tens of thousands of children, so-called night commuters, come into some of the major towns every night to sleep on the streets or in public buildings for fear of being abducted or killed." [9] (p8)

6.149 The USSD report for 2004 notes: "During the year [2004], civilians were killed, injured, and displaced as a result of security force operations against the LRA." [2b] (p4)

6.150 The IDP website notes that there were revived expectations for peace between the Government and the LRA in February 2005. This is primarily because this is perhaps the best chance for peace in the last 18 years. There is a reduction in LRA support from the Sudanese government and a more effective Ugandan Army are beginning to have a settling effect. However, the primary obstacle to a realistic peace settlement is the leader of the LRA, Joseph Kony. The report notes that the LRA is in 'survival mode' because of cuts in its supply lines from Sudan:

"Northern Uganda, which has been torn by decades of fighting between the Ugandan government and the Lord's Resistance Army (LRA), has perhaps its best chance for peace in the last 18 years, says the special advisor to the president of the International Crisis Group (ICG), a nongovernmental organization. John Prendergast, a former advisor on African issues at the National Security Council, said confidence-building measures such as cease-fire negotiations, the reduction in LRA support from the Sudanese government, and a more effective Ugandan Army are beginning to have a settling effect on the region." [9](p51)

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Annex A: Chronology of Major Events

[Sources – EuropaWorld, FCO Profile and BBC News timeline]

PRE- AMIN

- 1958** Uganda given internal self-government.
- 1962** Uganda becomes independent with Milton Obote as Prime Minister and with Buganda enjoying considerable autonomy.
- 1963** Uganda becomes a Republic with Mutesa as president.
- 1966** Milton Obote ends Buganda's autonomy.
- 1967** New constitution vests considerable power in the president and divides Buganda into four districts.

THE IDI AMIN YEARS

- 1971** Milton Obote toppled in coup led by Idi Amin.
- 1972** Amin orders Asians who were not Ugandan citizens – around 60,000 people – to leave the country.
- 1972-73** Uganda engages in border clashes with Tanzania.
- 1976** Idi Amin declares himself president for life and claims parts of Kenya.
- 1978** Uganda invades Tanzania with a view to annexing Kagera region.
- 1979** Tanzania invades Uganda, unifying the various anti-Amin forces under the Uganda National Liberation Front and forcing Amin to flee the country; Yusufo Lule installed as president, but is quickly replaced by Godfrey Binaisa.
- 1980** Binaisa overthrown by the army.
Milton Obote becomes president after elections.
- 1985** Obote deposed in military coup and is replaced by Tito Okello.
- 1986** National Resistance Army rebels take Kampala and install Yoweri Museveni as president.

MUSEVENI - BEGINNINGS OF RECOVERY

- 1993** Museveni restores the traditional kings, including the king of Buganda, but without giving them political power.
- 1995** New constitution legalises political parties but maintains the ban on political activity.
- 1996** Museveni returned to office in Uganda's first direct presidential election.

- 1997** Ugandan troops help depose Mobutu Sese Seko of Zaire, who is replaced by Laurent Kabila.
- 1998** Ugandan troops intervene in the Democratic republic of Congo on the side of rebels seeking to overthrow Kabila.
- 2000** Ugandans vote to reject multiparty politics in favour of continuing Museveni's "no-party" system.
- 2001** **January:** East African Community (EAC) inaugurated in Arusha, Tanzania, reviving an idea which collapsed in 1977, and which lays the groundwork for a common East African passport, flag, economic and ultimately monetary integration. Members are Tanzania, Uganda and Kenya.
March: Uganda classifies Rwanda, its former ally in the civil war in DR Congo, as a hostile nation because of fighting the previous year between the two countries' armies in DR Congo.
 Museveni wins another term in office, beating his rival Kizza Besigye by 69 percent to 28 percent.

RECENT HISTORY

- 2002** **March:** Sudan, Uganda sign agreement aimed at containing Ugandan rebel group, Lord's Resistance Army (LRA), active along common border. LRA wants to run Uganda along lines of biblical Ten Commandments. Led by "prophet" Joseph Kony they have kidnapped thousands of children and displaced many civilians.
October: Army evacuates more than 400,000 civilians caught up in fight against LRA, which continues its brutal attacks on villages.
December: Peace deal signed with Uganda National Rescue Front (UNRF) rebels after more than five years of negotiations.
- 2003** **March:** Government's decision-making body recommends lifting 17-year ban on political party activity, subject to public referendum.
May: Uganda pulls out last of its troops from eastern DR Congo. Tens of thousands of DR Congo civilians seek asylum in Uganda.
August: Former dictator Idi Amin dies in hospital in Jeddah, Saudi Arabia. Up to 400,000 people were killed during his dictatorship.
- 2004** **February:** LRA rebels slaughter at least 200 people at a camp for displaced persons in the north. President Museveni blames poor military co-ordination.
May: President Museveni is promoted to general and then retires from the military.
September: Supreme Court overturns lower court ruling that casts doubt on "no-party" political system.
December: Government and LRA rebels hold first face-to-face peace talks. A limited 18 day ceasefire granted by President Museveni expired on 22 February in northern Uganda. There are calls from the international community for more attention to be focused on the peace process in order to end the 19-year conflict.
- 2005** **April:** Uganda rejects accusations made by DR Congo at the International Court in The Hague. DR Congo says Uganda invaded its territory in 1999, killing citizens and looting.

July: Parliament approves a constitutional amendment which scraps presidential term limits.

July: Voters in a referendum overwhelmingly back a return to multi-party politics.

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Annex B: Political Organisations

Political parties were ordered to suspend active operations, although not formally banned, in March 1986.

Bazzukulu ba Buganda (Grandchildren of Buganda): Bagandan separatist movement.

Buganda Youth Movement: f.1994; seeks autonomy from Buganda; Leader - Stanley Kato

Conservative Party (CP): f.1979; Leader – Jehoash Mayanja-Nkangi

Democratic Party (DP):f.1954;main support in southern Uganda; seeks a multi-party political system; President – Dr Paul Kawanga Ssemogerere; Vice President – Zachary Olum.

Federal Democratic Movement (FEDEMO): Kampala

Forum for Democratic Change (FDC)

Forum for Multi Party Democracy: Kampala; General Secretary – Jesse Mashatte.

Movement for New Democracy in Uganda: based in Zambia; f.1994 to campaign for multi party political system; Leader – Dan Okello-Ogwang

National Resistance Movement (NRM)

Founded in 1981 as the political wing of the guerrilla National Resistance Army in opposition to the Obote (UPC) Government. The NRM assumed power in 1986 and is the dominant force with the present Government. Leader: Yoweri Kaguta Museveni. Chairman: Dr Samson Kisekka.

National Liberal Party: Kampala; f.1984 by a breakaway faction of the DP; Leader – Tiberio Okeny

Reform Agenda (dissolved – see Forum for Democratic Change)

Uganda Democratic Alliance: Leader – Apolo Kironde

Uganda Democratic Freedom Front: Leader – Major Herbert Itonga

Uganda Freedom Movement (UFM): Kampala; mainly Baganda support; withdrew from NRM coalition Government in 1987; Secretary General – Vacant

Uganda Independence Revolutionary Movement: f.1989; Chair – Major Okello Kolo.

Uganda Islamic Revolutionary Party (UIRP): Kampala; f.1993; Chair – Idris Muwonge.

Uganda National Unity Movement: Chair Alhaji Suleiman Ssalongo.

Uganda Patriotic Movement: Kampala; f.1980; Secretary General – Jaber Ssali.

Uganda People's Congress (UPC): f.1960; socialist-based philosophy; mainly northern support; ruling party 1962-71 and 1980-85; sole legal political party 1969-71; President – Dr Milton Obote (in exile in Zambia); National Leader – Dr James Rwanyarare.

Ugandan People's Democratic Movement (UPDM): seeks democratic reforms; support mainly from north and east of the country; includes members of former government's armed forces; signed a peace accord with the Government in 1990; Chair – Eric Otema Allimadi; Secretary General – Emmanuel Oteng.

Uganda Progressive Union (UPU): Kampala; Chair – Alfred Banyaruka.
[1c](p1217-1218)

REBEL MOVEMENTS:

Allied Democratic Forces (ADF): Active since 1996 in south-eastern Uganda; combines Ugandan Islamic fundamentalist rebels, exiled Rwandan Hutus and guerrillas from the Democratic Republic of the Congo; President – Sheikh Jamil Mukulu.

Lord's Resistance Army (LRA): f.1987; claims to be conducting a Christian fundamentalist 'holy war' against the Government; forces estimated to number up to 6,000, operating mainly from bases in Sudan; Leader Joseph Kony; a breakaway faction (LRA-Democratic) is led by Ronald Otim Komakech.

People's Redemption Army (PRA): Organisation identified by the Ugandan Government as operating from DRC, led by a Colonel Edson Muzoora.

Uganda National Rescue Front Part Two (UNRF II): based in Juba, Sudan; Leader – Ali Bamuze.

Uganda People's Freedom Movement (UPFM): based in Tororo and Kenya; f.1994 by means of the former Uganda People's Army; Leader – Peter Oti

West Nile Bank Front (WBNF): formerly operated in northern Uganda.
[1c](p1218)

Annex C: Glossary

ADF	ALLIED DEMOCRATIC FORCES
CA	CONSTITUENT ASSEMBLY
CAMP	CAMPAIGN FOR MULTI-PARTY DEMOCRACY
DP	DEMOCRATIC PARTY
DRC	DEMOCRATIC REPUBLIC OF CONGO (FORMERLY ZAIRE)
FEDEMO	FEDERAL DEMOCRATIC MOVEMENT
FGM	FEMALE GENITAL MUTILATION
FIDA	UGANDA ASSOCIATION OF WOMEN LAWYERS
GDP	GROSS DOMESTIC PRODUCT
IC	INDUSTRIAL COURT
ICRC	INTERNATIONAL COMMITTEE OF THE RED CROSS
ISO	INTERNAL SECURITY ORGANISATION
LC 3	LOCAL COUNCIL - SUBCOUNTY
LC 2	LOCAL COUNCIL - PARISH
LC 1	LOCAL COUNCIL - VILLAGE
LDU	LOCAL DEFENCE UNIT
LRA	LORD'S RESISTANCE ARMY
NALU/NULU	NATIONAL ARMY (UNION) FOR THE LIBERATION OF UGANDA
NGO	NON-GOVERNMENTAL ORGANISATION
NRA	NATIONAL RESISTANCE ARMY
NRC	NATIONAL RESISTANCE COUNCIL
NRM	NATIONAL RESISTANCE MOVEMENT
NUSh	NEW UGANDAN SHILLING
PRA	PEOPLE'S REDEMPTION ARMY
SPLA	SUDANESE PEOPLE'S LIBERATION ARMY
UFA	UGANDAN FEDERAL ARMY
UFF/A	UGANDA FREEDOM FRONT/ARMY (NEW GROUP IN 1999)
UN	UNITED NATIONS
UNDA	UGANDAN NATIONAL DEMOCRATIC ALLIANCE
UNHCR	UNITED NATIONS HIGH COMMISSIONER FOR REFUGEES
UNLA	UGANDA NATIONAL LIBERATION ARMY
UNLF	UGANDA NATIONAL LIBERATION FRONT
UPC	UGANDA PEOPLE'S CONGRESS
UPDA	UGANDA PEOPLE'S DEFENCE ARMY
UPDF	UGANDA PEOPLE'S DEFENCE FORCE
UPDM	UGANDAN PEOPLE'S DEMOCRATIC MOVEMENT
UPFM	UGANDA PEOPLE'S FREEDOM MOVEMENT
UNRF II	UGANDA NATIONAL RESCUE FRONT
US	UNITED STATES
Ush	UGANDAN SHILLING
WNBF	WEST NILE BANK FRONT

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