

Uganda

In 2006 Uganda missed a key opportunity to reverse its deteriorating human rights record when its first multiparty presidential and parliamentary elections in 26 years were marred by intimidation of the opposition and widespread voting irregularities. Torture by security forces of detained suspected rebels and dissidents continued. One such detainee, Abdu Semugenyi, was reported electrocuted to death on May 4, 2006 in a “safe house” maintained by the Joint Anti-Terrorist Task Force. Hopes were raised, however, for an end to the 20-year conflict in northern Uganda between the rebel Lord’s Resistance Army (LRA) and the Ugandan government. A cessation of hostilities agreement is in effect while peace talks mediated by the regional government of southern Sudan continue.

The War in Northern Uganda

Prior to the start of peace talks in mid-July, LRA attacks on civilians in northern Uganda, a hallmark of the conflict, continued, although at lower levels than reported in prior years. Widespread insecurity also resulted from alleged LRA activity across the Sudanese border in Equatoria. In March LRA rebels were allegedly responsible for raids on UN Mission in the Sudan (UNMIS) installations and non-governmental organizations in Yambio, Sudan, while LRA rebels in Garamba National Park in the Democratic Republic of Congo (DRC) were suspected of killing eight Guatemalan peacekeepers on January 23 in an attack on the UN Mission in DRC (MONUC).

Peace talks in Juba initiated in 2006 by the regional government of southern Sudan, and mediated by southern Sudan’s Vice-President, Dr. Riek Machar, appear to represent a realistic opportunity for an end to the conflict. Under the terms of a cessation of hostilities agreement reached by the parties on August 26, and amended on November 1, 2006, following violations of the agreement by both sides, LRA rebels are to assemble at two sites in southern Sudan. Other governments have pledged financial assistance for the talks through a UN-established fund.

Issues of accountability for serious human rights abuses committed during the conflict remain the subject of debate after the LRA called for the International Criminal Court (ICC) arrest warrants against LRA leaders charged with crimes against humanity and war crimes to be dropped. The government of Uganda, reversing course after having invited the ICC to investigate the LRA, proposed to seek the withdrawal of the arrest warrants and the substitution of traditional justice mechanisms in the event of a successful peace agreement. Government of Uganda representatives have, in fact, no authority to unilaterally rescind the arrest warrants and have thus far not sought their withdrawal through an admissibility challenge.

Some traditional, religious, and civil society leaders in northern Uganda and some in the international humanitarian community have urged the prioritization of peace over prosecutions. Others, like the Victims' Rights Working Group, the affiliated organizations of which include nongovernmental organizations from Uganda, have supported the view that prosecutions must not be sacrificed and that there must be cooperation with the ICC to arrest persons against whom warrants have been issued.

Human Rights Watch has taken the view that any outcome must include both peace and justice and that justice must involve fair and credible prosecutions of perpetrators of the most serious crimes, including prosecution before the ICC of the four surviving LRA leaders against whom arrest warrants have been issued. Fair and credible prosecutions for the most serious crimes are crucial to promote not only accountability, but also a durable peace. Broader accountability efforts for lesser offenses could be promoted through national and local initiatives that might include trials, a truth telling exercise, and, where appropriate, use of traditional mechanisms.

The prospect of peace also raised expectations of a return home for the 1.7 million persons confined to displaced persons camps. Camp residents continue to endure hunger and overcrowding, and remain vulnerable to abuses by the undisciplined Uganda Peoples' Defence Forces (UPDF), local militias, and LRA rebels. Improved security conditions in 2006, however, have made possible the movement of some displaced persons to smaller "settlement sites," which have better access to farmland but often lack health and education services.

Disarmament in Karamoja

Allegations of human rights abuses including torture and rape by UPDF soldiers surfaced in connection with “cordon and search” disarmament campaigns conducted in the Karamoja region. A leaked report of the government’s commission of inquiry was quoted in the national press as acknowledging that some abuses had taken place. After clashes between the UPDF and a Karamojong community led to the deaths of at least 22 soldiers and an unknown number of civilians in Kotido district in October and November, the UN expressed grave concern about the escalation in violence and reports of abuses committed on all sides.

Political Freedoms

On February 23, 2006, President Museveni—in power since 1986—won re-election and his ruling National Resistance Movement Organisation (NRM-O) a majority of seats in Uganda’s first multiparty presidential and parliamentary elections in 26 years.

Prosecutions were brought or threatened against opposition leaders, including front-runner presidential challenger Dr. Kizza Besigye of the Forum for Democratic Change (FDC), in a clear attempt to undermine his presidential campaign. The Electoral Offences Squad, formed by the Uganda Police Force, had received reports of election-related intimidation and assault in at least 22 districts by the end of January 2006. While some allegations were made against opposition supporters, the majority were pressed against the ruling NRM-O and state officials. The NRM-O’s inheritance of personnel and facilities from the “Movement” national political system secured privileged access to state resources. There were also reports of illegal military involvement in the election campaigns on behalf of NRM-O candidates.

Election-day violence was minimal, but both local and EU observers noted major irregularities across the country, including election officers turning away hundreds of thousands registered voters who allegedly did not appear on the voter register. Voting results reported by the Ugandan Electoral Commission reveal a divided country, with voters in the north and most of the east choosing opposition candidates, while Museveni’s support came from the south and west.

Freedom of Expression

Local journalists faced intimidation and prosecution in the months preceding the elections. In November 2005, the Ministry of Information issued a directive to media outlets forbidding them from running stories on the trial of presidential challenger Besigye. Acts of intimidation against radio stations, including arrests of station personnel, were reported. After accusations from the opposition FDC that the president and top military officials were persecuting Besigye on ethnic grounds appeared in the privately owned Weekly Observer, its editor, James Tumusiime, and reporter, Semujju Ibrahim Nganda, were charged on December 13, 2005, with “promoting sectarianism.” Petitions challenging the “promoting sectarianism” provision of Uganda’s penal code are pending before the Constitutional Court.

Torture by Security Forces

Ugandan security and military forces continue to use “safe houses,” unauthorized secret detention centers, and, increasingly, civilian police facilities to detain and torture suspected rebels and dissidents. In April 2006, Abdu Semugenyi, after being accused of being associated with the rebel group Allied Democratic Forces, was detained in a “safe house” maintained by the Joint Anti-Terrorist Task Force in an upscale neighborhood of Kampala. Other individuals detained in the “safe house,” some of whom were also tortured, witnessed Semugenyi’s torture and one reported that Semugenyi was electrocuted to death on May 4, 2006. Although the authorities first denied holding Semugenyi, they later claimed in press reports that he was killed while trying to escape. His body has not been recovered by his family.

HIV/AIDS Treatment and Prevention

Although HIV prevalence has greatly decreased since the early 1990s, the number of new HIV infections has recently increased from 70,000 in 2003 to about 130,000 in 2005. A shift toward U.S.-funded “abstinence-only” HIV prevention programs has continued in 2006, undermining the country’s fight against HIV/AIDS by questioning the effectiveness of condoms and removing comprehensive HIV/AIDS information from school curricula.

Corruption is an on-going concern. The temporary suspension of more than US\$200 million in grants by the Global Fund in 2005, and a subsequent inquiry into fiscal mismanagement led to the dismissal of three health ministers but no criminal charges have been filed. In September 2006, anti-retroviral medicine worth between \$400,000 and \$500,000 was destroyed because it had expired at the national medical stores in Entebbe.

Lesbian, Gay, Bisexual, and Transgender Rights

Publication of identifying information of 45 alleged homosexuals in the tabloid paper “Red Pepper” in August 2006 raised concerns of an escalation in the government’s long-standing campaign of harassment of lesbian, gay, bisexual, and transgender Ugandans. Homophobic allegations by the same tabloid in 2002 that two women had married led to their arrest and detention.

Key International Actors

In January 2006 the UK government’s development ministry announced the withdrawal of US\$26 million of direct funding to the government because of concerns over a lack of democratic and economic reforms. The United Kingdom, the Netherlands, Norway, Sweden, and Ireland also previously reduced aid in 2005. The EU Election Observation Mission to Uganda, which deployed 200 monitors during the February 2006 elections, concluded that “the elections fell short of full compliance with international principles for genuine democratic elections, in particular because a level playing field was not in place.”

The situation in northern Uganda received mention in resolutions of the UN Security Council for the first time. By resolutions in January and March 2006 the Security Council requested that the UN Secretary-General make recommendations as to how UN agencies and missions could better address the LRA problem. The Secretary-General’s recommendations, issued in June 2006, included continued collaboration between donor governments and the government of Uganda to finalize the national peace, recovery, and development plan for northern Uganda; support for the appointment of a special envoy; and cooperation between the security forces of the governments of the region with limited assistance from UNMIS and MONUC.

Representatives of the UN, Ugandan and core donor group governments also met in March 2006 to discuss the conflict and humanitarian situation in northern Uganda. One output was the establishment of a Joint Monitoring Committee (JMC) composed of Ugandan government ministries, donor governments, international institutions, and representatives of national and international civil society to oversee an emergency humanitarian plan for northern Uganda.