



January 2008

country summary

## Uganda

Throughout 2007, the impending Commonwealth Heads of Government Meeting (CHOGM) held in the Ugandan capital Kampala in November had the effect of a creating a particular context for government action on human rights. The government engaged in talks with the Lord's Resistance Army (LRA), which yielded relative peace in northern Uganda and hopes for an end to over 20 years of conflict. Attempts to make Kampala an international showcase, however, led officials to permit mass arrests of alleged vagrants and criminals. In a continuing effort to hobble the political opposition, security agents interfered with the judiciary as they had done in 2005 and used heavy-handed police tactics in dealing with demonstrations. Soldiers engaged in law enforcement operations in the northeastern region of Karamoja improved their performance after international criticism of human rights abuses, but nonetheless committed grave violations in 2007.

### The War in Northern Uganda

Intermittent peace talks between the government of Uganda and the LRA in Juba, Sudan, which began in July 2006, continue at this writing, although reports of LRA leader Joseph Kony's murder or arrest of his second-in-command Vincent Otti cast an uncertain shadow over the talks' prospects at year's end.

The parties signed a significant agreement on "accountability and reconciliation" in June 2007. The agreement sets out a framework for justice, providing formal prosecution in Ugandan courts of those who "bear particular responsibility for the most serious crimes," and traditional justice mechanisms for as yet unspecified crimes in addition to trials.

The parties left the details of implementation to as yet undrafted protocols and then adjourned the talks for much of the rest of the year to permit national consultations on them. Warrants issued by the International Criminal Court (ICC) for four LRA

leaders in 2005 remain an important step towards justice being done. The ICC's statute allows national trials of its cases where possible. However, judges of the ICC will have the final say in deciding whether national trials are an adequate alternative.

Relative peace held in northern Uganda, although the LRA reportedly engaged in raids into southern Sudan in early 2007. With improved security, the Ugandan government closed two internally displaced people's (IDP) camps. A relatively small number of the displaced returned home in the areas most affected by the conflict. A larger number moved to interim settlement sites that offer fewer services but allow easier access to farmland.

Access to justice for the civilian population in camps remains a serious problem. The government assigned greater numbers of civilian police in the north to encourage residents to return home, but most were junior police aides with only one month of training instead of the usual nine.

### **Disarmament in Karamoja**

Soldiers of the national army continued to commit human rights violations during law enforcement operations in the impoverished Karamoja region, primarily in connection with a "cordon and search" disarmament campaign launched in May 2006.

Eyewitnesses told Human Rights Watch that between September 2006 and January 2007 soldiers fired on children, killing three; used armored personnel carriers to crush two homesteads; and, on several occasions, severely beat and arbitrarily detained men in military facilities to force them to reveal the location of weapons. Dozens of soldiers were also killed by Karamojong during armed confrontations or ambushes.

The government imposed stricter controls on its soldiers in late 2006 and early 2007, after which fewer military abuses were reported. Government officials claimed that soldiers had been held to account for past abuses, but provided few substantiating details.

## **Judicial Independence**

In March 2007 security agents forced their way into a court building in an effort to prevent the release on bail of persons accused of supporting the rebel People's Redemption Army. The detainees—co-defendants of opposition Forum for Democratic Change President Dr. Kizza Besigye—were bailed after a stand-off of several hours, but were re-arrested as they left the court and held on fresh charges of murder. The Uganda judiciary went on strike for a week to protest judicial interference and demonstrators took to the streets where they encountered extensive police deployment. It is the second time in as many years that security forces were used to derail judicial process in the case.

## **Freedom of Expression**

In the first half of 2007, police used the supposed failure to obtain authorization to hold rallies as the pretext for breaking up demonstrations by opposition parties in Kampala and other towns, sometimes using tear gas against demonstrators. Police banned all rallies in Kampala's Constitutional Square and central business district.

On April 12, 2007, environmental activists joined parliamentarians and supporters of various opposition parties in demonstrating against government plans to permit an Indian-owned company to plant sugar in the Mabira Forest nature reserve. The organizers had obtained authorization but sought to depart from the prescribed route. When police prevented them from doing so, the demonstration turned violent and protestors set upon persons of Asian origin, beating one to death. Police shot in the air and used tear gas to end the demonstration.

In the following days, police detained demonstration organizers, including two members of parliament, on suspicion of inciting violence. Supporters of six opposition parties then marched from a joint press conference to the central police station where the detained parliamentarians were being held. In full view of security personnel who did not intervene, a group of men wielding identical sticks attacked the demonstrators. Police and security agencies subsequently disclaimed responsibility for the "stick brigade" as it was dubbed by the media, but President Museveni praised its actions. Police arrested other opposition activists during the following week, in some cases because they had joined other demonstrations.

## Mass Detentions and Removals

On several occasions during 2007 police swept up alleged vagrants and criminals, predominantly Karamajong and non-Ugandan nationals. According to police comment in the press, cleaning up the city this way was meant to ready Kampala for the international visitors expected at the Commonwealth meeting.

Detained children were held in facilities meant for juvenile offenders and were, in some cases, separated from their adult caregivers. Some 700 persons, mostly women and children, were sent from Kampala to Karamoja in early 2007, in some cases suffering ill-treatment on the way. Some returned to their homes but others remained in resettlement sites without adequate food, shelter, and medical care.

In August 2007 the Rapid Response Unit of the Uganda Police Force (formerly the Violent Crimes Crack Unit, accused of torturing detainees by Human Rights Watch, the Uganda Human Rights Commission and others) detained forty-one persons, many of them non-Ugandan in origin, and held them in overcrowded cells for five days. There are reports that at least three detainees were tortured.

Government security personnel removed thousands of Rwandan nationals from Uganda in October 2007 in a sudden, unannounced operation.

## Human Rights Defenders

Officials intimidate or otherwise seek to restrict free expression by activists supporting lesbian, gay, bisexual or transgender (LGBT) rights. In August 2007 activists, some wearing masks for fear of reprisals, organized a rare demonstration in support of LGBT rights in Kampala. Immediately afterwards, the ethics and integrity minister and deputy attorney general denounced LGBT people and called for the use of the criminal law against homosexuals. Also in August, the Uganda Broadcasting Council, a government regulatory body, suspended a radio presenter at Capital FM for interviewing a lesbian human rights activist, supposedly in violation of "minimum broadcasting standards." Meanwhile, officials took no action against the tabloid *Red Pepper* when it printed the first names, workplaces, and other identifying information of 39 allegedly homosexual men in September 2007.

In spite of generally high regard for the quality of its monitoring, the Uganda Human Rights Commission (UHRC), a government body, failed in 2007 to take a strong stand on human rights abuses during the Karamoja disarmament operations. The commission chaired two investigations of the abuses in August 2006 and April 2007, but no report was published of either one. An independent human rights expert who participated in the second investigation said publicly that it had been biased in favor of the government.

At least two Ugandan human rights organizations, as well as a coalition of other civil society groups, condemned the March court raid by security agents.

### **Key International Actors**

In February 2007, sixteen diplomatic missions in Kampala joined together to encourage resumption of the stalled talks between the LRA and the Ugandan government, and a UN special envoy also helped keep the peace talks moving forward. UN and government actors, including the United States and United Kingdom, have stressed the need for justice in northern Uganda. But no government has arrested any of the four LRA leaders in implementation of the ICC warrants.

Visits by international partners to northern Uganda, as well as reports on abuses by the Uganda office of the UN High Commissioner for Human Rights, helped prompt government efforts to reduce abuses by soldiers.

Commonwealth leaders assembled in Kampala in November 2007 for their biennial summit studiously avoided public comment on their host's human rights record, even as police force was used to keep opposition supporters confined to a designated area outside of the city center.