



Uganda

Country Reports on Human Rights Practices - [2002](#)

Released by the Bureau of Democracy, Human Rights, and Labor
March 31, 2003

President Yoweri Museveni continued to dominate the Government after he was reelected to a second 5-year term in March 2001. He has ruled since 1986 through the dominant political party, The Movement. The Constitution provides for an autonomous, independently elected President and a 295-member unicameral Parliament whose members were elected to 5-year terms. The Parliament was weak compared to the Executive, although it occasionally displayed independence and assertiveness. In the June 2001 parliamentary elections, more than 50 percent of those elected were new legislators; however, Movement supporters remained in control of the legislative branch. Observers believed that the 2001 presidential and parliamentary elections generally reflected the will of the population; however, both were marred by serious irregularities, particularly in the period leading up to the elections, such as restrictions on political party activities, incidents of violence, voter intimidation, and fraud. A 2000 national referendum on the role of political parties formally extended the Movement form of government indefinitely and severely restricted political activities. The Constitutional Review Commission (CRC) continued to work to amend the 1995 Constitution during the year. The judiciary generally was independent but was understaffed and weak; the President had extensive legal powers.

The Uganda People's Defense Force (UPDF) was the key security force. The Constitution provides for civilian control of the UPDF, with the President designated as Commander in Chief; a civilian served as Minister of Defense. The Government withdrew a significant portion of the UPDF from the Democratic Republic of the Congo (DRC) during the year; however, security forces remained active in Bunia and border areas. The UPDF also increased its activities in the north in "Operation Iron Fist" against the Lord's Resistance Army (LRA) rebels and conducted operations destroying LRA sanctuaries in southern Sudan with the permission of the Sudanese Government. UPDF soldiers and members of Local Defense Units (LDU's), assigned to the Reserved Forces, assisted the police in rural areas. LDU's operated under the authority of the Ministry of Internal Affairs but lacked a legal mandate. The Internal Security Organization (ISO) remained under the direct authority of the President. 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 organized 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. Members of the security forces committed numerous serious human rights abuses.

The country's population was approximately 24.6 million. The economy grew at a rate of approximately 5.6 percent during the year. Approximately 40 percent of total GDP was in agriculture, and foreign economic assistance accounted for approximately 48 percent of the total government expenditure. Foreign investment fell slightly during the year but remained close to 4 percent of GDP. Corruption was a major problem but indicators showed positive changes during the year. For example, Parliament created a Local Government Account Committee, which pursued local officials over financial issues raised in government audits. Parliament also passed the Ethics Bill, which requires the declaration of wealth by government officials and their family members. The privatization of state-owned enterprises continued.

The Government's human rights record remained poor, and there continued to be numerous, serious problems. Movement domination of the political process limited the right of citizens to change their government. Security forces used excessive force, at times resulting in death, and committed or failed to prevent extrajudicial killings of suspected rebels and civilians. The Government enacted measures to improve the discipline and training of security forces and punished some security force officials who were guilty of abuses; however, abuses by the security forces remained a problem. Security forces were responsible for some disappearances. UPDF forces committed fewer abuses in the DRC, where they significantly had reduced their presence during the year. Security forces regularly beat suspects in order to force confessions and at times tortured detainees. Prison conditions

remained harsh and life threatening. Members of the security forces arbitrarily arrested and detained civilians, including opposition politicians and their supporters. Authorities used incommunicado detention. Prolonged pretrial detention remained a problem. 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; however, some detainees received amnesty and were released. Security forces at times infringed on citizens' privacy rights. The Government at times did not respect freedom of speech and of the press, and restricted freedom of assembly and association. There were some limits on freedom of religion and movement. Domestic violence against women, rape, and abuse of children remained serious problems. Discrimination against women and persons with disabilities remained problems. The Government worked with nongovernmental organizations (NGOs) to combat the practice of female genital mutilation (FGM), which occurred on a limited basis. There continued to be limits on worker rights. Forced labor, including by children, occurred and child labor was common, mostly in the informal sector. There were reports of trafficking in persons. Vigilante justice remained a problem.

Insurgent forces committed numerous, serious abuses and atrocities. The LRA, a rebel organization led by Joseph Kony, increased attacks in the north and killed and abducted civilians, including children. Remnants of the Allied Democratic Forces (ADF) on one occasion abducted civilians.

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Arbitrary or Unlawful Deprivation of Life

There were unconfirmed reports of politically motivated killings by government forces, and members of the security forces and the police committed unlawful killings. Security forces sometimes used excessive force that resulted in deaths.

Security forces killed several persons during the year. For example, on March 21, two UPDF soldiers in Kotido killed Father Declan O'Toole, his driver, and his cook. On March 25, the soldiers received a court martial and subsequently were executed.

On April 1, a bodyguard of Presidential Advisor for Military Affairs, Lt. General David Tinyefuza, killed two farm workers in Nakoma Village, Sembabule District. The bodyguard was arrested but was not charged.

On April 19, the High Court in Kampala acquitted former Minister of State and Member of Parliament (M.P.) Vincent Nyanzi of the July 2001 murder of Vincent Mwebesa, a supporter of his opponent.

In May the Director of Public Prosecutions (DPP) dropped murder charges against Edward Kamana Wesonga, M.P. of Bubulo West, Mbale District, for lack of evidence. Wesonga had been charged in September 2001 for the murder of Sergeant Maxwell Wasswa during the 2001 parliamentary campaign.

There was no action taken against persons responsible for the following killings prior to the March 2001 presidential election: The January killing of a Museveni campaign task force member; the January killing of two men who were putting up posters of opposition leader Kizza Besigye in Tororo District; the February killing of four Besigye supporters during a campaign rally; and the March killing of one person during clashes between supporters of Museveni and Besigye in Rukungiri District.

There were no developments in the following 2001 cases: The April shooting by LDU members of two persons and the injuring of another in Kabarole District; the June killing of a woman and injuring of 14 persons by UPDF soldiers in an internally displaced persons (IDP) camp in Kilak County, Gulu District; the June killing of a political opponent by the bodyguard of Hoima Resident District Commissioner (RDC) Simon Mulongo in Bubulo East; the June killing of one person by parliamentary candidate Otieno Akika; the July killing of Makerere University student George Babigumira by police in Kampala; and the August killing of Annet Nakimuli by a police constable during an eviction in Kampala.

On August 16, a Special Police Constable in Nakasongola District was found guilty and sentenced to death for the murder of a fish dealer in 2000.

There was no action taken, nor was any likely, against the members of the security forces responsible for the following killings in 2000: The January killing of two LRA rebels by UPDF soldiers during an attack on Paloga trading center, Gulu; the January killing of six persons by the UPDF and the police in the Kampala suburb of Kabalagala; and the killing of nine persons by UPDF soldiers at a wedding party in the village of Kikere, DRC.

During the year, violent crime increased considerably nationwide, including car-jackings, armed robberies, and murders. In June the Government began an anti-crime operation code named "Operation Wembley." Under the campaign, security forces fought aggressively against crime; however, the campaign resulted in many deaths, some in gunfire exchanges with criminals, some while criminals were trying to resist arrest or escape from detention. For example, on May 27, an LDU officer was arrested and charged with the murder of a 5-year-old child who was killed in crossfire when security personnel pursued thieves in Poloto Village in Mukono District. Human rights organizations questioned the legality and severity of the police actions.

On June 29, police operating under Operation Wembley killed three armed robbers, allegedly while they tried to escape from custody in Masaka Town.

Security forces used unwarranted lethal force during arrests. For example, on September 9, security forces killed a pedestrian while trying to arrest armed thieves in the Kampala industrial area.

Police at times used excessive force while dispersing gatherings that resulted in killings (see Section 2.b.).

There were reports of deaths in custody that resulted from alleged torture or other abuse. For example, on June 6, a juvenile trying to escape from Nyabahukye Farm Prison in Mbarara District, died after the prison warden allegedly ordered other inmates to beat him. There were no reports of action taken against responsible prison officials.

On July 23, Patrick Owomugisha Mamenero died in CMI custody in Kampala, allegedly of internal bleeding due to blunt injury. He was arrested on July 20 in Kabale District for alleged subversion. The CMI Director initially denied CMI responsibility, but later promised to conduct an investigation. There were no reports of an investigation at year's end.

On September 16, during the process of transferring 21 detainees from the central prison to the military barracks in Gulu District, soldiers killed Peter Oloya allegedly after he tried to disarm a soldier. The Gulu branch of UHRC said the transfer was illegal. There were no reports of investigation into the incident or action taken against the responsible military officials; two Gulu M.P.'s filed petitions in the Constitutional and municipal Courts for Oloya's wrongful death. Oloya's body never was released to his family.

During the year, harsh conditions and lack of adequate medical treatment caused some deaths in prison (see Section 1.c.).

Government forces also killed civilians they mistook to be rebels. For example, on August 25, a UPDF helicopter gunship killed two civilians and injured eight others in Anara Parish, Lira District. Army spokesperson Major Shaban Bantariza confirmed the incident and said that the civilians were mistaken for rebels.

On September 7, a UPDF soldier in Kitgum reportedly killed Emmanuel Onencan, a student of Panyadwong Primary School, whom he mistook to be a rebel, near the Kitgum town council offices. Major Shaban Bantariza confirmed the incident.

On October 25, a village council Secretary for Security and three surrendering LRA rebels were killed in crossfire in Omoro County, Gulu District; Major Bantariza attributed the killings to the mistaken belief that the men were rebels. There were no reports of action taken in any of the cases.

There was no investigation into the April 2001 killing of five persons and injuring of two others during a confrontation between the UPDF and the LRA in Gulu District.

UPDF forces killed numerous persons during clashes with Karamojong raiders during the year. For example, in February soldiers allegedly tortured and killed two Karamojong warriors for refusing to surrender their guns in a disarmament exercise in Kapedo sub-county, Kotido District.

On April 10, the UPDF killed 10 Karamojong warriors during a gun battle to recover illegal guns in Kotido District. The UPDF Commanding Officer of Karamoja, Col. Sula Ssemakula, confirmed the killings; however, Ssemakula did not indicate whether any action would be taken against the responsible soldiers.

In May the UPDF killed 39 Karamojong warriors during a battle in Kotido, Panyangara sub-county.

There was no action taken against the UPDF soldiers responsible for the following 2001 killings: The January killing of 29 Karamojong warriors involved in cattle raids and ensuing clashes in Moroto and Katakwi districts; the April killing of 6 Karamojong warriors during encounters with the UPDF in the Katakwi District; and the September killing of 18 Karamojong warriors when a UPDF helicopter gunship fired upon villagers in Nakapiripirit District.

In August the UPDF submitted to the International Committee of the Red Cross (ICRC) a report of investigations into the April 2001 killings of six relief workers in the Ituri District, DRC; however, the report was not conclusive. ICRC field operations remained suspended, and ICRC offices maintained only a liaison presence at year's end.

Unlike in the previous year, there were no confirmed reports of UPDF abuses in the DRC. Independent observers often found access difficult due to hazardous security conditions and frequent impediments imposed by authorities. Both pro- and anti-DRC government forces extensively used propaganda disseminated via local media, including accusations of abuse by opposing forces, further complicating efforts to obtain accurate information regarding such events. In September the Government and the DRC agreed to set up a joint "pacification mission" to promote peace in Ituri region.

There were reports that violence between the Hema and Lendu tribes in northeastern DRC that was under UPDF influence resulted in the deaths of thousands of Congolese civilians.

Private Otim Okello's death sentence for killing six Congolese civilians had not been carried out by year's end.

There was no action taken against members of the UPDF for abuses committed during the 2000 fighting in Kisangani, DRC.

LRA attacks increased during the year. There were numerous LRA attacks on villages, IDP camps, and refugee camps in which persons were killed, injured, raped, or abducted (see Sections 1.b. and 2.d.). During the year, LRA attacks resulted in the deaths of approximately 750 persons, including children, numerous injuries, and the destruction of homes and property. While new incidents of mutilation were not reported, the LRA committed numerous atrocities. For example, on February 23, LRA rebels killed eight persons during an attack on Agoro Market in Kitgum District. Eyewitnesses reported that the rebels forced parents to kill their own children by beating their heads against trees.

In March LRA rebels reportedly killed an estimated 50 children captives in the Imatong and Acholi Mountains in Sudan on the orders of Joseph Kony. A significant number reportedly died of hunger.

On October 13, LRA rebels burned to death 52 civilians during an attack in Mucwini Trading Center.

Protected villages, IDP camps, and refugee camps also were the targets of large-scale rebel attacks during the year (see Section 1.c.). On July 8, LRA rebels killed five refugees and a UPDF soldier during an attack on the Maaji Refugee Resettlement Camp in Adjumani, West Nile.

On August 5, LRA rebels killed 60 persons and injured several others during an attack on Achol-pii Refugee Camp in Aruu County, Pader District.

In September LRA rebels attacked a World Food Program (WFP) convoy and killed one of the drivers.

No action was taken against LRA rebels responsible for the following 2001 killings: The March killing of 9 persons in Pader District; the March killing of 12 persons and injuring of several others in the Murchison Falls National Park; the June killing of 3 Sudanese refugees and injuring of 7 others at the Maaji Refugee Camp; and the September killing of 1 relief worker and 4 civilians in Gulu.

There were no developments in the case of the LRA rebels who killed Father Raffale Di Bari of the Comboni Missionary Fathers, Kitgum RDC J.B. Ochaya, and seven others in 2000.

During the year, there were at least two reports of landmine use by the LRA. There continued to be deaths and injuries resulting from previously laid landmines. In March one person was killed and another seriously injured by a landmine allegedly laid by LRA rebels in Pawele, along the Gulu-Juba highway.

During the year, one person was killed during crossfire with ADF rebels (see Section 1.b.).

No action was taken against the alleged ADF members who in March 2001 killed 10 persons, injured several others, and burned 54 vehicles during an attack on Kasese.

Raids by armed Karamojong raiders continued during the year in Katakwi, Kotido and Kapchorwa districts in the northeast and resulted in more than 50 deaths and more than 80,000 IDPs (see Section 2.d.).

Unlike in the previous year, there were no reports that the Karamojong raiders killed relief workers in road ambushes. The Government continued its disarmament program for the Karamojong to stop the raids and killings.

There were no developments in the November 2001 case in which unidentified rebels killed a Catholic priest and two other foreign persons.

Unlike in the previous year, there were no reports of Rwandan Hutu rebel attacks in the country. There were no developments in the case of the Rwandan Hutus who killed two civilians in 2001 in Kisoro District.

Unlike in the previous year, there were no reports of urban bombings in Kampala and other cities; however, on August 12, one person was killed, and five others were injured when a bomb exploded in a house in Iganga District. No one claimed responsibility for the incident.

There were no developments in the cases against persons allegedly responsible for the 2001 series of bombings in the Kampala and Jinja urban centers and Sironko District that resulted in several deaths.

There were no developments in the 2000 grenade attacks in Kampala and Gulu that resulted in the deaths of nine persons.

Incidents of vigilante justice increased and were reported almost daily during the year (see Section 1.c.). In April the Inspector General of Police Major General Edward Katumba Wamala estimated that more than 1,000 persons had been killed by mob violence since 1991 and called for an end to the practice. Mobs often targeted and attacked criminals or alleged witches. There were numerous instances in which mobs beat or burned to death petty theft suspects. For example, on July 6, a mob cut with machetes, doused with petrol, and burned to death a suspected thief in Nyendo, Masaka District.

Unlike in the previous year, authorities prosecuted persons who engaged in mob violence. For example, on June 24, the High Court in Jinja convicted six persons of the mob murder of four persons in Kamuli District in 2000 and sentenced them to death. On September 30, the High Court in Kampala charged four men with the mob murder of a taxi driver who allegedly had killed a neighbor's child in Rubaga. However, there was no action taken against persons responsible for the October 2001 mob killing of a suspected thief near Kampala.

There were increased reports of ritual killings of children during the year (see Section 5).

b. Disappearance

There were no confirmed reports of politically motivated disappearances due to action by government forces; however, there were numerous disappearances during the year. For example, on September 1, security officials who claimed to be "Operation Wembley" operatives reportedly abducted Steven Mukama, Vincent Kasozi, and Henry Subi from their homes in Kampala. On September 12, the Uganda High Court ordered the police and other security agencies to produce in court the three missing persons. On September 16, the three appeared in court and were charged with terrorism, aggravated robbery, and illegal possession of arms. The case still was pending at year's end.

There were no developments in the February 2001 disappearance of Ahmed Mugere and Richard Mutebi, two supporters of opposition leader Besigye.

UNICEF reported that as many as 30,839 children and adults have been abducted since 1986 by rebel groups. Approximately one-third of the abductees were children, and 20 percent of the adults taken were female. UNICEF also stated that of these, 28,903 abductees were from the north, while 2,036 were from the southwest. Approximately 13,611 persons remained missing and presumed dead at year's end, more than 5,000 of which were children.

UNICEF estimates that 4,500 children were abducted (including long-term and short-term abductions) in the north

during the year; some of the children were released and returned home. There were an estimated 7,800 abductions overall from the north during the year. On September 14, LRA rebels abducted two elderly Italian priests and several citizens. The priests were released the next day, and some of the citizens were released by the end of September. The fate of the others was unknown.

During the year, the LRA significantly increased its abductions of civilians for training as guerrillas and as sex slaves, cooks, and porters; most victims were children and young adults. The LRA abducted an estimated 1,086 persons, including children and young girls (see Section 1.c.).

For example, on August 6, LRA rebels abducted four workers of the International Rescue Committee (IRC) following an attack on the Achol-pii Refugee Camp (see Section 1.a.). On August 11, the aid workers were released in Kazi Kazi.

The ADF abducted civilians on one occasion. On May 13, five ADF rebels abducted two girls during an attack on Bujonjo Trading Center in Nyamiramira Parish, Kagadi sub-county. The UPDF rescued one of the girls; the other girl was killed during the crossfire.

Under the 2000 Amnesty Act, government assistance was provided to former rebels to assist their return to the country. On May 9, UNRF-II Chairman, Major General Ali Bamuze, returned from Sudan to discuss amnesty and released more than 135 child soldiers to UNICEF for rehabilitation. On December 24, Bamuze signed a peace agreement with the Government.

Unlike in the previous year, there were no reports that Karamojong warriors abducted women as part of their traditional practice in which they claim unmarried women as wives by raping them.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The Constitution prohibits such practices; however, security forces commonly beat criminal suspects, often to force confessions. There were a few reports that security forces tortured suspects, primarily during the period prior to and after the March local council elections.

For example, on March 18, UPDF soldiers and members of the LDU from Moroto District allegedly beat and robbed civilians in Achowa sub-county; the authorities in Katakwi District were investigating the allegations at year's end.

In May UPDF soldiers allegedly forced Esther Angela to swallow beads she was wearing and assaulted her co-wife Grace Aleper, whom they accused of violating a new, military-imposed dress code intended to apply only to men, during the ongoing disarmament exercise in Karamoja. In September the UPDF 3rd Division Commander ordered the detention of the nine soldiers, including his aide, who had been acquitted of a court martial for assaulting the two women on August 29. The case was pending at year's end.

On August 23, Lt. Julius Mwali, a UPDF Intelligence Officer attached to the 21st Battalion in the southern district of Kabale, allegedly tortured a student; Mwali later was arrested.

Police arrested several persons who claimed to have been tortured or beaten while in custody. There were fewer reports during the year that members of the LDUs, who frequently lacked training, mistreated prisoners and detainees.

Police and security forces at times harassed and detained opposition activists and journalists (see Sections 1.d. and 2.a.).

There were allegations that UPDF soldiers raped and tortured persons in protected villages, IDP camps, and refugee camps that were the targets of large-scale rebel attacks during the year (see Section 1.a.).

On January 10, the police Human Rights Desk released a report on the 317 complaints received in 2001, including allegations of excessive force, torture, assault, rape, and murder. According to the report, of the 317 complaints received, 250 were resolved and 67 were pending investigations. During the year, the desk received 386 new complaints; however, details of the new police report were not released by year's end.

Police processed 101 cases of election-related violence in 2001. During the year, the NGO Election Monitoring

Group-Uganda (NEMGROUP) recorded numerous incidents of election-related violence, including murder, attempted murder, harassment, intimidation, riots, and attacks against property.

In conjunction with the UHRC, the police continued a training program for police officials to foster respect for internationally recognized human rights standards. The UHRC and NGOs conducted similar programs with UPDF officials during the year.

The Government investigated some cases of abuse, and tried and punished some offenders (see Sections 1.a. and 3). In May 2001, the Ministry of Internal Affairs released the 1999 Judicial Commission of Inquiry report into corruption in the police force. The Commission recommended reform of the police force, including the removal of senior police officers found to be incompetent or who had acquired wealth fraudulently. Five high-ranking police officers subsequently were fired. During the year, four police officers interdicted in 2001 were reinstated; however, three others retired, and one was dismissed following investigations by the disciplinary committee of the police force.

The UHRC Tribunal awarded compensation to several persons who had been abused by police. For example, on April 16, the UHRC Tribunal awarded approximately \$18,000 (33 million shillings) to James Kamengo as compensation for torture and inhuman degrading treatment by Lugazi Police, Mukono District in 1999.

On May 22, the UHRC Tribunal awarded approximately \$16,000 (30 million shillings) to Private Godfrey Birungi as compensation for having been detained for 3 years, tortured, and deprived of his property by the UPDF in 1997.

On August 29, the UHRC tribunal awarded approximately \$2,222 (4 million shillings) as compensation to Yitzach Ocircan, whom police arrested, detained, and tortured for 12 days in 1998.

However, the Government failed to prosecute some persons who had committed abuses. For example, on April 26, the DPP dropped the charges of inciting violence against Ken Lukyamuzi, M.P. Rubaga Division, Kampala District, who in February 2001 urged the public to injure or kill any foreigner who attempted to vote in the presidential election at a rally in Kampala. No reason was given for the withdrawal of charges. Nasser Sebagala, who faced similar charges, was convicted of inciting violence in 2001 but was released with a warning.

There were no developments in the April 2001 incident in which LDU members killed two persons and injured another in Rwenkuba sub-county, Burahya, Kabarole District.

There were no further developments or action taken in the following 2001 election abuses: The January intimidation of opposition candidates in Rukungiri by members of the Presidential Protection Unit (PPU); the January case in which seven supporters of opposition leader Besigye were shot; the January beating of supporters of President Museveni; the January attacking of former candidate Chapaa Karuhanga's campaign team by armed gunmen; the February beating of supporters of opposition leader Besigye by Museveni supporters in Luwero; and the July 2001 harassment of Lydia Kamanyi, deputy campaign manager to presidential candidate Aggrey Awori.

There was no action taken against the UPDF soldiers in the following 2001 cases: The March case in which PPU members opened fire and injured several persons in Rukungiri; the March intimidation of voters by the UPDF soldiers in Gulu; the June injuring of 14 persons at the Pabbo IDP camp during violent clashes between supporters of parliamentary candidates; and the June allegation that UPDF soldiers beat voters in Mbarara, Lira, Kyoga, and Otuke.

There were no new developments in the following 2000 cases: The case in which Major Kakooza Mutale allegedly detained and tortured businessman Charles Mpunga at Mbuya Military Barracks; the case in which a police constable in Kayunga, Mukono District, allegedly tortured two civilians; the case in which the UPDF reserve force commander for Tororo district was arrested for torturing and beating of civilians and two police officers; and the case in which Major Dick Bugingo, a commanding officer in the PPU, was summoned by the UHRC tribunal on charges that he tortured Sergeant Godfrey Mubiru.

There were no reports of any action taken against the responsible members of the police who beat or otherwise abused persons in the following cases from 2000: The March forcible dispersal of an unauthorized rally in Mbarara; the April beating of Ahmed Washaki, an official of the Uganda People's Congress (UPC); the June beating and arrest of 11 Makerere University students; and the September forcible dispersal of a Uganda Young Democrats (UYD) meeting in Gulu.

In accordance with the Lusaka Accords, the Government withdrew most of its troops from the DRC during the year; however, approximately 1,500 soldiers remained in Bunia and on the western slopes of the Rwenzori Mountains.

In 2001 the U.N. released a report that accused various foreign armies in the DRC, including the UPDF, of exploiting the DRC's minerals and other resources, as well as committing human rights abuses. In May 2001, the Government set up the "Judicial Commission into Illegal Exploitation of DRC's Natural Resources and Other Forms of Wealth by Uganda" to investigate the allegations. The report was completed in December but had not been released by year's end.

No action was taken during the year against members of the UPDF responsible for abuses committed in Kisangani in 2000.

There were no developments in the 2000 case in which two senior UPDF Officers were arrested for their involvement in violence between the Hema and Lendu in the DRC.

Reports of violations of humanitarian law decreased in the west, but remained a problem in the north due to the upsurge in LRA activity and the disarmament of the Karamojong in the northeast. The number of reported violations by the Government increased during the year in response to increased activities and abductions by the LRA. There were reports that civilians were injured during fights between UPDF forces and rebels (see Section 1.a.).

There were reports that the LRA committed numerous atrocities, including the use of landmines. The LRA increased attacks and the looting and burning of private homes, schools, and IDP and refugee camps. The LRA continued to abduct children and, at clandestine bases, forced them into virtual slavery as guards, concubines, and soldiers (see Section 1.b.). In addition to being beaten, raped, and forced to march until exhausted, abducted children were forced to participate in the killing of other children who attempted to escape. There also were numerous LRA attacks in which persons were killed and injured and homes and property were destroyed (see Section 1.a.).

There were numerous instances in which mobs attacked suspected thieves and other offenders caught in the commission of crimes (see Section 1.a.). Often motivated by widespread distrust or misunderstanding of the justice system, these mobs engaged in stonings, beatings, and other forms of mistreatment. Such mistreatment included tying suspects' wrists and ankles together behind their backs, stripping suspects of their clothes and parading them through the streets, or forcing suspects to hop painfully on the sides of their ankles.

Prison conditions remained harsh and life threatening for the estimated 17,500 inmates in the various prisons and police cells primarily as a result of the Government's seriously inadequate funding of prison facilities. 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. 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 uniforms; however, progress was minimal during the year. 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 UHRC reported that it received allegations that officers in charge of police cells sometimes demanded bribes to allow visits.

In March the UHRC reported overcrowding, torture by wardens, severely inadequate medical services, unhygienic conditions, and "semi-starvation" among prisoners in many prisons. The investigator also received complaints from female prisoners that prison authorities tortured them. In March the UHRC branch in Gulu investigated the 2000 torture allegations of four inmates and wrote to the Officer in Charge of Lira Government Prisons, who demoted Alfred Obura and transferred others who were responsible to different departments. Long remand periods also were a problem. For example, Gorretti Kabanuka, an elderly female inmate, had been on remand for 6 years in Kakiika prison in Mbarara.

Prisoners at most of the prisons grew maize, millet, and vegetables; however, the UHRC accused prison farms of overworking inmates (see Section 6.c.). Skilled prisoners earned approximately \$0.14 (500 shillings), and unskilled prisoners earned approximately \$0.06 (100 shillings) per day.

The Community Service Act reduces prison congestion by allowing minor offenders to do community service instead of being imprisoned. Since the act was implemented in November 2001, 301 offenders have been sentenced to community service in the pilot districts of Mukono, Mpigi, Masaka, and Masindi.

There were a number of deaths in custody, some due to torture (see Section 1.a.).

Authority over the local prison system remained with the Ministry of Local Government. Both civilian and military prisons were believed to have high mortality rates from overcrowding, malnutrition, diseases spread by unsanitary conditions, HIV/AIDS, and lack of medical care; however, accurate estimates were unavailable. In October Assistant Commissioner of the Uganda Prisons Department Mary Kaddu reported the deaths in custody of 37 inmates due to health reasons in Kampala's Luzira Prison during the year; 30 of the 37 died of HIV/AIDS-related diseases. Government agencies sponsored or participated in numerous conferences on the justice system and prison conditions, and worked closely with international and domestic human rights organizations on prison reform efforts during the year.

Female prisoners were held in segregated wings with female staff in most prisons. According to human rights advocates, rape generally was not a problem, although female prisoners also suffered from severely substandard conditions. Due to lack of space in juvenile facilities, juveniles often were kept in prisons with adults. The central prison system maintained one juvenile prison and four lower security remand homes. School facilities and health clinics in all five institutions were defunct; prisoners as young as age 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 approximately 140 children. In Kampala penal institutions, 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.

The Government permitted full access to prisons by the ICRC and local NGOs, principally the Foundation for Human Rights Initiative (FHRI) and the Uganda Prisoners' Aid Foundation. The UHRC visited numerous prisons and reported on its findings publicly. Prison authorities required advance notification of visits, a process that often was subject to administrative delays.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits such practices; however, members of the security forces arrested and detained citizens arbitrarily. Under the Constitution, search warrants issued by competent Judges or prosecutors are required to make an arrest; however, in practice suspects often were taken into custody without them. According to the Constitution, a suspect must be charged within 48 hours of arrest and be brought to trial or released on bail within 120 days (360 days for a capital offense). The Constitution also provides that suspects must have access to a lawyer; however, there was no provision for family visitation. The Constitution provides for bail in all but capital cases and cases of treason. If the case is presented to the court before the expiration of this period, the Constitution does not limit pretrial detention. The Constitution also provides that detainees be informed immediately of the reasons for their detention; however, in practice the authorities did not enforce these procedural protections. In March Parliament passed the Anti-Terrorism Act, which permits suspects to be held for not more than 48 hours without charge, repeals section 28 of the Penal Code that limits the definition of terrorism to illegal possession of firearms, and requires the death penalty for all convicted terrorists. On October 4, the General Court Martial in Kampala remanded UPDF Deputy Director for Sports Captain Moses Kabusenene under this act, after he was charged with terrorism, aggravated robbery, and illegal possession of a firearm.

Legal and human rights groups, including the UHRC, strongly criticized the excessive length of detention without trial, in many cases amounting to several years, for alleged offenses under other laws, which both violated the constitutional rights of the detainees and substantially contributed to prison overcrowding (see Section 1.c.). Pretrial detainees comprised 70 percent of the prison population. The average time in pretrial detention was between 2 and 3 years. An estimated 11,300 of the approximately 17,500 persons being held in the central prisons and in the local government-run prisons were pretrial detainees. During the year, the UHRC heard several cases brought by prisoners challenging the length of their detention (see Section 1.c.).

During the year, there were reported detentions of civilians in military barracks and unregistered places of remand. There were credible allegations that the CMI ordered detainees held incommunicado in police stations or so-called safe houses.

Arbitrary arrest was a problem, and police at times harassed and detained opposition activists (see Section 2.b.). During the local council election campaigns, there were many reports of arbitrary detention; however, few were reported to human rights groups or were verified independently.

For example, on February 13, five persons, including Abdelatif Sebyggala, M.P. of Kawempe North, were arrested, taken to CMI cells, and later released without charges. The men who arrested them allegedly belonged to the extrajudicial group, Kalangala Action Plan, which was under the direction of Presidential Advisor on Political Affairs Major Kakooza Mutale and most often was used during elections to sway votes and harass citizens.

On March 31, CMI Officers in Rukungiri District, southwestern region, arrested James Musinguzi, former campaign manager of opposition leader Besigye for allegedly mobilizing youth for subversive purposes. He was released after a few hours.

On June 14, Alice Nakyanzi Katooda, a former Besigye campaign manager, and her husband were arrested for alleged subversion. On August 23, the ISO released them after 2 months in detention in the southwestern district of Ntungamo.

On September 7, security forces arrested and charged 14 opposition youths with treason in Gulu. The case was pending at year's end.

On September 17, police arrested and released after 4 hours Francis Malinga Egosot, a former Besigye Presidential Task Force Secretary, in Entebbe. On October 4, Egosot wrote to the Inspector General of Police asking him to investigate the alleged harassment. The case was pending at year's end.

Police at times detained journalists (see Section 2.a.).

Arbitrary mass arrests, known as "panda gari," remained a problem. On February 11, security forces arrested more than 150 suspected criminals, including 20 suspected sex workers, in Lira Town. The operation was prompted by a wave of robberies and murders. There were no reports of any court action.

On February 18, security forces arrested 128 suspected criminals in Jinja. The suspects reportedly were screened and released, and those without proper documents were sent to court.

On March 22, security forces arrested 38 persons at Lambu Landing Site, Mukono District. Those arrested were suspected prostitutes, drug addicts, and petty thieves. There were no reports of further judicial action.

The UPDF routinely detained for debriefing LRA fighters and their abductees, including adults and children, at the Gulu military barracks (see Section 5). There were several reports during the year that abductees, mostly children, escaped from the LRA or were freed and returned to their families.

There were fewer reports during the year that LDU members arrested citizens.

On January 16, Kampala Police released Bob Kabushenga, a former campaign manager of opposition leader Besigye, who was arrested from his home in Kampala in December 2001, on allegations that he was involved in the murder of Lt. Godfrey Ngabirano. On April 17, he filed a case against the Attorney General for illegal detention.

On July 24, a court sentenced five members of the Ndawula Religious Group, who had been charged in 2001 with unlawful assembly, to a fine of \$111 (200,000 shillings) or 6 months imprisonment.

On September 2, the court adjourned until October 31 the hearing of the February 2001 case in which Hajji Ramathan Muwonge, former campaign manager of opposition leader Besigye, sued the Government for wrongful detention and assault and demanded \$14,500 (250 million shillings) in compensation. No action had been taken on this case by year's end.

On September 3, the hearing of the September 2001 case in which Winnie Byanyima, M.P. for Mbarara Municipality and Besigye's wife, had been charged with unlawful possession of a firearm and seven bullets, was adjourned until October 31, when Byanyima's defense witness failed to appear. The case was ongoing at year's end.

The UHRC reported that Frank Byaruhanga, who was arrested and remanded to Kigo Prison on treason charges in November 2001, was in good health. His case still was pending at year's end.

There were no developments in the following 2001 cases of arbitrary arrest and detention: The February case in which PPU members reportedly arrested and detained for 2 days Lieutenant Bariba Kafara, Besigye's chief campaigner in Rukungiri; the February case in which Presidential Advisor on Political Affairs Mutale allegedly commanded UPDF soldiers to arrest several Besigye supporters in Tororo; the June detention of Hajji Muhammad Kimbugwe by the DMI; and the July mass arrests of persons in Kampala, Kasese, and Masaka.

There were no developments in the following 2000 cases: The case in which police arrested and later released Sam Lyomoki, Worker's M.P. and General Secretary of the Uganda Medical Union, after he protested in front of State House (the President's residence); the case in which authorities arrested several religious leaders and church members for incidents including killings, defilement, rape, abduction, theft, and unlawful assembly; and the case of 30 youths arrested in Gulu after they were found without identification papers.

The Constitution does not prohibit forced exile; however, the Government did not use exile as a means of political control. During the year, several UPDF officers and Besigye supporters left the country. For example, on February 1, Sabiiti Mutegesa, UPDF's former Director of Records, left the country following an investigation against him over alleged corruption. In February Lt. Muhire Mugire, former ISO Director of Personnel also went into exile. In May Dennis Murindwa, Besigye's cousin who was charged with treason for the alleged recruitment of youths into rebel activity, was released when the court found he had been held beyond the mandatory 48 hours and then reportedly left the country. In September the independent Monitor newspaper reported that Mbareeba Kifaka, a Reform Agenda member, left the country following alleged harassment by security personnel. Kifaka was arrested for alleged subversion and later released in August in Rukungiri.

Former presidential candidate Kizza Besigye and a number of persons on his National Task force, including Rabwoni Okwir, Deus Bainomugisha, and Ann Mugisha, remained in self-imposed exile during the year. James Opoka reportedly was collaborating with the LRA in the north during the year.

Some former rebels returned to the country during the year under the 2000 amnesty (see Section 1.e.).

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary; however, the President had extensive legal powers that influenced the exercise of this independence. The President nominated, for the approval of Parliament, members of the Judicial Service Commission, which made recommendations on appointments to the High Court, the Court of Appeal, and the Supreme Court. The lower courts remained understaffed and weak.

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 involving constitutional issues), the High Court, the Chief Magistrate's Court, local council (LC) level 3 (sub-county) courts, LC level 2 (parish) courts, and LC level 1 (village) courts. A minimum of six justices could sit on the Supreme Court and the Court of Appeal. In addition, there were a few specialized courts that dealt with industrial and other matters. The Industrial Court (IC), which arbitrated labor disputes, structurally was parallel to the chief magistrate's court. A system of commercial courts resolved commercial disputes, improved commercial justice, and reduced case backlogs. There also was a military court system.

The LC courts often were marred by bribery and male dominance in rural areas. The LC courts had the authority to settle civil disputes, including land ownership and payment of debts, and criminal cases involving children. These courts, often the only ones available to villagers, frequently exceeded their authority by hearing criminal cases, including murder and rape. LC court decisions could be appealed to magistrate's courts; however, often there were no records made at the village level, and defendants were not aware of their right to appeal.

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, circumscribed the right to a fair trial. The case backlog in the High Court continued to diminish; the number of criminal cases pending decreased from 149 in 2001 to 87 by year's end. Most courts rarely observed the constitutionally prescribed limits on pretrial detention. All nonmilitary trials were public.

Many defendants 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 operated legal aid clinics in four regional offices, although its services remained limited due to funding constraints. It assisted military defendants as well as civilians. The local chapter of Federation International de Abogadas/Uganda Women Lawyers Association (FIDA-U) and the FHRI also 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.

The military court system 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, the sentence passed by a military court, which could include the death penalty, could be appealed only to the High Command. Under exigent circumstances, a field court martial could be convened at the scene of the crime; however, the law does not permit an appeal under this provision.

On August 23, the Government utilized a National Resistance Army (NRA) statute granting jurisdiction over civilians found in possession of military property (including weapons and uniforms) and instituted an extraordinary court martial tribunal to try some suspects detained under Operation Wembley (see Section 1.a.). At least 450 suspects were arrested and detained on various counts including terrorism, aggravated robbery, murder, illegal possession of firearms and desertion, and on September 16, the tribunal began hearing some cases. On October 17, detainees challenged the legality of the extraordinary court martial. However, the Directorate of Public Prosecution, however, ruled that the tribunals were legal under the 1992 NRA statute.

The Government continued to arrest and charge persons for treason, especially captured rebel fighters and opposition supporters (see Section 1.d.). During the year, numerous human rights abuses continued to be committed in connection with treason cases, including political detention, detention without charge, detention in unregistered and unofficial places of remand, and mistreatment, including torture. At year's end, prison officials reported that there more than 120 persons detained on charges of treason. Detainees included members of the Islamic Tabliq group, some of whom were released and then rearrested (see Section 2.c.).

In 2000 the President signed an amnesty law, which applies to all persons involved in insurgencies since the Movement came into power in 1986. In July the amnesty law was extended for a 6-month period. Since the establishment of the amnesty Commission, 4,714 former rebels or collaborators accepted amnesty, of which 141 were already in prison in 2001 on charges of treason. During the year, no former rebels in prison on treason charges were pardoned, but there were pending applications. On April 19, approximately 1,350 UNRF-II rebels based in Southern Sudan returned to the country with their families to negotiate resettlement terms under the Amnesty Program, which increased the number of persons at a camp in Yumbe supported by the UPDF under a de-facto ceasefire to 2,500. The Government also released some persons convicted of treason and other suspects; however, by year's end, the Government had made limited progress in implementing provisions in the amnesty act related to the repatriation and resettlement of former rebels because of funding constraints.

There was one political prisoner. Bright Gabula Africa, whose death sentence for treason (plotting an armed coup) was upheld by the Supreme Court in 1995, remained imprisoned pending the outcome of his appeal to the Advisory Committee on the Prerogative of Mercy, a largely autonomous constitutional body.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution prohibits such actions, and the Government generally respected these prohibitions in practice; however, there were some exceptions. The law requires that police obtain search warrants before entering private homes or offices; however, at times police did not obtain warrants prior to searches.

During the presidential, parliamentary, and local council election campaigns, there were credible reports that security officials searched homes and applied routine traffic roadblocks without warrants. The police also sometimes searched vehicles without prior warrants. During the year, police searched a newspaper office without a warrant (see Section 2.a.).

On March 20, Parliament passed the Anti-Terrorism Act, which authorizes certain law enforcement officials to intercept communication in order to detect and prevent terrorist activities. Prison officials routinely censored prisoners' mail.

The Government required that employees in the President's office register their political affiliation in writing.

The Government at times punished family members of suspected criminals. On July 13, John Bagashasha, a relative of Lt. Col. Anthony Kyakabale, an alleged UPDF deserter believed to be organizing a rebel force against the Government, was arrested for alleged subversion. In August the DMI released him.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press; however, the Government at times did not respect these rights in practice.

On occasion persons were arrested for criticizing the Government. For example, on February 8, police in Kampala questioned M.P. Michael Mabikke over seditious statements he allegedly made about President Museveni on January 31, in Kampala. He was released after 6 hours and issued a warning.

Most public media generally were free and outspoken. There were many privately-owned publications and broadcasters. The New Vision, a government-owned daily newspaper with a circulation of 35,000, was of fairly high quality and sometimes included reporting that was critical of the Government. The independent Monitor newspaper, with a daily circulation of approximately 30,000, consistently was critical of the Government. The East African, a Kenya-based weekly publication that provided extensive reporting on the country, continued to circulate without government hindrance.

In October the police raided the independent Monitor newspaper and shut down its publication for 1 week. The police, who did not obtain a search warrant, confiscated computers, mobile phones, diskettes, and print materials. Two editors and a journalist were charged with publication of false information that was considered a threat to national security. The Monitor subsequently was closed down and reopened 1 week later.

A print media law and a broadcast media law require journalists to be licensed and to meet certain standards, such as holding a university degree in journalism or the equivalent. The law also provides for a Media Council that can suspend newspapers and deny access to state information; the Media Council was staffed but not operational during the year. Government officials began to enforce the law at year's end. In November President Museveni ordered stations to stop interviewing "exiled political dissidents" who failed to renounce terrorist and subversive activity, specifically opposition leader Kizza Besigye.

Police at times harassed journalists by detaining them for several hours of questioning. In July an editor and a reporter from the Monitor were summoned by the police for questioning about a news story titled "Uganda Training Rwandan Rebels, Kigali tells UK," in which the journalists allegedly published false information. No formal charges were made.

Government ministers continued to speak out publicly against obscenity and for "press responsibility" in terms of moral content of media. On February 26, police investigators summoned the editor of Bukedde, the Luganda-language sister newspaper of the state-owned New Vision, for the publication of pornographic material; however, Bukedde was not charged.

The charges against the editor of the Red Pepper tabloid, who in October 2001 published obscene photographs, were dropped or suspended.

Unlike in the previous year, there were no reports that security forces forcibly removed journalists from open meetings and press conferences.

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 50 radio stations, mostly private, operating throughout the country. Monitor FM radio, belonging to the Monitor publications group, continued to operate throughout the raid and closure of the Monitor newspaper. There were four local private television stations and more than a dozen private television stations available via satellite. The number of independent media broadcast sources increased during the year.

Several independent media outlets in Kampala broadcast daily or weekly political talk shows, including live off-site radio public debates called "bimeeza" ("peoples' parliament"), which often were very critical of the Government. In August some government and police officials raised security concerns about the programs; however, other officials championed bimeeza as a forum to promote government policies. In late December, the Secretary of the National Broadcasting Council, a governmental body, informed three radio stations that they must stop broadcasting from off-site locations. Under protest the stations modified their bimeeza programs in subsequent weeks by moving them to station premises or taping them in advance. On December 19, the Minister of Information said the Government would begin enforcing media laws and restricting bimeeza, citing legal and security concerns.

Uncensored Internet access was available widely in major cities through several commercial service providers; however, it continued to be beyond the reach of most noninstitutional users, despite declining costs as competition increased. There were more than a dozen cyber cafes in Kampala and a few other cities, and several NGOs

offered Internet access.

The Government did not restrict academic freedom. There were two public and more than nine private universities. Students and faculty sponsored wide-ranging political debates in open forums. On October 14, Makerere University students organized a demonstration to protest the police raid on the Monitor newspaper; however, the students cancelled it. One newspaper article said the demonstration was cancelled because of police threats to stop it, while others believed that the Monitor management asked students to let the newspaper resolve their problems quietly with the Government. Unlike in the previous year, police did not forcibly disperse student demonstrations.

Political education and military science courses known as "Chaka Mchaka" continued during the year on a national level; however, the courses were not mandatory. These courses were criticized as indoctrination in Movement political philosophy.

b. Freedom of Peaceful Assembly and Association

The Constitution restricts freedom of assembly, particularly for political groups. 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 non-Movement groups during the year; however, in practice many groups held rallies and large gatherings, only some of which were declared illegal or disrupted by authorities. For example, on February 1, opposition members Paul Ssemogerere of the Democratic Party (DP), Karuhanga Chapaa of the National Democrats Forum, Muhammed Kibirige Mayanja of the Justice Forum, and James Rwanyarare of the UPC, held a meeting in Kampala to discuss President Museveni's remarks on political parties, and authorities did not interfere.

On May 14, Karamojong locals demonstrated in Moroto against UPDF soldiers whom they accused of looting property, beating and molesting civilians, and assaulting women and girls following a May 13 operation in which Karamojong men and women were detained and undressed by soldiers after the 3rd Division Commander's aide de camp gave erroneous orders. The UPDF rearrested the soldiers and scheduled to retry them.

The Constitution also forbids any activities that interfere with the Movement system; the Government interpreted this provision to undermine political groups' interests. The Constitution bans political parties from holding national conventions, issuing platforms, endorsing candidates, or opening branch offices outside the capital, and on several occasions, police disrupted or intervened and dispersed opposition demonstrations and other events. On June 6, the President approved the Political Organizations Act (POA), which regulates political party activities. The POA permits political parties to establish their headquarters and operate in Kampala; however, the law does not allow parties to operate or campaign at the district level or below. Furthermore, it requires parties to submit a list of names and addresses of at least 50 members from each of at least one third of all districts in the country. On July 2, the opposition DP and lobbying group Reform Agenda filed a petition in the Constitutional Court to challenge the constitutionality of the POA.

During the year, there continued to be credible reports that security personnel, including UPDF soldiers, intimidated members of the opposition and disrupted their rallies and political events. For example, On January 1, police arrested Rubaga South M.P. Ken Lukyamuzi on charges of trying to convene an illegal assembly at the Constitutional Square in Kampala. On January 18, police in Kampala lifted a police bond on the M.P.

On January 12, one person was killed and several others injured when police opened fire to disperse a crowd gathered for a planned UPC rally at the UPC headquarters in Kampala. The police also arrested several members of the UPC, including the Chairman of the Presidential Policy Commission, Dr. James Rwanyarare, and charged them with unlawful assembly. On January 22, the charges were withdrawn for lack of evidence. Three policemen were detained after the Inspector General of Police stated that he had ordered the police not to carry ammunition during the demonstration. They were released on bond pending investigations, and there was no court action by year's end.

During the February LC 5 elections, security agents fired into a crowd of celebrating supporters of the winning LC 5 candidate, killing one man and injuring others in Kiboga District.

On March 21, anti-riot police in Rukungiri District stopped a planned demonstration by supporters of former Rukungiri M.P., Winnie Babihuga, who had mobilized to celebrate her victory in an election petition filed in the High Court on March 20.

There were reports that local government officials dispersed meetings of religious groups and sometimes denied groups the right to assemble for security reasons (see Section 2.c.).

No action was taken against the members of the police who forcibly dispersed demonstrations in 2001 or 2000.

The September 2001 ban on all meetings and elections within the labor movement still was in effect during the year.

The Constitution provides for freedom of association; however, the Government restricted this right in practice. NGOs were required to register with the NGO Board, which included representation from the Ministry of Internal Affairs as well as other ministries. The Government approved most NGO registrations; however, in September the Minister of State for Internal Affairs stated that the Government had deregistered 25 NGOs in the public interest, none of which were human rights groups. At least one of the groups, Caring for Orphans, Widows, and Elderly Association (COWE) challenged its deregistration; on October 14, COWE was reinstated.

c. Freedom of Religion

The Constitution provides for freedom of religion; however, at times the Government limited this right in practice.

Religious groups and foreign missionaries, like other NGOs, had to register with the Government. The Government continued to refuse registration to the World Last Message Warning Church, due to continuing suspicions following the 2000 cult killings of more than 1,000 citizens in Kanungu. The Government appointed a Commission of Inquiry to investigate the killings; however, the Commission's investigation was delayed due to lack of funds. There were no reports that the Government refused registration to any other religious organizations.

The backlash from the 2000 cult killings resulted in negative public attitudes toward fringe Christian groups. Some local governments restricted the hours of operations and the practices of religious organizations that were viewed as cults. Several churches, including the Revival Pentecostal Church in Nseko, a church group based in Hima public school in Busongone, and the Church of the Servants of the Eucharistic Hearts of Jesus and Mary, remained closed during the year.

Muslims occupied positions of authority in local and central government; however, some Muslim leaders claimed that the number of positions did not reflect their percentage of the population.

In August the District Security Committee of Ntungamo banned night prayers in all Evangelical churches. On August 19, the Resident District Commissioner (RDC) John Kigyagi told the government sponsored New Vision newspaper that night prayers had become a security threat. Night prayers in Masaka also remained banned at year's end.

There were several reports that security forces denied the right of assembly to some religious groups, largely due to reasons of national security. In April security authorities rejected a Muslim request to march in Kampala to protest against Israel. The Muslims agreed to hold a prayer meeting instead in downtown Kampala.

There were some reports that security officials harassed and or detained Muslims. On July 12, 15 Tabliq Muslims who were acquitted of treason by the High Court were rearrested by the Joint Anti-Terrorism Task Force on allegations that they had made contact with ADF rebels. The suspects were remanded for further questioning.

Police arrested suspected cult leaders during the year for questioning. In May police arrested Aloysius Ndyabawe, a suspected cult leader who allegedly confined and overworked his followers in Kamwenge District. Ndyabawe was released after a few hours.

On July 16, Prophet Wilson Bushara, leader of the World Last Message Warning Church, was arrested and detained on suspicion that he was reorganizing his followers in Bukoto in Nakaseke County, Luwero District. Bushara later was released from Luwero Central Prison. Bushara had been released in January for lack of evidence in the 2000 case in which he was charged with defilement, rape, abduction, and theft.

On July 24, a court in Kampala sentenced the five leaders of the Ndawula religious group, who had been charged in 2001 with managing an unlawful assembly in Wakiso, to a fine of \$111 (200,000 shillings) or 6 months imprisonment.

In July 2001, the court dismissed for lack of prosecution the 2000 case in which Innocent Bitungwabariho was charged with participating in an unlawful assembly.

Nabi Besweri Kiswabuli, leader of the Issa Massiya religious group in Iganga district, was released from prison during the year after he was cleared of any wrongdoing.

There were no developments in the following 2000 cases: The March case in which Rukungiri Assistant Resident District Commissioner (ARDC) Reverend Francis Mutazindwa was arrested and released on bail for failing to act on information about the activities of the Kanungu cult; the May case of five members of the Kisaaba Redeemed Church in Kayunga, Mukono district; and the May case of five members of the Mulungimu Full Gospel Church in Luweero.

There also were reports of societal violence against traditional African religious institutions. For example, on September 16, a group of foreign pastors and evangelical members attacked a traditional healer's shrine in Masaka District; local residents stopped the attack. Local police initiated an investigation into the incident.

For a more detailed discussion, see the 2002 International Religious Report.

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

The Constitution provides for these rights; however, the Government at times limited them in practice. Some local officials reportedly demanded payment of fees for permission to change a place of residence. A married woman must obtain her husband's written permission on her passport application if children are traveling on her passport.

The decision of Kizza Besigye's 2001 petition to the UHRC Tribunal against the Government for wrongful restriction of movement remained pending at year's end, and he remained in self-imposed exile during the year.

Attacks by LRA terrorists and armed Karamojong raiders caused many Acholis and Iteso to leave their homes for urban centers, IDP camps, and villages guarded by the UPDF and LDU's. Although the armed Karamojong raiders did not attack the Acholi during the year, increased incursions by the Karamojong raiders led to the displacement of approximately 79,600 persons, particularly in Katakwi, Kotido and Kapchorwa Districts. It was estimated that approximately half of Katakwi, Kotido, Gulu, Kitgum and Pader district populations were in IDP camps or protected villages due to attacks by LRA or Karimojong warriors. At year's end, there were 814,199 IDPs as a result of violence in the north and northeast, according to the U.N. Office of the Coordinator for Humanitarian Affairs.

In the north, government forces continued their policy of maintaining so-called protected villages with UPDF detachments nearby as a means of protecting civilians and denying support to the LRA. Despite substantial NGO and donor community assistance, conditions worsened due to increased LRA activity in the north. The Government failed to provide adequate security to the protected villages or IDP camps, which were the targets of large-scale rebel attacks (see Section 1.a.).

Approximately 27,700 persons were refugees in the DRC, Sudan, and Kenya during the year.

There were no laws that provide for the granting of asylum or refugee status in accordance with the provisions of the 1951 U.N. Convention Relating to the Status of Refugees and its 1967 Protocol; however, the Government granted such status in practice. The Government cooperated with the Office of the U.N. High Commissioner for Refugees (UNHCR) and with other humanitarian organizations in assisting refugees. The Government continued to provide first asylum as well as land for temporary resettlement to citizens from neighboring countries and extended this practice to significant numbers of refugees during the year. More than 85 percent of the approximately 200,000 refugees in the country were from southern Sudan; there also were refugees from the DRC, Rwanda, and Somalia as well as a small number from Burundi.

In November Human Rights Watch issued a detailed report entitled "Hidden in Plain View: Refugees Living Without Protection in Nairobi and Kampala" describing the difficult living conditions of Kampala's urban refugees, including arbitrary arrests and detentions.

During the year, there were reports of the forced return of persons to a country where they feared persecution. In March the Government handed over for repatriation three Rwandan Patriotic Army (RPA) Officers, Michael Kanyamahanga, Joseph Akayezu, and Jean Baptiste Habimana.

In November 2001, the Government signed a Memorandum of Understanding on the Formation of a Joint Verification and Investigation Committee with Rwanda, which gave each country free access to inspect and investigate allegations of military and subversive activities that occurred in the other country.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

The Constitution provides citizens with the right to change their government; however, Movement domination of the Government and some restrictive constitutional and statutory provisions limited citizens' effective exercise of this right. There was universal suffrage for adults who were 18 years of age and older. The Constitution does not provide the right to vote to prisoners.

The President dominated the Government and Movement supporters remained in control of the Parliament. The independence and assertiveness of the legislature decreased significantly prior to the June 2001 parliamentary elections; however, the Seventh Parliament showed occasional signs of independence.

In 2001 the Constitutional Review Commission (CRC) began soliciting the public's opinion and holding public hearings on amending the 1995 Constitution. The CRC was set up to examine the constitutional provisions relating to sovereignty, political systems, democracy, and good governance; its report was scheduled for release in June 2003.

The Government maintained, at government expense, the Movement Secretariat, an organization that roughly paralleled government institutions and was limited to those who supported the Movement. The Government prohibited some non-Movement political gatherings, required employees in the President's office to register their political affiliation in writing, and dispersed numerous political meetings not sanctioned by the Movement (see Section 2.b.). The 2000 referendum on the role of political parties resulted in the indefinite extension of the Movement form of government and the indefinite continuation of restrictions on political parties (see Section 2.b.). The referendum process was flawed by restrictions on political party activities and unequal funding. In May the President signed the Political Parties and Organizations law, which permits political parties to establish their headquarters and operate in Kampala; however, the law does not allow parties to operate or campaign at the district level or below.

The law sets educational requirements for candidates for public office. Election candidates were required to prove that they met the requirements. Several candidates were disqualified because of false papers, and Asraf Olega, M.P. Aringa County, was disqualified over academic qualifications. The cases of four others were pending at year's end.

The Presidential Elections Law permits election campaigns to commence after the Electoral Commission (EC) has approved a candidate's nomination. Under the Local Government Act and the Electoral law, Parliament must approve funding for each electoral exercise. The Government's failure to provide timely legislation for the presidential, parliamentary, and LC elections caused EC funding for electoral materials to be delayed considerably.

On January 4 and 5, the LC 3 and 4 elections were held in some districts. They were marred by insufficient procurement, incorrect and faulty ballot papers, and poor and incorrect packaging for distribution. Defective voter rolls also prevented many persons from voting. In some cases, there were no dispatches of materials to districts before election day, causing some LC 3 elections to be delayed. Many of the election flaws were attributed to insufficient funds and corruption in the EC.

On February 14, LC 5 elections were held and generally were peaceful; however, there was some violence, intimidation, and voter fraud in some districts during the campaign period and on election day (see Section 2.b.). For example, Kampala District and Kabale District had multiple allegations of beatings on election day. In Kasese District, a man was shot and killed in an election scuffle in Kitholhu. Voter turnout was low.

On February 26, Parliament formed a 15-member select committee to probe violence and irregularities in the 2001 presidential and parliamentary elections and LC elections that took place during the year. On September 10, its findings were made public and revealed that Movement supporters accounted for 29 percent of all cases of violence during the elections. The UPDF accounted for 17 percent, closely followed by EC officials with 16.5 percent. The committee recommended that the Government desist from using the army and other security organs to advance partisan interests during elections and that the army should register at civilian polling stations to avoid the appearance of malfeasance. It also recommended that acting Army Commander Major General James Kazini, Presidential Advisor on Political Affairs Major Kakooza Mutale, Brigadier Julius Oketa, and other security personnel be investigated further and prosecuted for alleged crimes related to election violence.

On July 31, President Museveni dismissed EC Chairman Hajji Aziz Kasujja, together with several other EC commissioners. The dismissals followed recommendations from the Inspector General of Government (IGG) that the EC officials be terminated for misuse of public funds and incompetence. Six former EC staff members were on remand in prison on fraud charges. On November 5, President Museveni appointed Baddru Kiggundu the new EC Chairman and Sister Margaret Magoba, a Catholic nun, Deputy Chairman, along with four other commissioners.

In March 2001, six candidates competed in the presidential elections, including President Museveni and Kizza Besigye. President Museveni was reelected with 69.3 percent of the total votes cast; Besigye received 27.3 percent of the vote. The presidential election generally reflected the will of the population; however, there were many complaints of irregularities prior to and on election day, which led to a flawed election process. These irregularities included: Insufficient time for voter registration; vote-buying; unauthorized persons tampering with voter rolls; double voting; persons' names being crossed off the voter list before they voted; and votes being given to President Museveni before the votes were cast. There also were reports that soldiers intimidated voters (see Section 1.c.). Although there were allegations that the voter list rolls contained many illegal names, the percentage of all registered voters accounted for only 70.3 percent of the eligible voter poll.

Army Commander Major General Jeje Odongo was appointed head of the country's internal security during the election period. There were numerous reports of election-related violence and intimidation by both the Government and the opposition prior to and on election day (see Section 1.c.). Police and UPDF forces also harassed and detained opposition politicians and supporters (see Section 1.d.).

Several civil and religious organizations prohibited their members from campaigning for candidates during the presidential elections. There were reports that UPDF officers campaigned, and a UPDF officer reportedly was arrested and another went into hiding to avoid arrest for violating army rules against campaigning. The Inspector General of Police restricted presidential candidates and their agents from conducting campaigns in police barracks and cautioned police against wearing T-shirts of candidates, carrying out campaigns, and putting up posters. The Anglican Church directed its clergy to stop campaigning in churches and not to display candidates' posters.

In March 2001, Besigye filed a petition with the Supreme Court challenging the results of the election, and in April 2001, the Court ruled 3-2 against Besigye, stating that he had failed to prove that the election was so flawed that a new election was needed. The Court found that the EC was at fault for its handling of the election. Opposition leader Besigye was detained or called in for questioning at least three times following the presidential and June parliamentary elections; he left the country in August 2001.

In June 2001, elections were held for the 214 directly elected parliamentary seats. There was an increase in the number of M.P.'s following the implementation of a law that increased by 12 the number of districts. Observers stated that the elections generally reflected the will of the population; however, there were numerous instances of election-related intimidation and violence. Despite active campaigning by President Museveni and influential members of the Movement, many important Movement M.P.'s lost their seats in the elections; however, a number of them lost to other Movement candidates, which suggested that their defeats were due to local concerns rather than political affiliation. The number of opposition M.P.'s increased to 35 from 12, including 9 UPC (former President Milton Obote's party) M.P.'s and at least 6 M.P.'s from the DP. Others were affiliated loosely with the DP; however, the affiliation of several other M.P.'s was unclear. There were 230 M.P.'s from the Movement party, giving it a clear majority; however, a number of moderate Movement M.P.'s, kept their seats in spite of Museveni's active campaigning for their opponents.

Prior to both sets of June 2001 parliamentary elections, the President campaigned against opposition candidates, including Movementists, and such threats increased immediately prior to the election days. Museveni appeared at rallies supporting his favored candidates and used the occasion to criticize their opponents. For example, in June 2001, during an FM radio broadcast, Museveni accused Winnie Babihuga, incumbent Rukungiri Women's M.P. and Besigye supporter, of engaging in election malfeasance, suggesting that she and others could be arrested; Babihuga was not reelected. However, in March Winnie Babihuga filed a petition challenging the June 2001 election of Winifred Maskio as Women's M.P. of Rukungiri District. On March 20, the High Court nullified the election, citing massive electoral fraud, and requested Masiko to vacate her seat. Masiko appealed the decision and the High Court ruling was overturned on November 4. Masiko was reinstated as M.P. and Babihuga ordered to pay court costs.

Election results in several districts were challenged and resulted in recounts. The most notable occurred in Mbarara Municipality, where M.P. Winnie Byanyima defeated her opponent Mbarara RDC Ngoma Ngime despite strong support for Ngime by President Museveni and other Movement officials. Ngime challenged the results in the Mbarara Chief Magistrate's court, and the Chief Magistrate ordered a recount of Byanyima's votes; however, the recount was stayed. The High Court ruled in favor of Byanyima and ordered the recount stayed indefinitely. In

November 2001, Ngime filed an appeal and on September 23, the Court began hearing the appeal, which was pending at year's end.

On May 17, the High Court ruled in favor of James Musinguzi against Minister of Defense Amama Mbabazi and the EC in the Kinkizi West parliamentary race and ordered a by-election. The Court found that Mbabazi bribed voters, failed to comply with the electoral law, and wrongfully used public resources. The Court also found that the UPDF interfered with the electoral process. Mbabazi appealed to the Court of Appeal and on December 18, the Court upheld the lower court findings.

The Constitution requires elections through electoral colleges for the 81 special interest group seats in Parliament reserved for women (56), organized labor (5), persons with disabilities (5), youth (5), and the army (10); however, the UPDF High Command, chaired by President Museveni, selected the 10 army representatives. In June 2001, the elections were held for these seats; there were allegations of vote rigging and vote buying in some of the elections.

Newspaper, radio, and television coverage, in particular coverage by state-owned media of the presidential, parliamentary, and LC elections, favored Movement activities. Efforts to promote activities by opposition candidates received less coverage in the media than the activities of the President.

The Government used quotas in an aggressive effort to place women in positions of authority. Women won 12 non-reserved seats for the 295-member Parliament in the June 2001 election, and the number of reserved seats for women increased from 38 to 56 in the 2001 elections. In total there were 73 female M.P.'s in the Seventh Parliament. The Vice President was a woman, as were 4 ministers and 12 junior ministers in the President's 66-member Cabinet. One woman served as Deputy Chief Justice of the Supreme Court, and another woman headed the CID. In 2001 four female members were elected to represent the country on the East African Community (EAC) legislative Assembly. Elections for special interest group seats reserved for women in Parliament were held in the 12 new districts created during the year.

The first M.P. of Asian ethnicity was elected for one of the reserved youth seats in Parliament in 2001; however, he resigned after it was discovered that he had forged his secondary school diploma.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

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. Active domestic groups included the FHRI; FIDA-U; Human Rights Focus; the National Association of Women's Organizations of Uganda (NAWOU); the International Federation of Human Rights; and the Human Rights and Peace Center of Makerere University. The Prisoners' Aid Foundation monitored prison conditions. The National Organization for Civic Education and Election Monitoring dealt with problems related to civil society and political rights. HURINET, a Human Rights Network and an umbrella organization for nine human rights organizations in the country, also continued to be active. The local NGO Uganda Debt Network addressed corruption. Government officials frequently attended conferences and seminars hosted by NGOs on social problems and continued to cooperate with NGOs on legal and prison reforms.

The Uganda National NGO Forum was a consortium of local and international NGOs involved in advocacy. On August 8, the organization launched the NGO Code of Conduct that provides for the self-discipline, regulation, and mechanism of restraint for NGOs.

The Government allowed visits by international human rights NGOs, including Amnesty International (AI), the ICRC, and the UNHCR. The ICRC suspended all field activities in the country and in northeastern DRC following the killings of six ICRC workers in 2001 (see Section 1.a.). The ICRC maintained only local staff at branches in Kasese, Bundibugyo, Fort-Portal, Gulu, Kitgum, and eastern DRC during the year. The ICRC also suspended visits to military detention facilities (see Section 1.a.).

The Constitution establishes the UHRC as a permanent independent body with quasi-judicial powers. The President appointed the UHRC's eight-member board. Under the Constitution, the UHRC may subpoena information and order the release of detainees and the payment of compensation for abuses. The UHRC continued to pursue suspected human rights abusers, including high-level officials in the Government and military, and expanded its operations by opening three more branches countrywide, in Mbarara, Fort Portal, and Jinja. The UHRC Human Rights Tribunal headquarters received 409 new complaints during the year, including some against

senior government leaders and military and police officials; the Soroti office received 405 complaints and the Gulu office received 372. Of the 409 complaints received at headquarters, 335 were pending investigations, 25 were referred to other bodies, 1 was waiting for judgement before the tribunal, 7 cases were ruled as no violation, 21 were resolved through mediation, 6 were determined not to be human rights cases, 9 complainants lost interest, 2 were time barred, 2 were dismissed for lack of evidence, and 1 case was dropped when the respondent died. Of the 405 complaints received at the Soroti office, 31 were pending investigation, 4 were referred to other bodies, 8 were waiting for judgement before the tribunal, 30 were resolved through mediation, 1 was time barred, 10 were dismissed for lack of evidence and 321 were pending resolution through mediation. Of the 372 complaints received at the Gulu office, only 13 complaints were investigated due to the insecurity in the region, of which 6 are pending judgement and 8 are awaiting a hearing before the tribunal. A total of 51 cases were referred to other bodies. The UNRC did not have the power to intervene in cases pending before a court. The UHRC inspected numerous detention facilities and publicly reported on its findings; however, it complained of lack of access to military facilities during the year. In March the UHRC released its 2001 report that cited abuses by security organs, criticized police corruption and inefficiency, noted instances of denial of the right to assembly, and criticized involvement in the DRC.

Section 5 Discrimination Based on Race, Sex, Disability, Language, or Social Status

The Constitution prohibits discrimination based on these factors; however, the Government did not enforce the law effectively in matters of locally or culturally accepted discrimination against women, children, persons with disabilities, or certain ethnic groups. Race was not a factor in national politics. The continued instability in the north led to violations of the rights of some Acholi, an ethnic group that comprises a significant part of the population. Most violations of Acholi rights resulted from LRA actions.

Women

Domestic violence against women, including rape, remained common. According to the 2001 Law and Advocacy for Women Projects Report on Domestic Violence, wife beating ranked highest among the Acholi people at an estimated 80 percent. The Bakiga in the south ranked second with 75 percent. There were no laws that specifically protect women from battery or spousal rape, although there was a general law concerning assault. Law enforcement officials, reflecting general public opinion, 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 assault charges against their husbands.

These problems continued to receive increasing public attention. Numerous women's rights NGOs sponsored conferences, empowerment sessions, and training programs throughout the country. The revised 1964 bride-price by-law, which was passed by a referendum in Tororo in December 2001, made the bride price a nonrefundable gift to the parents of the bride and was expected to lessen domestic violence when either party sought divorce. During the 2001 presidential elections, the Government set up a hotline for women to call the UPDF to seek redress if their husbands threatened violence against them for exercising their right to choose a candidate.

The Karamojong ethnic group in the northeast has a cultural practice of claiming unmarried women as wives by raping them; however, no cases of this practice were reported during the year. An undetermined number of women were victims of abduction and rape by rebel forces. There were allegations of rape by the UPDF (see Section 1.c.).

FGM was practiced by the Sabiny tribe, located in the rural Kapchorwa District, and the Pokot tribe (also known as the Upe), which inhabited the northeastern border with Kenya. There were approximately 10,000 Sabiny and approximately 20,000 Upe who lived in the country. Among the Sabiny, initiation ceremonies involving FGM were carried out every 2 years. During the year, initiation ceremonies took place in Kapchorwa. The NGO REACH recorded a total of 586 women who underwent FGM. These figures were down from the 621 reported in 2000.

There was no law against the practice, but the Government and women's groups working with the U.N. Population Fund continued to carry out programs to combat the practice through education. These programs received strong government support and some support from local leaders. The programs 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.

Prostitution was illegal; however, it was common. There were no credible statistics available on the occurrence of prostitution during the year.

There were reports of trafficking in persons during the year (see Section 6.f.).

Sexual harassment also was common. On May 9, the Board of the Faculty of Law at Makerere University approved a sexual harassment policy intended to combat sexual abuse and harassment at the University. The July International Women's Congress held in Kampala heard from female police officers who were pressured into giving sexual favors and denied promotions.

Traditional and widespread societal discrimination against women continued, especially in rural areas. Many customary laws discriminate against women in the areas of adoption, marriage, divorce, and inheritance. In most areas, women could not own or inherit property, nor retain custody of their children under local customary law. Divorce law requires women to meet stricter evidentiary standards than were required for men in order to prove adultery. Polygyny was legal under both customary and Islamic law, and a wife had no legal status to prevent her husband from marrying another woman. In some ethnic groups, men also could "inherit" the widows of their deceased brothers. Women did most of the agricultural work but owned only 7 percent of the agricultural land. There were limits on a married woman's ability to travel abroad with her children (see Section 2.d.).

There were active women's rights groups, including FIDA, Action for Development, the National Association of Women Judges (NAWJ), Akina Mama Wa Afrika, the Forum for Women in Democracy, and NAWOU, which promoted greater awareness of the rights of women and children. Women as Partners for Peace sponsored a forum to discuss democracy and conflict resolution. FIDA continued with its program on proposed reforms of outdated and discriminatory laws.

Children

The Government demonstrated a commitment to improving children's welfare. Education received the largest percentage of the budget. During the year, the Government did not enforce effectively the 1996 Children's Statute, which outlines broad protections for children. Government efforts to enforce the statute's provisions were hampered by the large proportion of the population that was below 18 years of age (50 percent 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. It also includes provisions on the rights of the child. For example, the law prohibits children from taking part in any activity that was likely to injure the child's health, education, mental, physical, or moral development; however, the Government often did not enforce these prohibitions. The Children's Statute also requires children with disabilities to be treated and given necessary special facilities; however, inadequate funding often hampered the enforcement of this provision. In August the Ministry of Gender reported that knowledge on the rights of children of the 1996 Children's Statute was poor in most parts of the country, particularly in rural communities.

The Government continued the Universal Primary Education (UPE) program, which provided free education through the seventh grade; however, education was not compulsory. According to official statistics, there was a 95 percent enrollment rate; however, this figure widely was believed to be inflated as a result of both school dropouts and a tendency of some schools to inflate attendance figures for funding purposes. Since the implementation of UPE, primary school enrollment increased from 2.9 million in 1996 to 7.2 million during the year.

During the year, the Government eliminated the previous restriction to four children per family and opened UPE to all primary age children without limits. Key components of the UPE program included eliminating compulsory uniform requirements, providing free textbooks, and eliminating school and Private Learning Examination (PLE) fees. The UPE increased funding for education, provided additional skills training for teachers, and reduced the textbook to student ratio; however, some provisions had not yet been implemented fully by year's end. Strained finances, internal 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.

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 financially related educational decisions. Boys also were more likely to finish primary school and perform better on the PLE. The Government continued several programs to promote a national plan for the education of girls; only 54 percent of adult women were literate compared with 74 percent of adult men.

Child abuse remained a serious problem, particularly the rape of young girls or defilement. Defilement applied to all cases of sexual contact outside of marriage involving girls younger than 18 years of age, regardless of consent or the age of the perpetrator. The perpetrators of rape often were family members, neighbors, or teachers; however, only a small fraction of these cases was reported. In August the district of Mbarara's Department of Education

established a hotline for the public to report defilement cases by teachers. Many cases frequently were reported in newspapers; a payment to the girl's parents often settled such cases. During the year, there were 5,554 reported cases of defilement, of which 3,178 were investigated. Increasing numbers of accusations reached the courts and an increasing number of cases were prosecuted during the year; however, neither conviction nor punishment was common. Defilement carried a maximum sentence of death; however, no court sentenced rapists to death during the year.

The marriage of young girls by parental arrangements was common, especially in rural areas.

Most schools used corporal punishment; however, the beating of secondary school students was prohibited. On August 9, a court sentenced a primary school teacher to 3 weeks imprisonment in Luzira Prison for caning student Elizabeth Uwimeza and causing bodily injury. The teacher also was ordered to pay \$111.00 (200,000 shillings) to the victim after serving the sentence.

There were increased allegations and some confirmed reports of ritual killings of children during the year. On June 17, police in Luwero arrested four persons in connection with a ritual murder of a girl whose body was discovered in a shallow grave near a shrine in Nakikoota Village. Investigations in the case were pending at year's end.

On June 28, Salim Hussein of Kasusu, Kabarole District, beheaded the 2-year-old son of the Fort Portal Municipal Council Treasurer. Hussein later was killed by an angry mob.

In September police in Mukono arrested a man named "Davis," who allegedly tried to sell his 6-year-old son for approximately \$1,666 (3 million shillings). Davis reportedly was arrested following the delivery of the child to a traditional healer.

There were no reports of developments in the April 2001 case in which police arrested three traditional healers for allegedly kidnaping and trying to sacrifice a 13-year-old boy in Mukono, or in the December 2001 case in which police arrested Sheikh Hamdan Madanga, a witch doctor, for possession of a human head in his shrine in Mbale.

There were an estimated 2 million orphaned children (children missing either or both parents). This large number of orphans resulted from previous civil wars, the internal displacement of persons, and HIV/AIDS.

FGM was performed on girls in the Sabinu and Pokot tribes (see Section 5, Women).

Child prostitution was a problem (see Section 6.f.).

Trafficking in children remained a problem (see Section 6.f.).

The legal recruitment age for military service was 18 years; however, in practice some recruiters allowed 17 year-olds to enlist. LDU's could recruit children under the age of 18 with parental consent.

There were reports that the military detained and used child soldiers to help find LRA landmines, camps, and arms caches (see Section 1.d.).

The LRA abducted many children and used them as guards, laborers, soldiers, or as sex slaves (see Section 1.b.). Most LRA fighters were abducted children coerced into becoming rebels.

Persons with Disabilities

The Constitution provides persons with disabilities with "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 for the accessibility of buildings for persons with disabilities. Most buildings had one floor; however, taller buildings in larger cities rarely had elevators and those that operated seldom were reliable. There was a Minister of State for Disabled Persons and a Department for Disabled Persons within the Ministry of Gender, Labor, and Social Development; however, these institutions lacked sufficient funding to undertake or support any initiatives.

The Children's Statute also requires children with disabilities to be treated and given necessary special facilities; however, in practice inadequate funding hampered its enforcement.

National/Racial/Ethnic Minorities

Civil strife in the north led to the violation of the rights of members of the Acholi tribe, who primarily resided in the northern districts of Gulu and Kitgum. Both government forces and the LRA terrorists, who themselves largely were Acholi, committed abuses. LRA fighters in particular were implicated in the killing and kidnaping of Acholi tribe members (see Section 1.a.); the UPDF record in the north worsened with the increased activity of the LRA during the year. Unlike in the previous year, there were no reports that ADF rebels committed abuses against members of the Bakonjo and Bamba tribes.

During the year, raids by armed Karamojong raiders in Katakwi, Kotido, and Kapchorwa districts in the northeast resulted in more than 50 deaths. The raids reportedly exacerbated ethnic tensions in the northeast (see Section 1.a.). In December 2001, the Government began a disarmament program for the Karamojong raiders, which caused confrontations between the Karamojong and the UPDF in its efforts to enforce the program.

Section 6 Worker Rights

a. The Right of Association

The Constitution provides for the right of every person to join workers' associations or trade unions; however, the Government at times did not respect this right in practice. The Government continued to refuse registration to the Uganda Allied Teachers' Union. Employers often did not observe the requirement to recognize 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, permanent secretaries in the ministries, heads of departments and state-owned enterprises, school principals, and other management-level officials. The Government failed to enforce the rights of some employees to join unions in newly privatized industries and factories.

The law allows unionization if 51 percent or more of the work force supported it and if the proposed union represented at least 1,000 employees. These requirements effectively prevented the right of workers in the private sector to form unions, especially in the textile, hotel, and construction sectors. The International Labor Organization (ILO) noted that this dual requirement could deprive workers in smaller bargaining units or who were dispersed over wide geographical areas of the ability to form unions or exercise collective bargaining rights, especially when no trade union represented an absolute majority of the workers concerned (see Section 6.b.). Both the ILO's Committee of Experts (COE) and Committee on Freedom of Association (CFA) requested that this dual requirement be amended, and at year's end, there was a draft bill pending before Parliament that would reduce to 20 the number of workers required to form a union.

The National Organization of Trade Unions (NOTU), the largest labor federation, included 19 unions with a membership of 80,000, or approximately 5 percent of the workforce. The NOTU was independent of the Government and political parties. Among its members were medical workers, including doctors, and the civil service union. The NOTU's influence on the overall economy remained minimal, since approximately 90 percent of the labor force worked as peasant farmers. Even in areas in which cash crops were significant, unionization remained practically nonexistent.

The Ministry of Gender, Labor, and Social Affairs did not lift the 2001 ban on meetings and elections within the labor movement during the year.

The law does not prohibit antiunion 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.

Labor unions freely exercised the right to affiliate with and participate in regional and international labor organizations. The NOTU was a member of the International Confederation of Free Trade Unions (ICFTU).

b. The Right to Organize and Bargain Collectively

The law provides for the right to organize and bargain collectively; however, the right to organize was rarely defended by the Government and true collective bargaining occurred only in the small private sector of the modern economy. The International Textile, Garment, and Leather Workers Federation (ITGLWF) formally complained to the ILO about the denial of the right to organize to members in all but one of 16 factories. The local affiliate, the Uganda Textile, Garment, Leather, and Allied Workers Union, has more 2,000 members. The case was pending at year's end.

There were examples of collective bargaining in the private sector during the year. For example, on March 15, the management of the Kampala Sheraton Hotel agreed to increase wages by 7 percent under the negotiated union agreement with management. In the modern sector, the Government by far was the largest employer (civil service and state-owned enterprises) and it dominated the bargaining process. The Government adopted a tripartite (Government-employers-labor) cooperative approach to setting wages and resolving labor disputes. Both the Government and employers could refer disputes to the Industrial Court (IC); however, the IC lacked funds and rarely sat.

The Constitution provides 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 notice to strike to the Minister of Labor, who usually delegated the dispute to the IC. In principle IC rulings were final; however, its decisions often were appealed by employers who claimed that they doubted the impartiality of the Court. The Minister of Labor generally did not permit strikes in the absence of verdicts from the IC on the basis that "every effort" had not been exhausted. The Government only took limited action on organized labor complaints. Frustrated laborers often went on strike anyway.

There were several strikes during the year. For example, between July and August, there were nine strikes staged by primary school teachers protesting poor working conditions and delays in salary payments in different parts of the country. The teachers resumed work after the Government intervened and agreed to investigate the delays.

On August 5, more than 100 workers went on strike demanding higher wages at Lutembe Quarry in Mpigi District. The workers also complained of poor working conditions, including the lack of sanitation facilities. They returned to work after the management agreed to address their concerns.

On August 9, casual laborers, mostly cane cutters, went on strike at a sugar plantation in Masindi District at Kinyara to protest high taxes withheld by the company and the failure of the Masindi District Administration to produce tax receipts. The strike lasted 1 week and resulted in the death of one worker, who was shot when police fired into the crowd to stop strikers from setting sugar cane fields on fire. On August 15, the Government ended the strike and agreed to resolve the grievance.

There were no developments in the 2000 case of Sam Lyomoki, General Secretary of the Uganda Medical Union, or the 2000 case in which 21 workers were dismissed at the Nytil Picfare textile factory.

There were no export processing zones (EPZs); however, the Ministry of Finance and the Uganda Investment Authority prepared legal documentation for Parliament to create such zones.

c. Prohibition of Forced or Bonded Labor

The law prohibits forced or bonded labor, including by children; however, a lack of resources prevented the Government from enforcing this prohibition effectively in practice. There was strong evidence that prison officials hired out prisoners to work on private farms and construction sites, where often they were overworked. Throughout the country, prison officials routinely supplemented their meager wages with crops grown by prisoners on the prison grounds (see Section 1.c.). Male prisoners performed arduous physical labor while female prisoners produced marketable handicrafts such as woven basketry. Juvenile prisoners performed manual labor, often 12 hours per day. Compensation, when paid, generally was very low; however, the law requires that pretrial detainees receive back pay for all work that they performed once they are released.

There were reports that the UPDF used children to help find LRA landmines, camps, and arms caches (see Section 1.d.).

The LRA often forced abducted children into virtual slavery as guards, laborers, soldiers, and sex slaves (see Section 1.b.).

d. Status of Child Labor Practices and Minimum Age for Employment

The law prohibits employers from hiring workers below the age of 18; however, child labor was common, especially in the informal sector. The Ministry of Gender, Labor, and Social Development enforced the law on child labor; however, financial constraints limited its enforcement. Demographics contributed to the problem of child labor; half of the population was under 15 years of age. Many children left school and went into agricultural or domestic work

in order to help meet expenses or perform the work of absent or infirm parents, a situation common throughout the country (see Section 5). The problem was acute particularly among the large orphan population.

In urban areas, children sold small items on the streets, were involved in the commercial sex industry (particularly in border towns and in Kampala), or begged for money. Adults did most tea harvesting; however, some children were employed in this sector as well.

It was estimated that 60 percent of all land-based trade in the country was informal. Smuggling was one of the larger informal industries and employed large numbers of child laborers at the borders with Kenya and Tanzania. Children walked back and forth across the unguarded borders, transporting small amounts of fuel, sugar, coffee, or other commodities.

The Government made efforts to decrease the incidence of child labor during the year. On August 13, the Government signed an agreement with the ILO to continue the 1998 International Program for the Elimination of Child Labor (IPEC). Under the program, approximately 2,600 children were identified and withdrawn from hazardous work and were provided with alternatives, such as returning to school or taking vocational training. Government officials acknowledged that for the IPEC to be implemented, continued judicial and law enforcement reforms were needed and held several awareness-training workshops for officials charged with enforcing child labor laws during the year. In September there was a nationwide program to educate the public regarding child labor practices. Several human rights NGOs also continued programs during the year aimed at removing children from hazardous work.

In 2001 the Government ratified ILO Convention 182 on the Worst Forms of Child Labor and incorporated its provisions into the draft Employment Bill 2000 to comply with international standards; however, the law was not passed by year's end.

The law prohibits forced and bonded labor by children; however, a lack of resources prevented the Government from enforcing this prohibition effectively (see Section 6.c.).

e. Acceptable Conditions of Work

The minimum legal wage was \$3.50 (6,000 shillings) per month, a rate set in 1984; however, this wage was not enforced effectively in practice. The Government and the private sector negotiated a new rate during the year. The minimum wage was insufficient to provide a decent standard of living for a worker and family.

Wages continued to be determined through negotiation between individuals and their employers, unions, and proprietors, or through negotiation within the boards of directors at state-owned industries. Other benefits such as housing and transport allowances, which often were equal to base wages, often supplemented salaries. The Ministry of Public Service's salary scale for civil servants started support staff at approximately \$38 (69,000 shillings) per month, up to supervisors at \$666 (1,200,000 shillings) per month, plus modest increases for years worked. All included provisions for paid overtime. The higher end of this wage scale provided minimal standards of living for a worker and family; however, most civil servants had great difficulty earning enough money to pay their children's school costs. Many civil servants and their dependents worked second jobs, grew their own food, or sought other ways to supplement their incomes.

In industries that employed workers on an hourly basis, the normal workweek was 40 hours. There was no legal maximum workweek; however, employers were supposed to pay a time-and-a-half rate for each additional hour worked beyond a 48-hour work week. Many industries paid workers incrementally in order to avoid overtime and circumvent the prohibition on child labor. Many companies employed workers as "casual laborers" or "contract workers" in order to avoid providing benefits.

The condition of employee housing on the tea and sugar plantations at the major state-owned corporations, and within military and police barracks, was substandard. Sanitation and water facilities often were inadequate.

Building codes often were not enforced. Some structures tripled in height above the original foundations, which often compromised the structural integrity of these workplaces. Factories generally were safe; however, machinery almost always lacked safeguards.

The law establishes some occupational health and safety standards. The Workers' Compensation Act provides compensation, based on monthly salaries, for workers injured or killed at work. The Ministry of Labor's Department

of Occupational Health was responsible for enforcement of occupational safety regulations; however, in practice inspections were rare, primarily due to the lack of vehicles and funding for inspection trips. There were fatal accidents at several construction projects at a rate of approximately one per month. The limited occupational safety regulations under the law did not protect workers who refused to perform dangerous work from being fired; however, strong unions in certain dangerous industries protected such workers.

Foreign workers were protected under the Occupational Health and Safety Law. The law does not exclude illegal workers; however, any illegal worker filing a claim may find it difficult to prove that they genuinely were employed and would face penalties if in the country illegally.

f. Trafficking in Persons

The law prohibits trafficking in persons; however, there were reports that persons were trafficked to, from, or within the country. The Criminal Code prohibits slavery with penalties of up to 10 years' imprisonment and requires the CID to combat trafficking. The CID did not keep records on the magnitude of the trafficking problem and it was unknown if its efforts were effective.

There was strong evidence that prison officials hired out prisoners to work on private farms and construction sites, where they often were overworked (see Section 6.c.).

In urban areas, some children were involved in the commercial sex industry, particularly in border towns and in Kampala.

There were no reports that government officials were complicit in the trafficking during the year.

Unlike in the previous year, there were no reports that the country acted as a transit point for trafficking in persons.

There were continued reports that the SPLA forcibly recruited Sudanese refugees in the north for service in Sudan.

The LRA abducted civilians for training as guerrillas; most victims were children and young adults whom the LRA forced into virtual slavery as guards, laborers, soldiers, and sex slaves (see Section 1.b.). On March 5, the Government and Sudan signed an agreement in Khartoum for the Government of Sudan to stop supporting the LRA and permit the UPDF access in southern Sudan to pursue the LRA. The protocol was extended several times, including in December.

The Government, through the military, continued efforts to combat trafficking in persons by the LRA despite severe resource constraints. The Government began Operation Iron Fist to eradicate the LRA threat. It continued to offer amnesty to ex-rebels, providing resettlement packages that provided educational benefits and vocational training. The Government also established protected camps garrisoned by the UPDF that have helped to prevent abductions (see Sections 1.a. and 2.d.). The UPDF escorted rescued abductees to NGO facilities, which provided physical assistance and counseling to the children and their families so that the children could be reintegrated into society.