

# Human Rights Watch

## Torture, Former Combatants, Political Prisoners, Terror Suspects, & Terrorists

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### Annual reports

Events of 2012

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The Human Cost of Environmental Neglect

When "Values" Trample Over Rights

A Failed Approach to Corporate Accountability

After 26 years of President Yoweri Museveni's rule, increasing threats to freedom of expression, assembly, and association raise serious concerns about Uganda's respect for the rule of law. The security forces continue to enjoy impunity for torture, extrajudicial killings, and the deaths of at least 49 people during protests in 2009 and 2011.

The government banned a political pressure group calling for peaceful change, stopped opposition groups from holding rallies, and harassed and intimidated journalists and civil society activists in 2012. Organizations monitoring governance, accountability of public resources, land rights, oil revenue, and the rights of lesbian, gay, bisexual, and transgender (LGBT) people face increased obstructions. The notorious draft Anti-Homosexuality Bill, which proposes the death penalty for some consensual same-sex activities, remains tabled in parliament, threatening the rights of Uganda's LGBT people.

After an eight-year civil society campaign supporting the bill, parliament unanimously passed a law defining and criminalizing torture that the president signed, bringing it into force in July.

Police interference in, and unlawful obstruction of, public gatherings remains a significant problem, often accompanied by arrests and detentions of organizers and participants. In March, police stopped opposition leaders from touring a public works project in Kampala, the capital. In the resulting melee, a policeman, John Bosco Ariong, was hit by an object and died. Police closed off the area, arrested over 50 people, and beat them in detention. One person was charged with Ariong's murder and is awaiting trial. The mayor of Kampala and an opposition leader were charged with organizing an unlawful assembly with the purpose of inciting members of the public against the police.

In April, the attorney general banned the political pressure group Activists for Change, which orchestrated the April 2011 Walk to Work protests, labeling the group an unlawful society under the penal code. The ban came a day before a planned rally to call attention to police abuse of opposition supporters. Police placed opposition leader Kizza Besigye under house arrest without a court order in April during the international assembly of the Inter-Parliamentary Union (IPU) in Kampala, arguing that he would disrupt the meeting.

In October, as Uganda marked 50 years of independence, celebrations were marred by protests and widespread arrests as the government stopped opposition rallies, a Walk to Freedom protest organized by 4GC (For God and Country, formerly Activists for Change), and house arrests of prominent political figures, including Besigye and the mayor of Kampala.

Police restricted public debate and expression of concerns over governance throughout 2012. For example, two authors of a book critical of President Museveni, Doreen Nyanjura and Ibrahim Bagaya Kisubiwere, were arrested at the Kampala book launch in April. Nyanjura was

charged with participating in unlawful society and inciting violence and detained for two weeks. In August, Barbara Allimadi, a member of another pressure group, Concerned Citizens, was arrested and briefly detained after staging a demonstration in parliament. Police confiscated Allimadis t-shirts, which had anti-corruption slogans.

Journalists continue to be physically attacked and harassed by police in the course of their work. Between January and June, a media watchdog organization registered 50 attacks on journalists, despite multiple police pledges to respect media freedom.

The government is deploying hostile rhetoric and an array of tactics to intimidate and obstruct the work of nongovernmental organizations on sensitive issues such as governance, human rights, land, oil, and the rights of LGBT people. Tactics include closing meetings, forcing NGO representatives to issue apologies, occasional physical violence, threats, harassment, and heavy-handed bureaucratic interference in NGO registration and operations. NGOs are required to register to work in Uganda, but due to government hostility, organizations working on the rights of LGBT people cannot register to operate legally as is required under law. Senior government officials and police have unlawfully tried to stifle discussion of LGBT rights.

In February, the minister of ethics and integrity closed down a meeting organized by Sexual Minorities Uganda; in June, police broke up a meeting organized by the East and Horn of Africa Human Rights Defenders; and in August, police shut down a gay pride march in Entebbe. In September, a British producer was arrested and charged for staging a play about homosexuality, though he was later released, and on November 8, police blocked another local theatre production about the rights of LGBT people.

Police leadership disbanded the Polices Rapid Response Unit (RRU) in December 2011 explicitly because of its poor human rights record, renaming it the Special Investigations Unit (SIU). However the police have failed to investigate abuses committed by RRU officers or ad hoc operatives, some of whom continue to work with the SIU. In September, four members of the opposition Forum for Democratic Change (FDC) appeared before court charged with treason. They complained of torture in detention after having been detained by the SIU for 14 days.

The government failed to investigate the killing of over 40 people by security forces during the September 2009 riots, and the deaths of nine people during the Walk to Work demonstrations in April 2011.

No charges were filed against the police officer who in April assaulted Ingrid Turinawe, head of the FDC's Womens League, as police prevented her from attending a rally.

Electoral violence marred six of the nine parliamentary by-elections held between February and September. In Bukoto South, armed paramilitary groups travelling in unmarked cars beat supporters of the Democratic Party candidate on election day, despite a heavy police presence. Incidents of election-related violence also occurred in other parts of the country.

There have been no arrests for the killings of three Muslim leaders this year. On April 20, prominent Muslim scholar Abdu Karim Senatmu was shot by unknown assailants and on August 18, Sheikh Yunus Abubakari was shot and killed after leading night prayers. President Museveni claimed Sentamus death was due to his connections with the Allied Democratic Forces (ADF), a rebel group operating in the Democratic Republic of Congo (DRC). In September, Imam Abdul Jowadi Sentuga was also shot and killed. Police spokespeople said that the killings are related to the ADF and promised to release a report, but it was not completed at the time of writing.

The Ugandan armed rebel group, the Lord's Resistance Army (LRA), continued to kill and abduct people across Central African Republic, southern Sudan, and northern DRC though at a reduced scale from previous years (see DRC chapter).

Warrants issued by the International Criminal Court (ICC) for LRA leaders in 2005 remain outstanding. The War Crimes Division of the High Court did not begin its first trial of the only defendant in custody, former LRA fighter Thomas Kwoyelo, who has been charged with willful killing, taking hostages, and extensive destruction of property. Kwoyelo had previously applied for amnesty. In January, the High Court ordered the prosecutors to grant amnesty and release him, but the state has appealed and the case was, at this writing, pending before the Supreme Court.

Ugandas parliament permitted key provisions of the amnesty law to lapse, meaning that for the first time since 2000, LRA fighters who end up in custody could face criminal trial.

The Anti-Homosexuality Bill, which proposes the death penalty for some consensual same-sex activities, and the HIV/AIDS Prevention and Control Act, which criminalizes intentional or attempted transmission of HIV, are before parliamentary committees and could still come up for debate and vote. The Public Order Management Bill, which grants police overly broad discretionary powers in the management of all public meetings, was also presented in parliament and was pending at this writing.

On October 19, Ugandas auditor general reported extensive fraud regarding 22.9 million, prompting the governments of Denmark, Ireland, Norway, Sweden, and the United Kingdom to suspend development aid. No one has been held accountable for the loss of US\$44 million which disappeared in the lead-up to the 2007 Commonwealth meeting, despite multi-year donor efforts to recover the funds. Three ministers who were to face prosecution returned to office.

International bilateral donors continue to press the government to respect LGBT rights. United States Secretary of State Hillary Clinton presented the State Departments 2011 Human Rights Defenders Award to the Civil Society Coalition on Human Rights and Constitutional Law, for its efforts to defeat the Anti-Homosexuality Bill.

In contrast to donor pressure on LGBT rights, there has been minimal criticism of security force conduct. US reliance on the Ugandan military for regional counterterrorism operations may explain the diminished criticism of Ugandas deteriorating domestic human rights record. The army continues to receive logistical support and training from the US for counterterrorism, its leading role in the African Union Mission in Somalia (AMISOM), and counter-LRA operations in the Central African Republic (CAR). One hundred US military advisors are supporting anti-LRA efforts. Accused by United Nations experts of backing the M23 rebels in the DRC in October, Uganda claimed it could potentially suspend its involvement in Somalia and LRA operations.

Human Rights Watch defends the rights of people in 90 countries worldwide, spotlighting abuses and bringing perpetrators to justice

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