

UGANDA

REPUBLIC OF UGANDA

Head of state: Yoweri Museveni

Head of government: Apollo Nsibambi

Death penalty: retentionist

International Criminal Court: ratified

A new joint anti-crime operation led to killings of civilians by members of the security forces. Civilians arrested during the operation faced trial by military courts. Soldiers reportedly committed abuses during a disarmament operation in the northwest. At least 24 death sentences were passed, and two soldiers were executed. Journalists continued to be subjected to excessive use of force by the police. A new law restricted the activities of political parties. Abuses by the armed opposition Lord's Resistance Army (LRA) increased during the year, but those by other armed groups were reduced.

Background

A Parliamentary Select Committee on election violence concluded that 17 people had been killed during parliamentary and presidential elections in 2001. The Committee recommended that security personnel named in the report for terrorizing and intimidating opposition parliamentary candidates and their supporters should be subject to criminal investigation. The report was not debated by Parliament during 2002.

Relations between Uganda and Sudan continued to improve throughout 2002 with an agreement to resume full diplomatic ties.

A group of several thousand Ugandans living in Tanzania were expelled from Tanzania in 2001 and returned to Uganda allegedly for voting against Tanzania's ruling party in the October 2000 elections. They were resettled by the Ugandan government in 2002, some in the Rakai District, while others were relocated to a camp near the Katuna border with Rwanda.

President Museveni voiced Uganda's strong support for the international "anti-terrorist" coalition led by the USA. The Suppression of Terrorism Act, passed in March, used a very broad definition of "terrorism" and gave extra powers to law enforcement officers to carry out surveillance against suspected "terrorists", including accessing bank accounts and monitoring communications.

Violations by security forces

A new Joint Security Team was formed in June to fight violent crime in Kampala and surrounding towns. "Operation Wembley" brought together the intelligence services, police and the army. Police officers and soldiers were allegedly authorized to shoot criminals on sight, resulting in a dramatic increase in killings by security forces.

Those arrested under "Operation Wembley" were held without charge and screened to decide whether they should be

tried by a civilian or military court. Of approximately 450 suspects arrested by November, around 200 were reportedly to face trials before military courts made up of senior army officers.

On 16 September soldiers raided Gulu Central Prison, northern Uganda, to remove 21 prisoners they claim were to be "rescued" by the LRA. One of the prisoners, opposition activist Peter Oloya, was killed in the prison grounds in a suspected extrajudicial execution. The 20 surviving prisoners were taken to Gulu Barracks where they remained in incommunicado detention until mid-November, when they were moved to Kigo prison in Kampala.

Violence in Karamoja region

There were renewed efforts to bring peace to the pastoralist communities in the districts of Moroto and Kotido in the eastern Karamoja region, long beset by insecurity and cattle rustling. A deadline of 15 February was set for the voluntary surrender of illegal weapons. This was followed by a forcible disarmament and arrest operation, which led to a number of reported killings by the army, and to looting and beatings of civilians in Moroto. Soldiers were reportedly given orders by the Army Chief of Staff to shoot dead any Karimojong warriors who fired at them.

The army announced an inquiry into an incident of 8 March in which two people were killed and a pregnant woman miscarried in Kotido after reportedly being beaten and tortured by soldiers carrying out the disarmament operation.

On 4 May, 20 Karimojong and two soldiers were killed during clashes after Karimojong pastoralists reportedly raided another community and stole their cattle.

Death penalty

At least 24 death sentences were passed. At the end of the year, 354 convicted prisoners were on death row. No civilians were executed. Two soldiers were executed after a military trial which fell short of international standards of fair trial. Senior military officers reportedly stated that the army could use executions as a disciplinary measure.

On 22 March Michael Declan O'Toole, parish priest of Panyangara in Jie county, his driver and his cook were allegedly killed by two soldiers on their way from Moroto to Kotido. On 25 March the soldiers were executed by firing squad after an Emergency Field Court Martial, which reportedly lasted just 2 hours and 36 minutes, and did not allow for a full investigation of the circumstances surrounding the killing.

Freedom of expression

Legislative restrictions on the media increased. The new "anti-terrorist" legislation provided for severe penalties, including imprisonment for up to 10 years, for journalists accused of encouraging "terrorism". Journalists risked being labelled as "terrorists" if they criticized government policies towards armed opposition groups classified as "terrorist" under the new legislation.

A bill under scrutiny in Parliament would impose undue restrictions on non-governmental organizations, infringing the right to freedom of association.

Journalists continued to be subjected to excessive use of force by the police.

☞ In February a military police officer beat a *New Vision* photojournalist during an eviction in Kampala.

☞ *The Monitor* was raided by police and closed for seven days in October after publishing an article alleging that an army helicopter was shot down in the north where the army was fighting LRA rebels. Frank Nyakairu, the author, was detained and accused of publishing a false report "likely to cause fear and alarm to the public".

Harassment of the opposition

A new law restricting the activities of political parties and organizations was passed in May. In June opposition members, led by the Democratic Party, filed a petition challenging the law as unconstitutional. The new law imposed restrictions on political parties which were not equally applied to the ruling party.

☞ A Uganda People's Congress (UPC) rally was due to be held in Constitutional Square in Kampala on 12 January. Police arrested James Rwanyarare, the UPC leader, before the rally and a crowd confronted police outside UPC headquarters. Police fired live ammunition and killed a trainee journalist, Jimmy Ojotre Higenyi. The police officers involved were arrested and subsequently released on police bail. A police inquiry was ordered, but no information about its outcome emerged. Jimmy Ojotre Higenyi's family began legal proceedings against the state.

Persecution of sexual minorities

Discrimination against lesbian, gay, bisexual and transgender (LGBT) Ugandans continued, and legislation discriminating against gays and lesbians remained in place. In March President Museveni said in a speech to the Commonwealth Heads of Government Meeting in Australia that the relative success of the fight against AIDS in Uganda was because the country has no homosexuals. On 30 August the Minister of Ethics and Integrity ordered police to arrest and prosecute homosexuals. Security agents continued harassing members of the LGBT community throughout 2002, and several were arrested because of their sexual orientation.

☞ In December, the police arrested, then released on police bond, a prominent member of an association of gay men and lesbians who went to a police station to inquire about two members of the association arrested allegedly because of their sexual orientation.

Armed political groups

The Suppression of Terrorism Act classified several rebel movements as "terrorist" and stipulated severe punishments for "terrorists", their supporters and sponsors, including the death penalty. Throughout 2002 former rebels who had been pardoned under the Amnesty Act were rearrested under the Suppression of Terrorism Act.

Lord's Resistance Army

The LRA re-entered northern Uganda in June from Sudan and insecurity increased sharply, forcing aid agencies to scale down many of their activities. The main towns in the region,

particularly Kitgum, Gulu and Pader, were overcrowded with displaced people seeking refuge.

In March Uganda and Sudan signed a protocol to allow Ugandan soldiers to hunt for the LRA inside southern Sudan.

☞ In May the LRA reportedly killed more than 470 civilians in villages in the Imotong mountain range.

☞ In early July the LRA attacked a refugee camp in Adjumani District and on 26 July they killed 42 civilians.

☞ On 5 August the LRA overran a camp for Sudanese refugees in northern Uganda, killing an undetermined number. The Acholi Pii camp housed 24,000 Sudanese refugees who were subsequently relocated to safer areas in Uganda.

Talks continued between the government and a splinter group of the LRA. However, the main group, led by Joseph Kony, increased its violent activities, killing, maiming and abducting people in northern Uganda and southern Sudan. In July President Museveni agreed to talk with the LRA, but stressed that the government was keen to continue to pursue the group through military means.

In August, under pressure from church leaders, President Museveni wrote to Joseph Kony setting out the government's terms for a peace deal, including demands that the rebels restrict themselves to three locations in southern Sudan and implement a cease-fire. The LRA rejected these terms and, on 24 August, declared a "unilateral cease-fire" on condition that the army stopped attacking their positions. This was rejected by the government. The LRA soon afterwards broke their own cease-fire and President Museveni moved to Gulu to oversee personally a military offensive with the stated aim of destroying LRA camps and rescuing abducted children.

Uganda National Rescue Front II

Around 1,000 combatants of the Uganda National Rescue Front II (UNRFII) armed political group and their families returned to Uganda in April, having been based in Sudan since 1997. After negotiations with the government by their leader Major General Ali Bamuze, they handed over 135 child soldiers to UNICEF, the UN Children's Fund. On 22 June the government and UNRFII signed a formal cease-fire agreement in northwestern Uganda. UNRFII formed in 1996 after breaking from the now largely defunct West Bank Nile Front.

The Allied Democratic Front

The armed activities of the Allied Democratic Front (ADF) were reduced following a military campaign conducted by the army as well as a restricted offer of amnesty to rebels surrendering to the government. More than 500 armed ADF rebels surrendered in Kasese under the provisions of the Amnesty Law. Early in the year the army reportedly captured a senior ADF official and killed two others.

Concerns were raised about the army's conduct in operations against the ADF. A local human rights group reported in May that arbitrary arrests, torture and detention of civilians in military barracks were widespread in Kasese and Kabarole districts in western Uganda.