

UGANDA 2013 HUMAN RIGHTS REPORT

EXECUTIVE SUMMARY

Uganda is a constitutional republic led since 1986 by President Yoweri Museveni of the ruling National Resistance Movement (NRM) party. Voters reelected Museveni to a fourth five-year term in 2011. While the election marked an improvement over previous elections, it was marred by irregularities. Authorities usually maintained effective control over the state security forces (SSF). The SSF committed human rights abuses.

The three most serious human rights problems in the country were a lack of respect for the integrity of the person (including unlawful killings, torture, and other abuse of suspects and detainees); restrictions on civil liberties (including freedom of assembly, the media, and association); and violence and discrimination against marginalized groups, such as women (including female genital mutilation/cutting), children (including sexual abuse and ritual killing), persons with disabilities, and the lesbian, gay, bisexual and transgender (LGBT) community.

Other human rights problems included harsh prison conditions, arbitrary and politically motivated arrest and detention, incommunicado and lengthy pretrial detention, restrictions on the right to a fair trial, restrictions on freedom of press, electoral irregularities, official corruption, mob violence, trafficking in persons, and forced labor, including child labor.

The SSF and other government agents committed human rights abuses, generally with impunity. The government convicted and sentenced perpetrators in several cases, including some from previous years.

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

a. Arbitrary or Unlawful Deprivation of Life

There were several reports that the government or its agents committed arbitrary or unlawful killings.

The SSF's use of excessive force included firing live ammunition during joint security operations in various districts, including Kampala, Mayuge, Mukono, Bushenyi, Kamuli, and Jinja, resulted in at least nine deaths, according to media reports. Excessive force and the indiscriminate use of live ammunition by the SSF,

which included the Uganda People's Defense Forces (UPDF), resulted in three deaths during stolen cattle recovery operations in the Karamoja subregion in the east. On February 13, police trying to recover stolen cattle in Kween District killed Lowumo Limisia, a suspected Karamojong cattle rustler. The incident took place in Nakapiripit District. Authorities explained the suspect was killed by accident and took no action against the security personnel.

On July 10, police arrested Constable Michael Musitwa for allegedly killing Samuel Mutebi at Kitoro police station in Entebbe. Mutebi had come to report a robbery. While in the process of registering the case, the victim allegedly tried to grab the gun of Constable Musitwa. During the scuffle Musitwa shot and killed the victim. Police submitted the case file for review to the Directorate for Public Prosecution (DPP), which determined that Musitwa acted in self-defense and closed the case.

There were developments in some 2012 arbitrary killings. For example, on September 16, police reported that the state dismissed the May 2012 murder case against police officers Raymond Mallinga and Walter Wandera, who were accused of killing Fred Jingo. The state declined to further prosecute the case since its principal witness, Corporal Anthony Okurut, reportedly died before he could testify.

On May 7, the high court in Kampala acquitted George Agaba, the Kampala City Council Authority director for physical planning, and his bodyguard, Constable Santos Makmot Komakech, who had been accused of killing John Onyango in January 2012. The court ruled that the prosecution had failed to present concrete evidence.

There were developments in some of the 2011 arbitrary killings. For example, on September 16, police completed investigations into the 2011 killing of 16-year-old Judith Ntegyerize in Kabale by UPDF Corporal James Babaranda. In May the trial began in the High Court, and a ruling was pending.

b. Disappearance

There were no reports of politically motivated disappearances.

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

The constitution and law prohibit such practices. The 2012 Antitorture Bill stipulates that any person convicted of an act of torture faces up to 15 years' imprisonment, a fine of 7.2 million shillings (\$2,860), or both. The penalty for aggravated torture is life imprisonment. As in previous years, there were credible reports the SSF tortured and beat suspects.

The Uganda Human Rights Commission (UHRC) and international and local human rights organizations reported incidents of torture by the SSF, including rape, severe beating, and kicking. From January to June, the African Center for Treatment and Rehabilitation of Torture Victims (ACTV) registered 107 allegations of torture against police, 40 against the UPDF, two against military police, four against the Special Investigations Unit (SIU), 39 against unspecified security personnel, and 18 against prison officials. In addition, ACTV assisted 180 former Lord's Resistance Army (LRA) abductees in making claims against the LRA for torture in years past.

The SSF's use of excessive force and torture resulted in injuries during arrests and other law enforcement operations. For example, on February 3, authorities in Mityana District arrested three police officers – Naboth Rwabihegye, officer in charge of Kiryokaya Police Post, Robert Ndiwalana, and Isma Kiggundu – who allegedly tortured to death Anatoli Kisembo during an operation against marijuana growers. On February 2, the three officers who suspected Kisembo of operating a marijuana plantation allegedly beat him into a coma at his home in Kiteredde village. Investigations in the case were underway at year's end.

There were numerous reports of torture and abuse in detention facilities operated by the Chieftaincy of Military Intelligence (CMI) and police. For example, on March 16, CMI operatives arrested a senior UPDF officer, Colonel Penekasi Mugyenyi, and two other soldiers for the alleged abduction of a Congolese M-18 rebel. On March 27, the military court charged Mugyenyi with kidnapping, trespassing, and military misconduct, releasing him on bail on April 4. On April 16, Mugyenyi filed a petition in the Constitutional Court accusing the CMI of psychological torture, poor prison conditions, denial of food and medical care for his heart disease and diabetes, and violating his rights by detaining him beyond the constitutionally allowed 48 hours. On September 17, officials reported that the military court suspended the hearing against Mugyenyi pending the Constitutional Court ruling.

There were developments in some cases of the SSF's use of excessive force from previous years. For example, on September 18, a police investigation concluded

that stray bullets injured student Cissy Mukasa in February 2012 when police tried to disperse rioting residents. Police submitted the file of the incident to the DPP, which pointed out that the circumstances under which the police discharged the bullets justified their doing so. The DPP advised that police should close the case.

On April 2, the high court in Kampala started hearing the April 2012 assault case against senior police officers, including the director of the Criminal Investigations Division (CID), Grace Akullo; former Kampala Metropolitan police commander Moses Kafeero; former police commander in charge of operations in Kampala Grace Turyagumanawe; and the attorney general. Forum for Democratic Change (FDC) party female supporters under the umbrella of the Inter-Party Cooperation filed a lawsuit accusing the officers of violently humiliating them during a protest they held at the Electoral Commission in 2010. In the suit the women were seeking compensation for alleged police abuses. The case was pending at year's end.

In 2012 the UHRC reported awarding 320 million shillings (\$127,000) to victims of torture and other abuses. The UHRC reported registering 195 human rights complaints against private individuals, 84 against UPDF members, 447 against police officers, seven against CMI personnel, three against Internal Security Organization personnel, five against personnel of other security agencies, 41 against prison wardens, and 34 against other government departments. Of the complaints, 35 percent involved allegations of torture or cruel, inhuman, or degrading treatment and punishment.

Mob violence remained a problem. Mobs attacked persons suspected of stealing, ritual sacrifice, other crimes, and witchcraft, resulting in deaths. Mobs beat, lynched, burned, and otherwise brutalized their victims.

Prison and Detention Center Conditions

Prison conditions remained poor and, in some cases, life threatening. Serious problems included long periods of pretrial custody, overcrowding, and inadequate staff. There were reports that the SSF and prison wardens tortured inmates, particularly in government prisons, military facilities, and unregistered detention centers. There were isolated reports of forced labor (see section 7.b.).

Physical Conditions: Prisons in Kampala included provisions for medical care, running water, and adequate sanitation, ventilation, and lighting; however, according to a Bureau of Statistics' *2012 Abstract*, Kampala prisons were among

the most overcrowded. Prison authorities blamed this on the criminal justice system, which did not process cases in a timely manner. Prisons outside Kampala lacked food, water, medical care, means to transport inmates to court, and bedding, while also suffering from inadequate and poorly designed physical infrastructure and poor sanitation conditions.

In a system with an approved capacity of 15,000, at the end of November the Uganda Prisons Service (UPS) reported there were 37,936 prisoners, of whom 36,344 were males and 1,592 were females. Severe overcrowding was also a problem at juvenile detention facilities and in female wings of prisons. As of August the Kampala Remand Home, designed for 45 children, held 1,374, while the Naguru Reception Center, designed for 30 children, held 116.

Although there were separate facilities for female prisoners in central prisons (the largest prisons located in Kampala District), services and facilities for female prisoners in local prisons, including separate cells, were lacking in some areas. The UPS had no budget for accommodating pregnant women or mothers with infants, and the number of infants in women's prisons increased during the year. As was the case in previous years, due to lack of space in juvenile facilities, the UPS held minors in prisons with adults. The UPS separated pretrial detainees in Kampala prisons from convicted prisoners. Elsewhere they were held together due to lack of space.

Political prisoners faced conditions similar to those of the general prison population.

Case backlogs in the judicial system routinely contributed to pretrial detentions of two to three years but sometimes as long as seven years for capital offenses and three months for minor offenders during the year.

The UPS recorded 148 prisoner deaths from January to November from malnutrition, poor sanitation, disease, overwork, or lack of medical care.

Administration: Prison authorities reported improvements in recordkeeping by the introduction of computers up to the regional level, but inadequacies in recordkeeping persisted. Each of the 14 regional prisons in the country has only one computer for recordkeeping. As in the previous year, local nongovernmental organizations (NGOs) reported that prisoners and detainees had reasonable access to visitors. Authorities organized weekly meetings at which prisoners could

submit complaints and seek resolution to problems. Prison authorities acknowledged a backlog in the investigation of complaints.

Community service was statutorily available as a sentencing option. Between January and August, at least 5,849 persons were sentenced to community service, according to prison authorities.

Authorities allowed prisoners to practice their religion.

The prisons service has an officer with the rank of commissioner who handles, investigates, and mediates between management and prisoners. The prison ombudsman is responsible for ensuring that, when complaints, disputes, or deaths occur, they are resolved and verified. Prisoners have five channels through which to submit complaints: through their leaders, regular staff meetings, prisoner's application book, meetings with top management to raise complaints, and via human rights organizations that visit the prisons.

Independent Monitoring: Information was limited on conditions in unregistered and illegal detention facilities, although the SSF allowed the UHRC and some international NGOs access to selected unregistered facilities. Observers reported poor conditions and numerous cases of abuse in illegal detention facilities or unregistered detention facilities, known also as safe houses.

Authorities allowed international NGOs, the International Committee of the Red Cross (ICRC), foreign diplomats, and local NGOs to conduct prison visits with advance notification.

Improvements: The UPS maintained the pilot project to provide food to prisoners while they attend court in Kampala. Authorities rebuilt prison wards in Kasese, Mbarara, and Kapchorwa districts to provide adequate accommodation for inmates. The UPS reconstructed the sanitation system in Tororo Prison and Luzira complex prison and completed construction of prison facilities in Patongo, Dokolo, and Pader districts.

d. Arbitrary Arrest or Detention

Although the constitution and law prohibit such practices, the SSF sometimes arrested and detained persons arbitrarily, including journalists, demonstrators, and opposition leaders.

Role of the Police and Security Apparatus

The Uganda Police Force (UPF), under the Ministry of Internal Affairs, has primary responsibility for law enforcement. The UPDF is charged with external security but also had significant responsibility for recovering cattle stolen by cattle rustlers in the Karamoja subregion, providing election-related security for by-elections that were held during the year, as well as responding to the July walk-to-freedom protests and the November riots to protest the Kampala mayor's impeachment. The Internal Security Organization (ISO) and External Security Organization (ESO), security agencies and intelligence-gathering entities under the Minister of Security, occasionally detained civilians. The CMI is legally under UPDF authority, although it often acted as a semiautonomous unit in detaining civilians suspected of rebel and terrorist activity, as did the ISO and the ESO.

The UPF was constrained by limited resources, including low pay and lack of vehicles, equipment, and training. The UPF's Professional Standards Unit investigated complaints of police abuse, including torture, assault, unlawful arrest and detention, death in custody, mismanagement of case papers, and corrupt practices. The UPF was the sole government agency with responsibility for investigating charges of impunity.

According to the October *Justice Law and Order Sector (JLOS) Annual Performance Report 2012/2013*, the UPF received and investigated 9,748 complaints of human rights violations by police officers. Of these, 3,059 involved criminal conduct and were referred to the DPP, 638 were being handled through UPF disciplinary mechanisms, 4,005 were concluded, and 2,046 were dismissed for lack of evidence.

The UPDF, which maintained personnel in the Karamoja subregion for security reasons, continued efforts to transfer responsibility for law enforcement to the UPF. According to the UN Office of the High Commissioner for Human Rights (OHCHR), no specialized police officers were deployed to the Karamoja subregion. Previously, police deployed in Karamoja had to undergo specialized training in order to have a better understanding of the complex security issues in the region. The OHCHR also reported high rates of police desertion due to poor working conditions in the Karamoja subregion.

In conjunction with the UHRC and international organizations, including the ICRC and the OHCHR, the UPDF and UPF continued to train officers on internationally recognized human rights standards. During the year 200 police officers attended

human rights and constitutional workshops. The UPF, UPDF, and UPS also used human rights manuals in their training programs.

The UPF on occasion used excessive force in the execution of its duties. While the law permits police to use “all means necessary to effect the arrest” of an individual, it prohibits the use of greater force than is reasonable or necessary. While UPF officers were arrested in some instances for using excessive force, weaknesses in the investigative mechanisms made it difficult to bring accused officers to trial in a timely fashion. Some cases were not investigated or brought to trial.

Arrest Procedures and Treatment of Detainees

The law requires that judges or prosecutors issue arrest warrants before arrests are made. This requirement does not apply to an arrest made during commission of a crime or in hot pursuit of a perpetrator. Authorities often arrested suspects without warrants, however. The law requires authorities to charge suspects within 48 hours of arrest, but they frequently held suspects longer. Authorities must bring suspects arrested under the Antiterrorism Law to trial within 120 days (360 days if charged with a capital offense) or release them on bail; if the case is presented to the court before the expiration of this period, there is no limit on further pretrial detention. While authorities are required to inform detainees immediately of the reasons for their detention, they did not always do so. The law provides for bail at the discretion of the judge, and judges generally granted bail, albeit with stringent conditions. The law requires detainees to have access to a lawyer, but authorities denied many of them their legal right to representation. According to the law, the government provides attorneys for indigent defendants charged with capital offenses, but funds were rarely available to retain counsel.

Incommunicado detention remained a problem, particularly with regard to the CMI, Joint Antiterrorism Taskforce, and SIU. Local and international human rights groups reported that the government detained civilians in military facilities and safe houses, where they often held detainees incommunicado and abused them.

Local and international human rights groups noted government authorities continued to neglect the Karamoja subregion. Some government officials called for renewed attention to the area. The OHCHR noted improved security in the region but was concerned about the large backlog of human rights cases there due to the absence of a tribunal. The OHCHR received several complaints of torture, arbitrary arrest, and detention in military facilities in conjunction with the UPDF’s response to cattle raids and the government’s disarmament campaign there.

Arbitrary Arrest: Arbitrary arrests during police sweeps remained a problem, as did arbitrary arrests based supposedly on sedition, treason, promoting sectarianism, and incitement of violence charges. For example, on May 5, police in Kampala arrested six aides of the former presidential coordinator for intelligence services, General David Tinyefuza: Grace Nasasira Rwakyozi, Geoffrey Mwebaze Karuhanga, James Nayebare, Moses Nuwagaba, Frank Ninsima, and Abel Twinamasiko. On May 28, a court charged the suspects with plotting to overthrow the government and abetting a crime. The suspects remained on remand pending a court hearing.

As in the previous year, authorities also arbitrarily arrested between 50 and 100 persons for participating in, or being in proximity to, protests organized by opposition parties and civil society (see section 2.b.).

Police arbitrarily arrested thousands of persons for drunk driving and prostitution as well as soldiers for desertion. On April 6, activists belonging to the Human Rights Defenders Association released a report that condemned police for their conduct and assault on members of the public during night operations reintroduced in March to crack down on drunk drivers and sex workers. According to the report, police arrested at least 30,000 youths and women in a humiliating or criminal manner, including engaging in sexual harassment, rape, groping, and extortion. Police held most suspects overnight and released them the following day. An investigation into the allegations was underway.

On June 25, police in Kampala arrested FDC deputy electoral commissioner Michael Kabaziguruka and detained him incommunicado at the SIU in Kireka for seven days. This followed a security raid of Kabaziguruka's home in search of guns and vital documents linking Kabaziguruka to subversion. He was released on July 1 without being charged.

There were developments in the September 2012 treason case against the FDC deputy electoral commissioner Kabaziguruka, along with FDC chairman for Ntungamo District John Kareebe, former UPDF soldier Frederick Namara, and primary school teacher John Rutagorwa. On January 12, the War Crimes Division of the High Court initially released the four suspects on bail. The case was pending trial.

On January 9, the War Crimes Division released FDC treason suspects Simon Rutarondwa and five others on bail, pending hearing of the case.

Pretrial Detention: Case backlogs in the judicial system routinely contributed to pretrial detentions of two to three years but sometimes as long as seven years. The UPS reported more than half of its 37,936 inmates were pretrial detainees.

Suspects complained of long periods of pretrial custody. For example, on February 13, more than 600 inmates at Lira Central Government Prison clashed with prison authorities to protest long detentions on remand. Most of the inmates had been in prison since 2008.

Amnesty: Since 2000 the government has offered blanket unconditional amnesty for all crimes to individuals who engaged in war or armed rebellion against the government. On May 23, the minister of internal affairs, acting under the powers enumerated in the Amnesty Act, extended for 12 months parts of the act providing for settling and integrating at least 26,800 persons who received amnesty since 2000. Officials of the Uganda Amnesty Commission reported that, of these, the government only integrated approximately 6,000, and more than half of these were former LRA combatants. During the year the government processed 120 new amnesty cases, which were awaiting approval.

On May 24, the minister of internal affairs effectively reinstated a blanket, unconditional amnesty for all crimes, including war crimes and crimes against humanity, for those who engaged in war or armed rebellion against the government.

e. Denial of Fair Public Trial

The constitution and law provide for an independent judiciary, and the government generally respected this provision. The president appoints Supreme Court, Court of Appeal, and High Court judges with the approval of the National Assembly. The president also nominates, for the approval of the National Assembly, members of the Judicial Service Commission, which makes recommendations on appointments to the judiciary.

The shortage of judges in the Supreme Court, Constitutional Court, and High Court affected the delivery of justice during the year, since the lack of a judicial quorum meant cases could not be heard. On April 26, President Museveni appointed 28 judges (two to the Supreme Court, nine to the Court of Appeal, and 17 to the High Court) to reduce the length of time spent by prisoners under detention without trial. On June 11, the judiciary established new sentencing guidelines to resolve the

disparity in sentences for similar crimes, a weakness also raised by inmates. On August 13, the president appointed a new DPP and reappointed Benjamin Odoki as chief justice, ending months of speculation about who would head the judiciary after Odoki retired. The Uganda Law Society criticized the action and voted to suspend the law license of the attorney general. On July 26, National Assembly member Gerald Karuhanga filed a petition to challenge the reappointment of Odoki in the Constitutional Court, and a hearing was pending. The Appointments Committee delayed confirmation hearings for Odoki until a ruling is rendered.

Lower courts remained understaffed, weak, and inefficient. Judicial corruption was a problem.

The military court system often did not assure a fair trial, but the law establishes a court-martial appeals process. Only senior UPDF leadership can grant appeals of sentences, including the death penalty. Under circumstances they deem exigent, military authorities can convene a field court-martial at the scene of an alleged crime. The law does not permit appeal of a conviction under a field court-martial.

Despite a 2006 court ruling prohibiting the military from trying civilians in military tribunals, this practice continued. In 2011 the UPDF announced it would end the practice of trying civilians in military tribunals. As was the case in 2012, however, several civilians remained in military custody.

Trial Procedures

An inadequate system of judicial administration resulted in a serious backlog of cases and impaired the right to a fair and speedy trial. There is a presumption of innocence. All nonmilitary trials are public, but juries are not used. Defendants have the right to be present and consult with an attorney in a timely manner. The law requires the government to provide an attorney for indigent defendants accused of capital offenses, but funds were rarely available to provide counsel. By law defendants may confront or question witnesses against them and present witnesses and evidence on their own behalf. Authorities sometimes did not respect this right. Defendants have the right to obtain documentary evidence the state intends to use against them before a trial starts. This right of disclosure is not absolute in highly sensitive cases. Defendants have the right of appeal and had adequate time and facilities to prepare a defense. They have the right to be informed promptly and in detail of charges against them with free interpretation as necessary. Defendants cannot be compelled to testify against themselves or to confess guilt. These rights extend to all groups.

Political Prisoners and Detainees

The UPS held 81 political prisoners on treason charges. Of these, three were committed for trial in the High Court after an initial appearance, while the 78 others remained in custody pending case hearings. The ICRC visited political prisoners during the year.

During the year authorities also detained several opposition politicians and more than 10 supporters on politically motivated grounds for short periods. Authorities released many of these individuals without charge but charged others with crimes such as treason, inciting violence, and holding illegal rallies.

The 2011 terrorism case against Democratic Party (DP) activist Annette Namwanga and nine others was pending trial. The suspects remained free on bail.

Civil Judicial Procedures and Remedies

There is an independent and impartial judiciary in civil matters. Victims may report cases of human rights violations through the regular court system or the UHRC, which has judicial powers under the constitution. These powers include the authority to order the release of detainees, pay compensation to victims, and pursue other legal and administrative remedies, such as mediation. Victims can appeal their cases to the Court of Appeal and thereafter to the Supreme Court but not to an international regional court. Civil courts and the UHRC have no ability to hold perpetrators of human rights abuses criminally liable, and bureaucratic delays hampered enforcement of judgments that granted financial compensation.

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

The constitution and law prohibit such actions, and the government generally respected these prohibitions. Police, however, did not always obtain search warrants, as required by law, to enter private homes and offices.

The Antiterrorism Act authorizes certain law enforcement officials to intercept communications to detect and prevent terrorist activities. The Regulation of Interception of Communications Bill authorizes government security agencies to tap private conversations as part of efforts to combat terrorism-related offenses. The government utilized both statutes to monitor telephone conversations.

In March 2012 the Uganda Communications Commission (UCC), the government regulatory body, began the nationwide registration of mobile phone subscriber identity module (SIM) cards to identify individuals committing crimes with the aid of mobile phones. The UCC reported 60 percent of mobile phone owners had registered by February.

On February 7, Human Rights Network for Journalists (HRNJ) and Legal Brains Trust sued the UCC, claiming that the SIM card registration process was illegal and that many persons, especially those in rural areas, would suffer irreparable damage if the court did not block switching off unregistered SIM card users. On February 25, the High Court dismissed the application on grounds that it was not formally filed in court. On March 1, the UCC extended the SIM card registration deadline to August. The HRNJ refiled its petition. On August 31, the High Court declined to stop the UCC from switching off unregistered SIM cards. The court ruled that the HRNJ had failed to present a list of persons who had not registered, thereby requiring exemption by the court from the switch off action.

The government continued to encourage university students and government officials to attend NRM political education and military science courses known as “chaka mchaka.” While the government claimed the courses were not compulsory, human rights activists reported that the government pressured civil servants and students to attend.

Section 2. Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The constitution and law provide for freedom of speech and press, but the government at times restricted these rights.

Freedom of Speech: The SSF and government officials occasionally interrogated and detained radio presenters and political leaders who made public statements critical of the government and used libel laws and national security as grounds to restrict freedom of speech. Activists reported that the government periodically deployed officials to monitor public meetings in schools to ensure that students did not engage in debates about a successor to President Museveni. On June 7, the inspector general of police, General Kale Kayihura, ordered the police CID and intelligence directorate to arrest politicians and individuals who “misuse the media to incite the public.” The police CID summoned several opposition legislators for questioning over supposedly inflammatory statements made on radio talk shows or

at public meetings. For example, on February 27, police in Kampala summoned for questioning Uganda People's Congress Party president Olara Otunnu for defamatory statements he allegedly made against President Museveni while addressing a press conference in Kampala on January 16. Otunnu ignored the police summons. On June 11, the magistrate's court in Kampala charged Otunnu with not obeying the police summons and defaming the president. The court released Otunnu on bail, and the case was pending at year's end.

Press Freedoms: Independent media were active and expressed a wide variety of views. Nevertheless, the government and the SSF imposed some restrictions. On May 20, police shut down several media houses, including the *Daily Monitor*, its two sister radio stations KFM radio and Dembe radio, and the *Red Pepper* newspaper for publishing and broadcasting a classified internal government letter. On May 30, the government reopened the media houses (see Censorship or Content Restrictions). The UPF's Media Crimes Unit closely monitored all radio, television, and print media, and the SSF subjected numerous journalists to harassment, intimidation, and arrest. Although there were a number of private rural radio stations, government officials and ruling party members owned many of them and imposed reporting restrictions.

Authorities and the SSF prevented journalists from covering public events they considered sensitive and in some cases arrested and interrogated journalists. For example, on January 28, National Assembly Speaker Rebecca Kadaga suspended indefinitely *The Observer* journalists Tash Lumu and Sulaiman Kakaire from covering legislative proceedings for filing "inaccurate articles, which damage the image of the office of the speaker." On February 11, the journalists filed a suit challenging the constitutionality of the decision. A hearing was pending at year's end.

Violence and Harassment: The SSF arrested, assaulted, harassed, and intimidated journalists. In September the HRNJ reported that police subjected 62 journalists to different forms of violence and harassment during the year. According to the HRNJ, violence and harassment took various forms, including physical assault, direct pepper spraying, illegal detention, verbal threats, manhandling, and denial of access to coverage of public events. The HRNJ noted that police continued to lead the list of violators with 62 cases of violence or harassment against journalists, followed by nonstate actors with 12 cases, Kampala City Council Authority enforcement officers with five cases, National Assembly security with two cases, and the judiciary with one case. The HRNJ reported that judicial staff manhandled several journalists and blocked them from covering open court proceedings.

Authorities took action against individuals who assaulted journalists. For example, on July 9, a court charged Tadius Katalemwa, a teacher of Old Kampala Secondary School, with assaulting Mathais Sebwatto, a Bukedde Television reporter, in October 2012. Prosecutors alleged that Katalemwa beat Sebwatto while he was covering a student protest, causing an injury to his head as well as damaging his camera. A court remanded Katalemwa to prison, and the case was pending hearing at year's end.

On September 24, the HRNJ reported that the March 2012 assault case against police was partly resolved outside the courts. Police reportedly compensated journalists Siraje Lubwama of the biweekly *Observer* and Joseph Mutebi of Bukedde Television and closed their files. Police did not compensate journalist Hasifah Wanyana of Kingdom FM radio, and the case was closed as Wanyana chose not to pursue it.

Censorship or Content Restrictions: To avoid government intimidation or harassment, many print and broadcast journalists practiced self-censorship, particularly when reporting on President Museveni, the first family, senior members of the ruling NRM party, the SSF, and the exploration and use of oil resources. Many rural radio stations claimed unnamed government officials ordered them to deny airtime to opposition politicians, and police questioned several radio hosts for having opposition members on their shows. The government prevented some independent and government-owned television and radio stations from hosting opposition political candidates critical of the government.

On May 9, police in Kampala interrogated *Daily Monitor* managing editor Don Wanyama and journalists Richard Wanambwa and Residel Kasasira for publishing on May 7 a classified internal government letter by the former coordinator for security services, General David Tinyefuza Ssejusa. The letter asked the ISO to investigate claims of a plot to assassinate senior army and government officials who opposed Brigadier Muhoozi Kainerugaba succeeding his father, President Museveni. The government denied that such a plot existed. Police demanded that the *Daily Monitor* reveal its source and hand over the original of the letter to enable the investigation to proceed.

On May 14, police charged the *Daily Monitor* journalists with “refusal to cooperate and divulge information” but released them on bond. On May 16, they obtained a court order directing the newspaper to hand over the letter, which the *Daily*

Monitor refused to do. On May 17, *Daily Monitor* lawyers filed an appeal in the High Court, arguing that the constitution protects privileged sources for journalists. A court hearing of the appeal was pending.

On May 20, police surrounded the *Daily Monitor* premises and halted all operations there, as well as at its two sister radio stations, KFM radio and Dembe radio. Police also surrounded the *Red Pepper* newspaper, halting all its operations. On May 24, the court rescinded the search warrant, stating police overstepped the bounds of the order. Police, however, refused to vacate the premises. On May 30, the government reopened the media houses and announced that the media had agreed to adhere to several new conditions, including a pledge to investigate thoroughly stories that affect national security, to ensure “sensitivity” in stories that could cause public tension, and to promote responsible reporting.

Police arrested several journalists protesting the closure of the media houses. For example, on May 28, police in Kampala arrested HRNJ officials Geoffrey Ssebagala, Mulindwa Mukasa, and William Ntege Kyumakyayesu but subsequently dropped charges of inciting violence. Police later released them without charge.

Authorities interfered with the publication of several books critical of President Museveni. For example, on May 30, police in Kampala arrested Norman Tumuhimbise for publishing a book, *Behind the Devil’s Line?*, which allegedly contained defamatory content concerning President Museveni. On May 31, police released Tumuhimbise on bail. An investigation into the case was underway at year’s end.

The HRNJ reported that the government blacklisted several critical analysts and panelists from participating in political radio talk shows during the year. On January 11, the management of the local CBS radio station banned two members of the National Assembly – Betty Nambooze (Mukono Municipality) and Muhammad Nsereko (Kampala Municipality) – from participating in radio talk shows following pressure from authorities.

Libel Laws/National Security: Unlike in the previous year, authorities did not use libel laws to suppress criticism.

Several libel cases from previous years came to trial. For example, on April 22, a court in Gulu dismissed a 2009 libel case against *Daily Monitor* reporter Moses Akena. The 2011 case against CBS journalist Ronald Ssemuusi, who was

charged with criminal defamation, came up for hearing on May 29. Ssemuusi remained free on bail pending judgment.

Internet Freedom

Unlike in previous years, there were no reports the government attempted to restrict access to the internet. According to the International Telecommunication Union, approximately 15 percent of the population used the internet in 2012.

Academic Freedom and Cultural Events

There were government restrictions on academic freedom. For example, research clearance was required in certain academic areas, such as history and political science, and there were reported delays in the process. Academic lecturers reported they required permission from authorities to conduct public dialogue meetings at universities. They also claimed that security operatives monitored public lectures.

On March 22, police in Kampala questioned and later released Maggie Kayima of the Revival Music Band in connection with a political song with controversial references to regional political leaders.

b. Freedom of Peaceful Assembly and Association

Freedom of Assembly

While the constitution provides for freedoms of assembly and association, the government did not respect these rights. Early in the year, the UPF continued to require advance notification and approval for public gatherings despite a 2008 Constitutional Court decision nullifying section 32(2) of the Police Act, which required written police approval for any assembly of 25 persons or more. In some instances the UPF either gave no official response to requests to hold public meetings or instructed applicants not to assemble. Opposition political parties and civil society critics claimed to have been singled out for restriction on their right to assemble. On August 6, the National Assembly passed the Public Order and Management Bill, which defines the process by which citizens may organize public meetings and political rallies, and the president assented to the law on October 2. Some human rights groups claimed the law continues to restrict freedoms of speech and assembly. Since passage of the bill, opposition leaders organized numerous rallies throughout the country without police interruptions.

Beginning on June 1, police claimed the powers of “preventive arrest” under article 212 (c) of the constitution, which broadly gives them power to prevent and detect crime. Section 24 of the Police Act specifically tasks police to proactively remove and detain persons to prevent them from committing an offense or engaging in other acts that would cause harm to themselves, other persons, or property. Police preventively arrested and later released several opposition leaders during the August protests organized under the auspices of the pressure group, For God and my Country (4GC). Activists condemned the police action, claiming it limited citizens’ rights to assembly and movement.

Police often met attempts to assemble by opposition activists, students, and workers with excessive and brutal force. For example, 11 university students claimed police beat them with batons on August 19 during their arrest and while in custody for participating in unlawful assembly and inciting violence. On August 21, police released the suspects on bond, pending hearing of the case.

In September 2012 the SSF injured 20 persons while dispersing Muslim youth protesters over a disputed plot of land in Iganga municipality. The Muslim Center for Justice and Law, a local NGO, reported that police arrested the 20 youths on charges of malicious damage to property but later released them after the district Muslim leadership intervened.

Police arrested hundreds of persons for allegedly participating in unlawful assembly. On June 20, police injured two persons when they arrested former FDC leader Besigye and 14 other activists at a Kampala market. Police explained that Besigye planned to hold an unauthorized rally in the market. Besigye and the activists were later released. They faced charges of inciting violence. A hearing on the case was pending at year’s end. Following the arrests, Kampala Metropolitan Police commander Andrew Kaweesa announced that rallies and demonstrations were banned in Kampala.

On March 5, a court in Kampala halted hearing of the 2012 case against former FDC leader Besigye and Kampala mayor Erias Lukwago, who were accused of holding an unlawful assembly pending a Constitutional Court ruling on a petition the men filed challenging the legality of sections 56 and 64 of the penal code, under which they were charged. Besigye and Lukwago remained free on bail.

There were developments in some of the freedom of assembly cases from previous years. For example, on February 4, a court in Entebbe acquitted National

Assembly member Beatrice Anywar on two accounts of obstructing traffic and assaulting a police officer during the 2011 walk-to-work protest.

Freedom of Association

While the constitution and law provide for freedom of association, the government did not always respect this right. The law limits some NGO activity and requires NGOs seeking registration to obtain letters of approval from local government and community officials. Official registration affords some legal protections and enables NGOs to open local bank accounts. The NGO Board, a government regulatory body that approves NGO registrations, reports to the Ministry of Internal Affairs and is composed of representatives from various government ministries, including the security services. Discriminatory aspects of the law prevented LGBT organizations from registering as NGOs. On September 1, the NGO Board began requiring all NGOs to reregister in a move to update the national NGO registry. According to the NGO Board secretary, the registration process was extended until the January 2014 board meeting to decide the way forward.

Police blocked meetings of members of labor unions (see section 7).

c. Freedom of Religion

See the Department of State's *International Religious Freedom Report* at www.state.gov/drl/irf/rpt.

d. Freedom of Movement, Internally Displaced Persons, Protection of Refugees, and Stateless Persons

The constitution and law provide for freedom of internal movement, foreign travel, emigration, and repatriation. The government at times limited these rights.

Between June 1 and August 31, police in Kampala blocked opposition members and activists from participating in the walk-to-work protests relaunched during the year by the 4GC activist group. On several occasions police confined former FDC leader Kizza Besigye and other opposition leaders to their residences to prevent them from participating in the protests.

On June 29, due to security reasons, police in Kasese prevented the Rwenzururu king, Charles Wesley Mumbere, from visiting Bundibugyo District, where he was

scheduled to preside over the kingdom's Peace Day. Police fired tear gas to disperse the crowd that had gathered following the incident. Police stated the king's visit would spark tribal clashes because the community in Bundibugyo was opposed to the kingship.

The government cooperated with the Office of the UN High Commissioner for Refugees (UNHCR) and other humanitarian organizations in providing protection and assistance to internally displaced persons, refugees, returning refugees, asylum seekers, stateless persons, and other persons of concern.

Foreign Travel: A married woman must obtain her husband's written permission on her passport application in order to list children on her passport.

Exile: In September DP officials reported that party activist Rogers Segujja left the country and was living in self-exile. Media reports quoted family members alleging that security operatives kidnapped him in October 2012.

Internally Displaced Persons (IDPs)

There were reports of IDPs due to torrential rains and floods during the year. For example, in May an estimated 25,445 persons were temporarily displaced in Kasese District, western region, but they later returned to their homes.

Protection of Refugees

Access to Asylum: The laws provide for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. As of September, the UNHCR had registered 234,196 refugees and asylum seekers, including 152,912 new refugees received during the year, most of whom came from the Democratic Republic of Congo (DRC), along with Eritrea, Somalia, and Burundi. The government provided adequate protection to refugees, including temporary protection, resettlement, and other long-term solutions. The government made progress in clearing a backlog of asylum requests.

The UNHCR reported that the government was reluctant to grant refugee status to some Rwandans because of the UNHCR cessation clause, which the UNHCR recommended, effective June 20, for Rwandans who fled before 1999. Rather than implement cessation fully, the government agreed to accept applications for exemption interviews for Rwandan refugees who believed that they required international protection. Those who could not prove claims of individual

persecution would be required either to return to Rwanda or apply for permanent residency in Uganda. It was unclear if permanent residency would be made available to former refugees.

Refoulement: In October the government expelled a high-profile Rwandan refugee, Joel Mutabazi (a former bodyguard for Rwandan president Paul Kagame), and handed him over to Rwandan security forces. Mutabazi was reportedly wanted for armed robbery in Kigali but had secured refugee status in Uganda following a period of arbitrary detention and reported torture in Rwanda. Officials reaffirmed the government's commitment to provide protection to refugees and blamed the refoulement on an "error of judgment" and a "misinterpretation" of the international arrest warrant issued for Mutabazi. The officer in charge, Joel Aguma, was suspended for his role in the affair, and a full police investigation into this matter continued at year's end.

Access to Basic Services: The government granted to refugees, without charge, the same access to public health, education, and other services available to citizens. There were anecdotal reports of discrimination against some refugees seeking services due to language barriers or xenophobia. The Office of the Prime Minister's Refugee Commission, the UNHCR, its implementing partners, and other NGOs worked to reduce barriers to access.

Durable Solutions: The government did not accept refugees for resettlement from third countries, but it facilitated UNHCR efforts to resettle refugees in third countries. The government assisted the safe and voluntary return of refugees to their homes. Between January and September, the government assisted the UNHCR in the voluntary repatriation of 363 refugees to Rwanda.

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

The constitution and law provide citizens with the right to change their government peacefully. The 2011 presidential and National Assembly elections marked an improvement over previous elections but were nonetheless marred by serious irregularities.

Elections and Political Participation

Recent Elections: In 2011 the country held its fourth (second multi-party) presidential and legislative election since President Museveni came to power in

1986. President Museveni won re-election with 68 percent of the vote. Kizza Besigye, the FDC president, finished second with 26 percent. The ruling NRM party captured approximately 75 percent of the seats in the 375-member unicameral National Assembly (at year's end there were 386 members). While the elections and campaign period were generally peaceful, domestic and international election observers noted several serious irregularities. These included the diversion of government resources for partisan gain, unfair access to the media for NRM candidates and lack of access for opposition candidates, the heavy deployment of the SSF on election day, government intimidation, disorganized polling stations, and the absence of many voters' names from voter rolls. In addition, opposition parties claimed that the Electoral Commission lacked independence.

Political Parties: There were approximately 40 registered parties. The ruling NRM party operated without restriction, regularly holding rallies and conducting political activities. Authorities occasionally restricted the activities of the main opposition parties by refusing them permission to hold public demonstrations and preventing opposition leaders from appearing on local radio stations. Police used tear gas and rubber bullets to disperse rallies of opposition leaders. For example, on June 20, police shot and killed one person and injured several others while trying to block a political rally organized by Kampala mayor Lukwago in an effort to rally support against the government's campaign to remove him from office. On November 25, Kampala City Council Authority councilors impeached Lukwago in a 29-3 vote following an internal tribunal report that charged him with incompetence, abuse of office, and misconduct. Lukwago's lawyers claimed that a lower court issued an injunction stopping the proceedings, which the government rejected. On November 28, the High Court upheld the November 25 injunction. The case was pending at year's end.

Police arrested several opposition leaders during the year. For example, on July 30, police in Kampala arrested eight women activists, including FDC's women's league leader Ingrid Turinawe, as they delivered a petition to the National Assembly against new taxes on water and kerosene. Police charged that the women sought to disrupt a National Assembly session and had no permission to present their petition during a sitting. Police released the women without charge after several hours.

Participation of Women and Minorities: There were 23 female ministers in the president's 75-member cabinet. The speaker of the National Assembly and the inspector of government (IGG), who headed the leading government anticorruption

investigative body, were women. There were 135 women in the 386-member National Assembly. The law requires elections for seats reserved for special interest groups: 112 for women, five for organized labor, five for persons with disabilities, five for youth, and 10 for the UPDF. An opaque “electoral college” process organized by a single government-supported NGO selected the five persons with disabilities. There was no minority representation in the National Assembly.

Section 4. Corruption and Lack of Transparency in Government

The law provides criminal penalties for official corruption. The government, however, did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. A June report commissioned by the IGG and compiled by the Makerere University-based Economic Policy Research Center found that police, the judiciary, and the education and health sectors topped the list of institutions perceived to be most corrupt. Report findings further noted that 25 percent of citizens admitted paying a bribe in the previous six months.

Police arrested several police officers implicated in bribery and corruption. Authorities arrested several magistrates and judicial officials for forgery as well as for soliciting and receiving bribes.

Corruption: Government agencies responsible for combating corruption include the IGG, the DPP, the Anticorruption Division (ACD) of the High Court, the National Assembly’s Public Accounts Committee, the Criminal Investigation Division of the police, the Office of the Auditor General, and the Directorate for Ethics and Integrity. There was weak political will to combat corruption at the highest levels of government, and many corruption cases remained pending for years. The ACD had two judges and three magistrates. Since its 2009 inception, the ACD has heard more than 1,000 corruption cases, several of which involved senior-level officials.

On July 12, the Constitutional Court halted all operations in the ACD following a petition filed in January challenging the constitutionality of the structure of the ACD. On September 12, the Constitutional Court started hearing the petition, and the case was pending a ruling at year’s end.

Due to this judicial challenge, the ACD halted consideration of several major pending cases. For example, on June 7, the ACD charged Ministry of Health officials, including Permanent Secretary Asuman Lukwago, Assistant

Commissioner Ponziano Nyeko, Finance Manager Alex Gumisiriza, and former police officer Sabiiti Tibaijuka, with embezzling one billion shillings (\$397,000) from the Global Fund to Fight AIDS, Tuberculosis, and Malaria. Lukwago was separately charged with neglecting his official accounting duties when he failed to ensure the proper expenditure of the ministry's funds. Lukwago applied to the Constitutional Court for an injunction to suspend hearing of the case, arguing that the ACD proceedings contravened the Constitutional Court interim order that stayed ACD operations. The case of Lukwago and his codefendants was pending a Constitutional Court ruling.

Between February 13 and 14, police arrested and later released six Ministry of Works officials – principal auditor Ambrose Asimwe, information and technology officer Ivan Aliba, accountant Gerald Ekimu, transport commissioner Rose Mary Tibiwa, civil engineer Roger Kisambira, and economist Anthony Kwesiga – for embezzling 76 million shillings (\$30,200). According to police the officials embezzled the money from funds for a government-sponsored conference in January. Police investigation into the case continued.

There were developments in some of the 2012 corruption cases. For example, on June 26, the ACD convicted and sentenced the former principal accounting officer in the Office of the Prime Minister, Geoffrey Kazinda, to five years' imprisonment for abuse of office, forgery, and unlawful use of government stores. In August 2012 Kazinda and three other persons, including the Commissioner for Relief, Disaster Preparedness, and Management, John Martin Owor, were charged with embezzling 316.8 million shillings (\$126,000). The case against the other defendants was pending at year's end.

In January the ACD instituted court proceedings against officials in the Ministry of Public Service, including Jimmy Lwamafa, permanent secretary for the Ministry of Public Service; Kiwanuka Kunsu, commissioner of pensions; principal accountant Christopher Obeyi; head of information technology Francis Lubega; and Peter Ssajabi, national secretary of the East African Community Beneficiary Association, for allegedly embezzling 340 billion shillings (\$135 million). The case involved a fraudulent distribution of funds in which billions of shillings was paid to more than 1,000 nonexistent pensioners in 2011.

Whistleblower Protection: The law provides for procedures by which individuals in both the public and private sectors may, in the public interest, disclose information that relates to irregular, illegal, or corrupt practices. The act provides for the protection against victimization of persons who make disclosures.

The act defines whistleblowing to include disclosure of information that a corrupt, criminal or other unlawful act has been committed, is being committed, or is likely to be committed. It also includes the disclosure of information that a public officer or employee has failed, refused, or neglected to comply with any legal obligation to which that officer or employee is subject as well as the disclosure of information that a miscarriage of justice has occurred, is occurring, or is likely to occur. Disclosure of the identity of a whistleblower or of confidential information provided by the whistleblower is a criminal offence punishable by a fine and/or imprisonment. IGG officials reported that four suspects were charged under the Whistleblower Act, with hearing of the cases pending.

Financial Disclosure: The law provides that a person shall disclose information within three months of becoming an elected official or assuming public office and thereafter in December every two years. The government selectively enforced financial disclosure laws, under which an estimated 28,000 public officials were subject to biannual reporting requirements. The requirements apply to spouses and dependent children as well. Public officers are required to disclose their income and assets upon assuming and leaving office. The IGG is responsible for monitoring compliance. Penalties for noncompliance include a warning or caution, demotion, dismissal, and/or administrative leave from office. For example, authorities dismissed National Assembly member Ken Lukyamuzi from the seventh National Assembly (2001-06) for noncompliance. He was reelected to the ninth National Assembly (2011-16) and was permitted to take his seat after filing financial disclosure documents. According to the IGG, 18,664 officials reported in the 2012-13 cycle, including those from previous cycles who had not submitted their forms. Although the law requires public disclosure, authorities did not make the reports public.

Public Access to Information: The law provides for public access to government information, but the government rarely provided such access. In 2011 the government passed the Access to Information Act, which allows individuals to petition any government department to access information. The Secrecy Act, however, bars public servants from revealing information.

The law provides that requesters pay 20,000 shillings (eight dollars) to access information held by the government. Under the law information can be denied on security or sovereignty grounds, and the law provides for redress through internal dispute resolution processes or courts.

Section 5. Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

Domestic and international human rights groups generally operated without government restriction, investigating and publishing their findings on human rights cases. Local LGBT-related NGOs were denied official status due to the discriminatory law preventing their registration.

On February 20, authorities publicly announced police would closely monitor activities by some civil society members who engaged in politically linked activities, claiming to champion the rights of citizens.

In July 2012 the government announced an NGO policy to guide and regulate the operations of civil society organizations. Among other elements, the policy defines an NGO and provides an implementation framework with clearly articulated roles and responsibilities for both state and nonstate actors.

The government was generally responsive to concerns of local and international human rights organizations.

Government Human Rights Bodies: The UHRC is a constitutionally mandated institution with quasi-judicial powers to investigate allegations of human rights abuses and award compensation to abuse victims. Although the UHRC operated independently, the president appointed its seven-member board. Under the law the UHRC may subpoena information, direct the release of detainees, and order the payment of compensation for abuses. The UHRC pursued suspected human rights abusers, including in the military and police forces, and had branches countrywide. Its resources, however, were inadequate to investigate all the complaints it received.

In its June 2012 annual report, the UHRC reported registering 706 human rights complaints against 675 individuals, including 85 UPDF members, 346 police officers, 20 local government officials, 34 prison wardens, and 190 private citizens. Of the 706 complaints, 35 percent involved allegations of torture or cruel, inhumane, or degrading treatment and punishment. The report urged the government to equip the UPF and DPP to enable them to fulfill their constitutional obligation to bring suspects to court within 48 hours and to efficiently perform their duties. The report asked the government to strengthen the institutions dealing with child-related issues, such as the police family and child protection unit, family and children's court, and local council courts. The report also advised the

government to invest in the training of law enforcement officers to avoid the use of torture in obtaining information.

Section 6. Discrimination, Societal Abuses, and Trafficking in Persons

The law prohibits discrimination based on race, gender, disability, language, or social status but is silent on sexual orientation and gender identity. The penal code, however, prohibits “unnatural offenses.” The government did not enforce the law in matters of locally or culturally prevalent discrimination against women, children, persons with disabilities, or certain ethnic groups.

Women

Rape and Domestic Violence: The law criminalizes rape, including spousal rape. According to the penal code, a person convicted of rape could be sentenced to death. The same law states that a person who attempts to commit rape is liable for life imprisonment.

Rape remained a serious problem throughout the country, and the government did not consistently enforce the law. Although the government arrested, prosecuted, and convicted persons for rape, the crime was seriously underreported, and authorities did not investigate most cases. Police lacked the criminal forensic capacity to collect evidence, which hampered prosecution and conviction. The 2012 police crime report registered 530 rape cases throughout the country, of which 301 were tried and convicted, with sentences ranging from three years to life imprisonment. Local NGOs had hotlines in 11 districts, including Kampala, Mukono, and Jinja. On November 26, the minister for gender, labor, and social development launched a 16-day activism campaign against gender-based violence and opened a shelter for victims in Kampala. During the year the local NGO Center for Domestic Violence sponsored six police training courses focused on gender-based violence. At least 30 police officers benefited from the training. In addition police authorities were working with the center to develop a structure for the planned directorate that will handle gender-based violence issues.

The law criminalizes domestic violence and provides penalties for abusers, ranging from fines to two years’ imprisonment. Women’s rights activists, however, were concerned the law was not enforced. Although the 2012 UPF annual crime report listed 154 reported cases of domestic violence, a decrease of 15 from 181 cases in 2011, observers believed these statistics grossly underestimated the extent of the problem. Domestic violence against women remained widespread. According to

the 2011 Uganda Demographic and Health Survey, at least 27 percent of women and girls between the ages of 15 and 49 experienced some form of domestic violence during the year prior to the survey. The same survey showed that at least 56 percent of married women reported having experienced some form of domestic violence during their marital life.

A July 2012 report by the Center for Basic Research, a local research NGO, reported that 70 percent of women interviewed from eastern and northern regions had been beaten by their husbands. In addition the findings indicated that 17 percent of the same women had been raped, 23 percent forced into marriage, 1 percent denied inheritance rights, and 10 percent denied political rights.

Many law enforcement officials viewed wife beating as a husband's prerogative, as did the majority of the population, and police rarely intervened in cases of domestic violence. Between January and September, the government arrested 17 persons for domestic violence offenses. For example, on September 10, a court in Mukono District sentenced Yoweri Egesa to 10 years in prison for killing his wife following a domestic dispute on March 12.

On July 19, the Ministry of Gender, Labor, and Social Development launched an intensive media campaign across the country to prevent violence against children and women.

Female Genital Mutilation/Cutting (FGM/C): The law and constitution prohibit FGM/C and establish a maximum penalty of life imprisonment. Neither culture, religion, nor the consent of the victim is an allowable defense. The government, women's groups, and international organizations continued to combat the practice through education. These programs, which received some support from local leaders, emphasized close cooperation with traditional authority figures and peer counseling. Nevertheless, the Sabiny ethnic group in rural Kapchorwa District and the Pokot ethnic group along the northeastern border with Kenya continued to practice FGM/C (see also section 6, Children). FGM/C is practiced during even-numbered years; therefore, no reports of FGM/C were received during the year.

On February 5, during celebrations to commemorate the International Day against FGM/C, the government issued a warning that anyone found practicing FGM/C would face legal consequences.

In September the Reproductive Education and Community Health program, a local NGO that monitors the prevalence of FGM/C, received reports that 120 women were victims of the practice in 2012.

In December 2012 police in Bukwo District arrested Danis Kokop, Kissa Kokop, and Rholah Kokop for conducting FGM/C on 20 women in Bukwo District. In January the court released the suspects and dismissed the case for lack of witnesses.

Sexual Harassment: The law criminalizes sexual harassment with penalties of up to 14 years' imprisonment, but authorities did not effectively enforce it. Sexual harassment was a serious and widespread problem in schools, universities, and workplaces.

Reproductive Rights: There are no laws restricting couples or individuals from deciding the number, spacing, and timing of their children. There are no laws restricting access to reproductive information or otherwise limiting such access through discrimination, coercion, and violence. Family planning information and assistance were difficult to obtain, however, particularly in rural areas, where there were few health clinics. Eighteen percent of women and girls between the ages of 15 and 49 used a modern method of contraception. Women also faced challenges of religious restrictions imposed by their faiths.

UN Population Fund (UNFPA) officials reported that the maternal mortality rate rose to 438 per 100,000 live births, as compared with 435 in 2012. Skilled health personnel attended 42 percent of births. Health officials attributed the high maternal mortality rate to medical complications based on excessive bleeding after birth, obstructed labor, high blood pressure, malaria, a shortage of staff to attend to mothers, and delivery outside of health facilities.

Discrimination: The law invests women with the same legal status and rights as men. Discrimination against women, however, continued to be widespread, especially in rural areas. Many customary laws discriminate against women in adoption, marriage, divorce, and inheritance. Under local customary law in many areas, women cannot own or inherit property or retain custody of their children. Traditional divorce law in many areas requires women to meet stricter evidentiary standards than men to prove adultery. Polygyny is legal under both customary and Islamic law, and in some ethnic groups men can "inherit" the widows of their deceased brothers.

Women also experienced economic discrimination in access to employment, credit, income, business ownership, and senior or managerial positions. Women and girls had equal access to educational opportunities. The Employment Act of 2006 states that “every employer shall pay males and females equal remuneration for work of equal value.” A 2009 study by the Ministry of Finance, Planning, and Economic Development, however, found women were disadvantaged in the labor market and their monthly wage was approximately 30 percent less than the average wage of men. The gender pay gap narrowed as women advanced in their careers and acquired more experience and power.

Eliminating gender inequality remained a high priority for the government, which, in conjunction with NGOs and women’s rights groups, sponsored workshops and training sessions throughout the country to increase awareness of women’s rights.

Children

Birth Registration: The law accords citizenship to children born in or outside the country if at least one parent or one grandparent held Ugandan citizenship at the time of the child’s birth. Children under the age of 18 who are abandoned in the country with no known parents are considered citizens, as are children under the age of 18 adopted by Ugandan parents.

The law requires citizens to register a birth within three months. According to the 2011 Uganda Demographic and Health Survey, only 29 percent of rural and 38 percent of urban births were registered. Persons who cannot afford the birth registration fees do not participate in the registration process, but they are not denied citizenship.

Lack of birth registration generally did not result in denial of public services. Many primary schools, however, required birth certificates for enrollment, especially those in urban centers. Enrollment in secondary schools, university, and other tertiary institutions required birth certificates. In 2011 the Uganda Registration Services Bureau (URSB), the government agency responsible for recording births and deaths, established a computerized system, known as the Mobile Vital Records System, which used mobile telephones to deliver timely and accurate records. The system enabled officials to send details of births and deaths as a text message to the central server at URSB headquarters in Kampala. URSB officials reported that, between January and July, an estimated 239,548 children under the age of five were registered. The records system operated in 135 hospitals spread over 30 districts in the country.

Child Abuse: Child abuse remained a serious problem, particularly rape and sexual abuse of girls, and recorded cases greatly understated the pervasiveness of abuse.

According to the 2012 annual police crime report, defilement (akin to statutory rape) remained the most common crime committed against children, with 8,076 cases recorded. The report also registered 530 cases of rape, 71 of child trafficking, three of child sacrifice, 9,809 of child neglect, 2,437 of child desertion, 1,502 of child abuse and torture, 170 of kidnapping, 104 of infanticide, and 403 of other sexual-related offenses, including assault and incest. The government worked with UNICEF and NGOs, including Save the Children and the African Network for the Prevention and Protection against Child Abuse and Neglect (ANPPCAN), to combat child abuse.

Corporal punishment remained a problem in some schools and sometimes resulted in death. For example, on September 17, police in Rakai District arrested Stanley Tusubira, a teacher at Miracle Academy School, for the death of Jane Kirabo Nakiganda, a seventh-grade pupil, who died after she was reportedly caned for allegedly stealing 3,000 shillings (\$1.20). Police stated that Tusubira may face charges of murder.

A June report released by ANPPCAN recorded 247 cases of physical abuse of children in 10 districts, including Kampala, Jinja, and Mukono.

In August 2012 the government newspaper *Saturday Vision* reported corporal punishment was pervasive in primary schools in the greater Kampala area, despite a government directive prohibiting the practice. The report indicated that, in 29 of the 30 schools surveyed in greater Kampala, pupils were caned for offences ranging from giving wrong answers to speaking in their vernacular language instead of English.

There were numerous reports of ritual sacrifice of children during the year. The government took some steps to address this problem. For example, on January 11, the Mukono District High Court sentenced three persons – traditional healer Muzamiru Mukalazi, Anthony Ssendikadiwa, and Ivan Nyombi – to 25 years in prison for the ritual killing of six-year-old Emmanuel Kironde in 2009.

Perpetrators of sexual abuse often were family members, neighbors, or teachers. In 2009 the UPF began providing free rape and defilement medical examinations

throughout the country to assist investigations. Victims of rape and defilement received free medical examinations at Mulago Hospital in Kampala.

Forced and Early Marriage: The legal minimum age for marriage is 18, but authorities did not enforce the law. Marriage of underage girls by parental arrangement was common, particularly in rural areas. Local NGOs and the police Family and Children Unit reported that acute poverty forced some parents to give away their children, including girls as young as 12, for early marriage and sexual arrangements.

On August 6, police in Mayuge District arrested Saleh Kawanga, a resident of Namugongo, for marrying a fifth-grade student after he paid 50,000 shillings (\$20) to her mother as a dowry. Police detained Kawanga pending an investigation.

In December 2012 police in Mbarara District arrested 16 family members who allegedly forced a 13-year-old girl to marry. Police reported that the case was closed, and the suspects were released after the witness disappeared in January.

A March research report released by Joy for Children, a local NGO based in the western region, indicated that 67 percent of parents in the districts of Kabarole, Kyenjojo, and Bundibugyo married off their daughters in return for dowry. Another survey, conducted by World Vision in the districts of Hoima, Kiboga, Kyakwanzi, Oyam, Soroti, and Masaka, indicated that 70 percent of girls were married before age 18. According to the UNFPA, the prevalence rate for early and forced marriage was almost 46 percent for girls who were 15 and older.

The law considers sexual contact outside marriage with girls less than 18 years of age, regardless of consent or age of the perpetrator, as “defilement” and carries a maximum penalty of death. Such cases often were settled by a payment to the girl’s parents.

Harmful Traditional Practices: The law and constitution prohibit FGM/C and other related activities and establish a maximum penalty of life imprisonment. FGM/C is carried out in even years; therefore, there were no reports that girls were subjected to FGM/C during the year (see section 6, Women).

Sexual Exploitation of Children: Commercial sexual exploitation of children was a problem.

While the law prohibits sexual exploitation of children, the government did not enforce the law effectively, and the problem was extensive. The minimum age for consensual sex is 18. The law prohibits child pornography. On May 23, the Masaka High Court referred the March 2012 case against Emin Baro, a Turkish citizen, on charges of aggravated defilement to the Kampala High Court. The trial was pending at year's end.

Child Soldiers: Although LRA members who were abducted as children continued to leave the LRA and return home, an estimated 250 LRA fighters remained in the region. Despite a significant reduction in LRA size since 2008 due to military operations, the LRA continued to hold women and children against their will, and the LRA increasingly abducted children from neighboring countries. The government led regional efforts, backed by an African Union-mandated mission, to counter the influence of the LRA in coordination with South Sudan, the Central African Republic, and the DRC.

Infanticide or Infanticide of Children with Disabilities: According to the 2012 annual police crime report, there were 104 infanticides reported that year.

Displaced Children: Families from the farming regions of Karamoja sent many children to Kampala during the dry season to find food and work, and most of them ended up begging on the streets. Police routinely rounded up street children and relocated them to a custodial home for juvenile delinquents, where staff attempted to locate the children's families and return them to their homes. During the year authorities rounded up 70 street children and took them to Masulita Children's Home, operated by Uganda Women's Efforts to Save Orphans, a local NGO supported by the First Lady Janet Museveni.

Institutionalized Children: There were reports of abuses in several orphanages. Of the 412 orphanages operating in the country, only 80 were formally registered. The government lacked the ability to manage registration and monitoring of orphanages.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction.

Anti-Semitism

The Jewish community was small, and there were no reports of anti-Semitic acts.

Trafficking in Persons

See the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/.

Persons with Disabilities

The law prohibits discrimination against persons with physical, sensory, intellectual, or mental disabilities in employment, education, air travel and other transportation, access to health care, and the provision of other state services. The government did not enforce the law effectively, however, and persons with disabilities faced societal discrimination and limited job and educational opportunities. The UHRC also received complaints of discrimination in employment and access to transport and other public services.

Most schools in the country did not accommodate persons with disabilities. In April 2012 the government launched a program on special needs and inclusive education to enhance education of children with disabilities.

The UCC noted a decline in compliance with its June 2012 deadline for all television programming to carry sign language interpretation. UCC officials reported that only five Kampala-based stations partially complied with the requirement, using sign language interpreters only on Sunday. On September 30, the UCC threatened to revoke the licenses of broadcasting stations if they did not comply but subsequently took no action against the stations.

In March health officials reported that parents in the West Nile region hid children with disabilities, claiming they were an embarrassment to the community. As a result many were neglected and left without adequate access to health care.

On April 23, the National Union of Disabled Persons of Uganda released a report that indicated gaps in the legal system caused persons with disabilities to face challenges in accessing justice. The report indicated that many courts were inaccessible and did not provide sign language interpreters.

An August study conducted by architects in Kampala indicated that 95 percent of the buildings in the city were inaccessible to persons with special needs. Study findings showed that most buildings did not have ramps or elevators.

A July 2012 report released by the National Council on Disability (NCD) indicated that 55 percent of persons with disabilities lacked functional literacy skills and that only 33 percent studied to primary grade seven. The report found that some children with mental disabilities were sometimes denied food and were tied to trees and beds with ropes to control their movements. The report further stated that the needs of children with autism and learning difficulties were ignored due to an insufficient number of special needs schools.

The law reserves five seats in the National Assembly for representatives of persons with disabilities. The NCD, however, reported that participation by persons with disabilities in elections was minimal because they could not access polling centers due to physical barriers, election materials did not accommodate persons with visual disabilities, and polling stations lacked support services such as guides, helpers, and sign language interpreters. The NCD also noted that the civic education offered by the government to citizens was inaccessible to many persons with disabilities, since it was done through electronic and print media.

Government agencies responsible for protecting the rights of persons with disabilities included the Ministry of State for Disabled Persons, the NCD, and the Ministry of Gender, Labor, and Social Development, but these entities lacked sufficient funding to undertake any significant initiatives.

National/Racial/Ethnic Minorities

There were isolated reports of violence between ethnic minorities in some parts of the country. For example, on March 15, tribal clashes between the Atek-Okwero Wee and Arak-Ongaoda to avenge the death of a member of an Acholi ethnic tribe left several persons injured, approximately 54 huts burned, and at least 150 persons displaced.

Indigenous People

The government displaced the Batwa ethnic group, which has an estimated 6,700 members, in 1992 when it created Mgahinga National Park, Bwindi Impenetrable National Park, and Echuya Central Forest Reserve. The displacement compounded challenges faced by the Batwa, including limited access to education, health care, land, and economic opportunities.

Societal Abuses, Discrimination, and Acts of Violence Based on Sexual Orientation and Gender Identity

LGBT persons faced discrimination and legal restrictions. Consensual same-sex sexual conduct is illegal, according to a colonial-era law that criminalizes “carnal knowledge of any person against the order of nature” and provides a penalty up to life imprisonment. While authorities did not convict any persons under the law, the government arrested persons for related offenses. Several LGBT persons were charged with engaging in “acts against the order of nature” and indecency. Their cases were pending at year’s end.

On January 14, Human Rights Awareness and Promotion Forum-Uganda reported that, of the 15 LGBT organization that had submitted applications, eight organizations were registered with the URSB and had certificates of incorporation issued while three were pending registration. The URSB rejected the application of Sexual Minorities Uganda’s (SMUG) on grounds that the name was not clear.

On February 9, police in Kampala arrested Patrick Musoke, a member of Kampus Liberty Uganda, on suspicion of engaging in unnatural acts under article 145 of the penal code. Offenses mentioned in the article include sexual acts “against the order of nature” and with animals. On February 21, police released Musoke on bail, and hearing of the case was pending.

In April 2012 a court in Iganga District remanded Richard Nyeusi Mulwo, deputy head teacher of Bulumwaki Primary School, for trial in the High Court for “engaging in unnatural (homosexual) activities.” At year’s end the trial was pending.

On January 2, a magistrate’s court dismissed the September 2012 case of promoting homosexual activity against British theater producer David Edwards Cecil for lack of evidence. The magistrate stated that prosecutors had failed to produce a single witness to testify against the producer. On February 6, authorities reportedly deported Cecil to the United Kingdom.

LGBT persons were subject to societal harassment, discrimination, intimidation, and threats to their well-being and were denied access to health services.

During the year some religious leaders and political leaders delivered church sermons and wrote articles to lobby the public against LGBT persons.

Unlike in the previous year, the government did not block meetings organized by LGBT groups.

A hearing on the March 2012 petition filed by four LGBT activists in the High Court accusing the minister of ethics and integrity and the attorney general of illegally closing a workshop organized by Freedom and Roam Uganda in Entebbe in February 2012 was pending at year's end.

There were no developments regarding the Constitutional Court's deliberations on a petition filed in 2009 challenging the constitutionality of a law that prevents the Equal Opportunities Commission from investigating "any matter involving behavior which is considered to be (i) immoral and socially harmful or (ii) unacceptable by the majority of the cultural and social communities in Uganda."

On December 20, the National Assembly passed the "Antihomosexuality Bill," first introduced in 2009. As of year's end, the text of the final bill was not available and it had not been enacted.

Other Societal Violence or Discrimination

Discrimination against persons with HIV/AIDS was common and prevented such persons from obtaining treatment and support. International and local NGOs, in cooperation with the government, sponsored public awareness campaigns to eliminate the stigma of HIV/AIDS. Counselors encouraged patients to be tested with their partners and family so that they all received information about HIV/AIDS. Persons with HIV/AIDS formed support groups to promote awareness in their communities. Authorities responded to cases of employment discrimination against persons with HIV/AIDS. For example, in February Masaka municipal authorities reinstated Florence Najjumba, a teacher who was dropped from the payroll after declaring she was HIV/AIDS-positive in 2010.

On September 6, National Assembly members on the HIV/AIDS committee launched a public campaign to build support for mandatory HIV testing. In line with the proposal, on September 19, UPS authorities announced mandatory HIV testing for all prison wardens (but not guards) across the country.

NGOs reported that many HIV-positive inmates in prison did not have adequate access to antiretroviral medication, especially in rural areas, and that prison officials sometimes subjected HIV-positive inmates to hard labor (see section 7).

Mob violence was a problem. Mobs attacked persons suspected of stealing, ritual sacrifice, other crimes, and witchcraft, resulting in deaths. For example, on July 5,

a mob in Fort Portal town stoned to death two suspected thieves, David Mujungu and Adolf Byamukama. There was no investigation of the incident.

Authorities arrested several mob members. On June 29, police in Luwero District arrested five persons in connection with the mob killing of a suspected motorbike thief. Police detained the suspects, and an investigation was pending.

In July 2012 police in Luwero District arrested 10 persons in connection with the alleged vigilante killing of a suspected thief. The incident occurred on July 12, and investigation of the case was pending at year's end.

Section 7. Worker Rights

a. Freedom of Association and the Right to Collective Bargaining

The law allows workers, except for “essential” government employees, which includes police, army, and management-level officials, to form and join independent unions. All unions must be registered either under the National Organization of Trade Unions (NOTU), or the Confederation of Trade Unions. The law does not provide for the right to collective bargaining in the public service sector. In addition, the law does not explicitly provide for the right of trade union federations and confederations to engage in collective bargaining. A document of recognition must be obtained before unions could engage in collective bargaining. The law also provides that, in cases where a labor dispute reported to a labor officer is not referred to the Industrial Court within eight weeks from the time the report is made, any or both of the parties to the dispute may refer the dispute to the Industrial Court. The law also empowers the minister of labor to refer disputes to the Industrial Court when one or both parties to a dispute refuse to comply with the recommendations of the report issued by a board of inquiry. In this regard, the International Labor Organization (ILO) noted that recourse to compulsory arbitration is acceptable only for workers in essential services, in the strict sense of the term, and public employees engaged in the administration of the state. The law allows unions to conduct activities without interference, prohibits antiunion discrimination by an employer, and provides for reinstatement of workers dismissed for union activity, the right to strike, freedom of association, and the right to bargain collectively. Labor officials reported that domestic and agricultural workers as well as those in the informal sector are excluded from the protection of the labor laws.

The government did not effectively enforce applicable laws. The Ministry of Gender, Labor, and Social Development was not adequately funded, which resulted in failure to undertake labor inspections; hence, there were no procedural requirements.

Freedom of association and the right to collective bargaining were generally not respected, and the government did not always protect these rights. NOTU officials reported some employers used a “recognition agreement” to allow union operations at the workplace. As in the previous year, labor activists reported that government oversight of labor practices was poor and that the Ministry of Gender, Labor, and Social Development was underfunded and understaffed. Labor inspectors were present in only 44 of the 112 districts. Most employers did not give employees written contracts of employment, resulting in lack of job security and union representation.

Worker organizations were independent of the government and political parties. Four members of the ruling NRM party and one independent legislator held the five seats set aside in the National Assembly for workers. Activists claimed the National Assembly members did not always represent the interests of workers in connection with a dispute between the teacher’s union and the government over salary increases.

The government signed a recognition agreement with the public service unions, although the Uganda Public Employees Union was inadvertently not included, according to union officials.

There were instances of government interference in union activity. For example, in November the minister of trade and industry was accused by workers’ representatives in the National Assembly of collaborating with investors to disrupt union activities at Wagaggai Flowers, Ltd. The farm workers went on a strike over low wages and poor working conditions on November 1, and 25 workers were dismissed for their involvement. On November 21, the Ministry of Gender, Labor, and Social Development instructed management to reinstate the dismissed workers.

As of September 30, local media reported 18 strikes over low salaries, wages, delayed salaries, and poor working conditions. Police occasionally used excessive force to disrupt striking workers. For example, on May 13, antiriot police used tear gas to disperse angry workers at the Darling hair manufacturing factory who were protesting low wages and harsh working conditions.

On September 28, police in Kampala seriously injured Suuna Kasim, a former employee of Mukwano who had gone to the offices to demand compensation from management after a machine he was operating cut off two of his fingers. Police removed Kasim from the factory premises, causing a kidney rupture and injuries. Authorities arrested five police officers – Samuel Okumu, Simon Peter Oswamu, Geoffrey Odong, Patrick Muwonge, and Alfa Lwanga – in connection with the incident. The officers appeared before the police disciplinary court on October 7. On November 28, the police court found all five guilty of misconduct and dismissed Okumu, Odong, Muwonge, and Lwanga. The court demoted Sergeant Oswamu to the rank of corporal. The officers were given 14 days to appeal the sentences.

On May 23, the government and officials from the Federation of Uganda Employers, NOTU, and the Central Organization of Free Trade Unions (COFTU) signed a National Tripartite Charter intended to serve as a legal framework for improving labor relations and reducing conflicts between employers and employees.

Antiunion discrimination occurred, and labor activists accused several companies of preventing employees from joining unions by denying promotions, not renewing work contracts, and sometimes refusing to recognize unions. For example, NOTU officials cited numerous companies that resisted trade unions, including telecommunications company MTN Uganda, Posta Uganda, and all Chinese and other Asian-managed firms. Labor activists reported workers in other sectors continued to lose their jobs because they joined unions. NOTU officials in particular cited several companies, including Kibimba Rice Scheme, Darling, Rarely Packaging Company, and Energo Construction, which threatened to exclude workers who joined unions from the company's pension fund. Other companies included television stations, such as Recod, Star, and GOTV, and telephone companies, such as Airtel, Mango, and Orange.

Public service unions, including medical staff and teachers, were able to negotiate salaries and employment terms for members. The government fixed salaries for "essential government employees," including police, military, and management-level officials.

In August 2012 the government inaugurated the National Negotiation and Consultation Council, a key step in the effort to negotiate the salary and welfare of government workers. The council was instrumental in negotiations with the

government for incremental salary increases on behalf of the Uganda National Teachers Union (UNATU) in 2012. In the agreement, the teachers were to receive a 20 percent increase in the first year, 15 percent in the second, and 15 percent in the third. The government reportedly increased teachers' salaries by 20 percent in the 2012/13 financial year (FY), but not in the following FY, resulting in a nationwide strike by teachers that started on September 16. Although they resumed teaching on September 26, it was not clear when the government would implement the teachers' salary increase. The government set up a committee to explore options regarding the teachers' demands, of which pay raises were one. UNATU reported that, during the strike, local government authorities in several districts, including Masaka, Luwero, Mpigi, Gulu, Bugiri, Jinja, and Moyo, intimidated teachers by threatening them with dismissals and other means of coercion. For example, three teachers from Moyo Primary School were ordered to resume teaching or vacate the staff quarters.

Labor activists reported some employers ignored the legal requirement to enter into collective bargaining agreements (CBAs) with registered unions. Labor activists also reported that some employers resorted to subcontracting and outsourcing services or hired workers temporarily to avoid CBAs. NOTU continued to report employers' requiring a document of recognition before unions could engage in collective bargaining. According to NOTU, 18 CBAs were signed during the year, while 13 others were under discussion.

b. Prohibition of Forced or Compulsory Labor

The law prohibits forced or compulsory labor, including by children, but does not expressly prohibit prison labor. The law states that prison labor becomes forced only if the worker is "hired out to or placed at the disposal of a private individual, company, or association." Certain laws, including the Public Order and Security Act of 1967 and many provisions of the penal code, impose penalties of imprisonment involving obligation to perform compulsory labor. The 1975 Community Farm Settlement Decree provides that any unemployed able-bodied person may be settled on any farm settlement and required to render service and that violation is punishable with a fine and imprisonment. The government did not effectively enforce the law. In April officials of Kids in Need, a local NGO, reported that, in collaboration with ILO and the government, a total of 2,800 children were withdrawn from forced labor and returned to study in the Entebbe area. In May the Uganda Women's Effort to Save Orphans, in collaboration with the government and with support from the Eliminating Child Labor in Tobacco Growing Foundation (ECLTG), launched a project (Realizing Livelihoods

Improvement through Savings and Education) in Hoima District to assist 5,600 children at risk of child labor in accessing quality education through school support packages. Founded in 2001, the ECLTG was a partnership of British American Tobacco, Ltd, in which farmers and trade unions in the country cooperated to protect children from child labor in tobacco growing areas.

There were reports that forced labor practices occurred, particularly in prisons (see section 1.c.). Prison officials allegedly hired out prisoners to work on private farms and construction sites, where prisoners were often overworked. Male prisoners performed arduous physical labor, while female prisoners produced marketable handicrafts, such as woven basketry. Compensation, when paid, generally was very low. Prisoners did not have savings accounts, but prison accounting staff recorded wages owed in a book, and prisoners had access to these funds.

Forced child labor also occurred, particularly in fishing, agriculture, and domestic service.

Also see the Department of State's *Trafficking in Persons Report* at www.state.gov/j/tip/.

c. Prohibition of Child Labor and Minimum Age for Employment

Labor regulations regarding children are contradictory. The law prohibits employers from hiring workers below the age of 18. The law prohibits children under 14 from being employed except in light work that does not interfere with the child's schooling. All children are prohibited from being employed during school hours. In contrast, regulations of the Ministry of Gender, Labor, and Social Development permit the employment of children between the ages of 14 and 18. Children who are 15 and older, who have completed their education and do not attend school, may work up to seven hours per day, not to exceed 35 hours per week. Under the law overtime is prohibited for children who are 15 to 17 years of age. The law allows 13-year-olds to engage in "light work," provided it does not interfere with their education. The law prohibits children from working from 7 p.m. to 7 a.m. and does not allow children to be employed in work that is "injurious to their health, dangerous or hazardous or otherwise unsuitable." The law provides for inspection of workplaces, identification of workplace hazards, and other related matters for all workers, including children. Child rights activists reported that children between the ages of five and 18 were employed.

Institutions responsible for enforcing child labor laws and policies included the National Council of Children, the police force's Child and Family Protection Unit, the Industrial Court, and the Ministry of Gender, Labor, and Social Development. Financial constraints limited efforts. For example, the Industrial Court lacked judges, so the High Court or the magistrates' courts handled labor disputes. The ministry provided social services to children working in the worst forms of child labor and other vulnerable groups and conducted training for staff, local leaders, and district labor inspectors. The ministry employed 44 district labor officers, who were responsible for reporting on child labor issues. Due to lack of funds and logistical support, district labor officials had conducted no exclusive child labor inspections since 2004. During the year officials from the ministry's Occupational, Safety, and Health Department conducted 30 labor inspections with a child labor component in various districts. In February the ministry's Child Labor Unit conducted a child labor mapping exercise in several districts, including Tororo, Jinja, Mayuge, Nakasongola, Kyegegwa, Kabarole, Masindi, Hoima, Kibaale, Bushenyi, and Ishaka. The aim of the exercise was to collect data on the worst forms of child labor, monitor compliance with labor provisions, and establish awareness between employers and employees. In addition, unit officials disseminated information on child labor policy and the national action plan. A report of the findings was pending at year's end.

The government coordinated its efforts to stop child labor through the National Steering Committee on Child Labor, which included representatives of the Ministries of Gender, Labor, and Social Development; Education and Sports; Local Government; Agriculture; and Health. Also included were the National Council for Children, the UPF's Child and Family Protection Unit, the Federation of Uganda Employers, NOTU, COFTU, UNATU, NGOs, journalists, and academics. The steering committee last met on May 31.

The government cooperated with the ILO, foreign governments, and NGOs on several initiatives to combat child labor, including the education and reintegration of child laborers into their communities. In June 2012 the government initiated a national action plan for the elimination of the worst forms of child labor. The plan was the first stage to mobilize policy makers and the public to act and intensify awareness of the risks and consequences of child labor. Several human rights NGOs continued programs to remove children from hazardous work situations.

Child labor was common, especially in the informal sector. Exploitive and forced child labor predominantly occurred in rural areas in cattle herding, transport, mining, street vending, begging, scrap collecting, stone quarrying, brick making,

road construction and repair, car washing, fishing, domestic nanny and housekeeper services, bar or club service work, border smuggling, and commercial farming (including the production of tea, coffee, sugarcane, vanilla, tobacco, rice, cotton, charcoal, and palm oil). In urban areas, children sold small items on the street, worked in shops, begged for money, and were exploited in the commercial sex industry. Many children left school and engaged in agricultural or domestic work to help meet expenses or perform the work of absent or sick parents, a situation common throughout the country. The problem was particularly acute among the large orphan population. According to UNICEF's *State of the World's Children 2012* report, 41 percent of child laborers between the ages of five to 14 were forced to work under poor conditions and poor health and safety standards.

Also see the Department of Labor's *Findings on the Worst Forms of Child Labor* at www.dol.gov/ilab/programs/ocft/tda.htm.

d. Acceptable Conditions of Work

The minimum legal wage was set in 1984 at 6,000 shillings (\$2.38) per month. In 2003 the government and the private sector negotiated a new rate of 54,000 shillings (\$21.45) per month, which the government had not implemented by year's end.

In industries that employed workers on an hourly basis, the normal workweek was 40 hours. The legal maximum workweek is 48 hours, and the maximum workday is 10 hours. The law may extend the workweek to 56 hours per week, including overtime, with employee agreement. An employee may work in excess of 10 hours a day if the average number of hours over a period of three weeks does not exceed 10 hours per day or 56 hours per week. The law provides for an employee who works in excess of 48 hours per week to be paid at a minimum rate of 1.5 times the normal hourly rate for the overtime hours and two times the hourly rate for work on public holidays. The law grants employees a 30-minute break for every eight-hour work shift. For every four months of continuous employment, an employee is entitled to seven days of paid annual leave. Many industries paid workers annual bonuses in lieu of overtime. Section 53 (8) of the 2006 Employment Act allows compulsory overtime for all workers. In 2011 the Uganda Local Government Workers Union petitioned the Constitutional Court, protesting discrimination in remuneration of employees doing the same work. Hearing of the petition was pending at year's end.

The law establishes occupational safety and health (OSH) standards, and the Ministry of Gender, Labor, and Social Development's Department of Occupational Health and Safety is responsible for enforcement of those regulations. The law covers all workers, including foreign and migrant workers. The law includes provisions for district labor inspectors to "secure the enforcement of legal provisions relating to conditions of work and the protection of workers while engaged in their work." Labor officials reported that OSH standards were reviewed in several sectors, including beer and other beverage production, sugar processing, and steel manufacturing.

Authorities did not effectively enforce the law due to a lack of vehicles and financial constraints. As a result, the Department of Occupational Health and Safety carried out few inspections during the year. NOTU officials claimed the government favored investors over workers, making it difficult for labor inspectors to enforce the law. The officials believed there was a deliberate government policy not to prevent violations or improve the wages or working conditions of workers.

NOTU officials reported that, since there was no minimum wage, employers determined salaries. Sometimes workers were paid as few as 50,000 shillings (\$20) per month. Workers in the informal sector were subject to hazardous working conditions. For example, officials reported that workers at Steel Rolling Mills, a major company, were not provided with protective gloves when handling hot metal. Violations of standard wages, overtime pay, or OSH standards were common in several sectors, including steel fabrication factories, domestic work, and the informal sector. There was no credible data available on the number of workers in the informal sector.

NOTU officials recorded nine deaths and two injuries during the year due to poor safety practices at several construction projects.