

# UGANDA 2015 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 re-elected Museveni to a fourth five-year term and returned an NRM majority to the unicameral Parliament in 2011. While the election marked an improvement over previous elections, it was marred by irregularities. Civilian authorities generally maintained effective control over the security forces.

The three most serious human rights problems in the country included: lack of respect for the integrity of the person (unlawful killings, torture, and other abuse of suspects and detainees); restrictions on civil liberties (freedoms of assembly, expression, the media, and association); and violence and discrimination against marginalized groups, such as women (sexual and gender-based violence), children (sexual abuse and ritual killing), persons with disabilities, and the lesbian, gay, bisexual, transgender, and intersex (LGBTI) community.

Other human rights problems included harsh prison conditions, arbitrary and politically motivated arrest and detention, lengthy pretrial detention, restrictions on the right to a fair trial, official corruption, societal or mob violence, trafficking in persons, and child labor.

Although the government occasionally took steps to punish officials who committed abuses, whether in the security services or elsewhere, impunity was a problem.

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

#### **a. Arbitrary or Unlawful Deprivation of Life**

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

On September 8, media reported security forces in Apaa Parish in the north shot and killed five persons during a land dispute over the government's border demarcation. Local residents also claimed authorities used tear gas and physically assaulted protesters. The Uganda Land Alliance reported 17 persons were

hospitalized, some of whom had bullet wounds. Police claimed they had not fired live ammunition and that they used reasonable force to disperse protesters.

On May 26, a court in Jinja acquitted police officers Patrick Nuwagaba and Julian Mucunguzi of murder in connection with the January 2014 killing of Rashid Ntale, a seventh-grade pupil shot when the officers fired on students rioting in the Bugembe sports stadium. The judge acquitted the officers due to inconclusive evidence following the failure of prosecution witnesses to testify.

There were developments in the July 2014 violence in the western Rwenzori region, in which more than 100 persons were killed in 13 coordinated attacks by ethnic groups and UPDF counterattacks. In the largest of the attacks, a group of ethnic Bakonzo attacked the Kanyamwirima army barracks in Bundibugyo. The Ugandan People's Defense Force (UPDF) reportedly killed up to 50 of the attackers and subsequently buried them in a mass grave along with other victims in Bundibugyo. Local politicians and lawyers claimed that the deceased included civilians caught in the crossfire as they ran toward the barracks to seek shelter, a charge denied by government and UPDF officials. From July 22 to 26, authorities exhumed the mass grave outside the army barracks and uncovered the bodies of 55 men and one woman. Of the 183 suspects arrested after the attacks, a court martial in Kasese convicted 11 civilians of murder on August 7 and sentenced them to 25 years' imprisonment; the other suspects were released.

There were also reports of targeted or politically motivated killings by nonstate actors. On March 30, unidentified gunmen shot and killed Joan Kagezi, the head of prosecution of the International Crimes Division of the High Court. Kagezi was handling several high profile cases, including prosecution of the suspects from the 2010 terrorist bombings in Kampala. The inspector general of police blamed the killing on the Allied Democratic Forces (ADF), a Ugandan rebel group based in the Democratic Republic of the Congo (DRC); 12 suspects were arrested. On November 18, the Directorate of Public Prosecutions (DPP) reported the evidence was inconclusive to warrant prosecution against any of the suspects and returned the file to the police for further investigation.

Unknown assailants killed two Muslim leaders during the year, and another three clerics escaped armed attack, bringing to nine the confirmed number of Muslim leaders killed since 2012. Most attacks were carried out in a similar manner, with a gunman firing shots from a motorcycle at close range. The government alleged the ADF ordered the killings. Most Muslim leaders disputed that allegation, and many posited that the killings related to a leadership struggle within the Tabliq sect

that follows the tenets of Salafist Islam. Unidentified individuals distributed a “hit list” of prominent Muslim leaders at certain mosques in Kampala, and police offered protection to those clerics and other prominent Muslim leaders. While police arrested scores of suspects, there were no convictions by year’s end.

On July 31, soldiers deployed to the African Union Mission in Somalia (AMISOM) shot and killed seven civilians attending a wedding party in Marka, Somalia. UPDF soldiers reportedly carried out the killings after a bomb attack on an AMISOM convoy. In August the African Union (AU) reported it indicted three of the soldiers who would be arraigned before a “military judicial process.” At year’s end the UPDF reported the three remained incarcerated and that investigations were being conducted by the AU and UPDF.

### **b. Disappearance**

Opposition activists reported politically motivated disappearances (see section 3), including that of Christopher Aine, who disappeared after police reportedly detained him on December 17; Aine was a campaign aide and private head of security for former prime minister and presidential aspirant Amama Mbabazi. Prior to Aine’s detention, police said they were tracking him and other suspects due to their purported involvement in political violence in Ntungamo District, during which more than 12 persons were injured. Associates of Aine denied he was involved in the incident. Authorities denied involvement in Aine’s disappearance or any other politically motivated disappearances. In September police arrested Aine following an altercation with police during a campaign rally in Jinja District. Police originally denied holding him but later released him.

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

The constitution and law prohibit such practices. The 2012 Antitorture Bill stipulates any person convicted of an act of torture may be subject to 15 years’ imprisonment, a fine of 7.2 million shillings (\$1,970), or both. The penalty for conviction of aggravated torture is life imprisonment.

There were credible reports security forces tortured and beat suspects. The Uganda Human Rights Commission (UHRC) and international and local human rights organizations reported incidents of torture by security forces, including rape, severe beating, and kicking.

Through June the UHRC awarded 520 million shillings (\$142,000) to victims of torture and other abuses. The director of litigation in the Office of the Attorney General, however, reported the government had not paid victims since May because the Ministry of Finance had not released money. Between January and June, the African Center for Treatment and Rehabilitation of Torture Victims (ACTV) registered 284 allegations of torture against police, 37 against the UPDF, 28 against local council officials, and 25 against crime preventers (individuals trained by police to provide village security). In addition the ACTV assisted 87 former Lord's Resistance Army (LRA) abductees in filing claims against the LRA for torture in years past.

Security force use of excessive force and torture during arrests and other law enforcement operations resulted in casualties. On April 1, UPDF soldiers and Uganda Police Force (UPF) officers injured 56 persons protesting their eviction during a land dispute in Akaa Parish. Protesters claimed security forces beat them with sticks and kicked them. The UPDF acknowledged the 4th Division was deployed in the area at the time and stated the allegations of brutality would be investigated.

There were numerous reports of torture and abuse in police detention facilities. For example, on June 8, the police Professional Standards Unit arrested Officer Orest Muhire in Kabale District for allegedly depriving five suspects in custody of food. Muhire was charged with assault and misconduct.

On May 9, the police spokesperson reported the conclusion of the investigation into the August 2014 alleged torture and extortion by police of Hassan Matovu, whose case was forwarded to the DPP for further advice. On November 19, however, the DPP's office in Mityana District reported it was unaware of the case.

The UPDF continued its investigation of a September 2014 Human Rights Watch report that documented 24 cases of sexual exploitation and abuse by Ugandan and Burundian AMISOM personnel. The UPDF sent two teams to Somalia to investigate the claims and identified five instances of consensual encounters. Three of those cases were linked to UPDF soldiers, who faced court martial charges for conduct prejudicial to good order and discipline under Section 178 of the UPDF Act. The UPDF investigation of the charges of sexual exploitation and abuse continued at year's end.

## **Prison and Detention Center Conditions**

Prison conditions remained poor and, in some cases, life threatening. Serious problems included long periods of pretrial custody, overcrowding, inadequate food, and understaffing. Local human rights groups, including the Foundation for Human Rights Initiatives (FHRI), received reports security forces and prison wardens tortured inmates, particularly in government prisons, military facilities, and unregistered detention centers. Reports of forced labor continued (see section 7.b.). Most prisons across the country were not designed to accommodate persons with disabilities.

Physical Conditions: Gross overcrowding remained a problem. On September 30, Uganda Prisons Service (UPS) spokesperson Frank Baine said a system with a maximum inmate capacity of 19,000 incarcerated more than 45,000 persons. Prison authorities blamed overcrowding on the criminal justice system because it did not process cases in a timely manner.

Although separate facilities existed for female prisoners in the central prisons, services and facilities for women in local prisons, including separate cells, were lacking in some areas. The UPS had no budget for accommodating pregnant women or mothers with infants but claimed all pregnant mothers received antenatal care services and special diets. In prisons where antenatal services were unavailable, pregnant inmates were referred to the nearest government hospital. As of August, 235 babies stayed in prison with their mothers. Some women's prisons also had day-care facilities. Due to lack of space in juvenile facilities, the prisons service held minors in prisons with adults. The UHRC observed that 91 juveniles were held in adult detention facilities in 2014. In Kampala authorities separated pretrial detainees from convicted prisoners but not elsewhere due to lack of space.

Unlike in the previous year, local human rights groups did not report any deaths of prisoners from abuse, although FHRI received reports of prison staff and fellow inmates beating and abusing prisoners.

Outside Kampala, some prisons lacked food, water, medical care, means to transport inmates to court, bedding, adequate infrastructure, and sanitation facilities. The UHRC inspected 180 of the country's 247 prisons and found only 100 of those inspected provided three meals a day to inmates. The UHRC found only 23 prisons had onsite provisions for the needs of expectant mothers and persons living with HIV/AIDS.

Administration: Recordkeeping remained a problem due to an insufficient number of computers and other technical problems. The UPS reported 10,542 minor criminal offenders had received the community service option since 2014.

The prisons service had an officer with the rank of commissioner who investigated and mediated complaints between management and prisoners. The prison ombudsman is responsible for ensuring that complaints, disputes, or deaths are verified or resolved as they occur. Prison authorities acknowledged a backlog in the investigation of complaints.

Independent Monitoring: Information was limited on conditions in unregistered and illegal detention facilities. Unlike in the previous year, local nongovernmental organizations (NGOs), including FHRI and Human Rights Network (HURINET), did not register any complaints of illegal or unregistered detention facilities or safe houses. Persons were held at unidentified facilities before being transferred to police facilities, according to media reports and unverified reports received by a foreign embassy.

Authorities allowed international NGOs, the International Committee of the Red Cross (ICRC), foreign diplomats, and local NGOs to conduct prison visits with advance notification. FHRI inspected 31 prisons during the year.

Improvements: The government took several steps to improve prison conditions. In April prison authorities hired 1,228 staff, bringing the total number of prison staff to 7,448. According to Commissioner General of Prisons John Byabashaija, staff levels still were inadequate. The UPS reported funds were allocated to provide flush toilets in the remaining 58 of 247 prisons that had none.

#### **d. Arbitrary Arrest or Detention**

Although the constitution and law prohibit such practices, security forces often arbitrarily arrested and detained persons, including opposition leaders, politicians, activists, demonstrators, and journalists.

#### **Role of the Police and Security Apparatus**

The UPF, under the Ministry of Internal Affairs, has primary responsibility for law enforcement. The UPDF, under the Ministry of Defense, is charged with external security. The UPDF Act also authorizes the UPDF to aid civil authorities in instances of riots or other disturbances of the peace. The Internal Security

Organization and External Security Organization--security agencies and intelligence-gathering entities under the Ministry of Security--occasionally detained civilians. The Chieftaincy of Military Intelligence is legally under UPDF authority and may detain civilians suspected of rebel or terrorist activity. Other agencies included the Directorate of Counter Terrorism, the Joint Intelligence Committee, Special Forces Brigade, Special Revenue Protection Unit, Popular Intelligence Network, and the State House Counterintelligence Unit, among others.

The UPF was constrained by limited resources, including low pay and lack of vehicles, equipment, and training. The UPF's Professional Standards Unit (PSU) investigated complaints of police abuse, including torture, assault, unlawful arrest and detention, death in custody, mismanagement of case documentation, and corrupt practices. The UPF was the sole government agency with responsibility for investigating charges of impunity. As of September the PSU registered 172 complaints of human rights violations by police officers.

In conjunction with the UHRC and international organizations, including the ICRC and the UN Office of the High Commissioner for Human Rights, the UPDF and UPF trained officers in internationally recognized human rights standards. During the year the UHRC trained 1,110 police officers in human rights and the 2012 Prevention and Prohibition of Torture Act. The UPF, UPDF, and UPS also used human rights manuals in their training programs.

The UPF, through its community policing initiative, trained civilian youths as "crime preventers." Crime preventers, who receive one to two months of training, have authority to arrest suspects and nominally are under the authority of district police commanders. Estimates varied as to how many crime preventers had been trained. UPF officials stated they aimed to place 30 trained crime preventers in each village in the country.

On August 30, Dennis Wangutu, a crime preventer in Bududa District, reportedly shot and killed 16-year-old Daniel Wanzama, whose soccer ball hit a police post. Police arrested the crime preventer and an officer who was in charge of the station. According to media, a police investigation continued at year's end.

Impunity was a problem. Trials of security forces officers accused of using excessive force were frequently delayed due to weaknesses in investigative mechanisms, and 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, unless an arrest is made during commission of a crime or while in pursuit of a perpetrator. Authorities often arrested suspects without warrants in other circumstances, however. The law requires authorities to charge suspects within 48 hours of arrest, but they frequently held suspects longer. Authorities must try suspects arrested under the Antiterrorism Law 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 the law requires authorities to inform detainees immediately of the reasons for detention, they did not always do so. The law provides for bail at the discretion of the judge. 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.

During the year complaints of incommunicado detention dropped dramatically. In contrast with 2014, FHRI and HURINET did not register any complaints concerning incommunicado detention. A foreign embassy, however, received reports of political activists held incommunicado in unmarked facilities (see section 3).

Arbitrary Arrest: Arbitrary arrests during police sweeps remained a problem, as were arbitrary arrests allegedly based on preventive action, suspicion of treason, disobeying lawful orders, and incitement of violence charges.

On October 15, police arrested and detained presidential aspirant Kizza Besigye--former head of the opposition Forum for Democratic Change (FDC)--and FDC spokesperson Ssemujja Nganda to prevent them from attending a rally in Iganga District and the openings of party offices in Kampala suburbs. Police preventively arrested both as they deemed the rally a “campaign” being held in violation of Electoral Commission rules. The FDC maintained the rally was a legal “party mobilization” event. Police released Besigye and Nganda the same day without charge.

Arrest cases from previous years continued in court. For example, on November 5, activists Jonathan Odur and David Angulu appeared in court again following their February 2014 arrest for disobeying lawful orders and participating in unlawful assembly. The court adjourned their case to February 1, 2016.



Trials in the 2012 treason case against FDC deputy electoral commissioner Michael Kabaziguruka, FDC chairperson for Ntungamo District John Kareebe, former UPDF soldier Frederick Namara, and primary school teacher John Rutagorwa had not begun by year's end. The suspects remained free on bail but were required to report monthly to court.

Pretrial Detention: Case backlogs in the judicial system routinely contributed to pretrial detentions of two to three years but sometimes extended to seven years. The UPS reported that more than 54 percent of inmates were pretrial detainees.

Suspects complained of long periods of pretrial custody. FHRI reported police arrested Moses Tumusime in 2008 on murder charges. He last appeared in court in 2008 and remained in custody in Kitalya Prison. In November the officer in charge of the prison reported that Tumusime was still held on remand and that his file was sent to the High Court in 2012.

Amnesty: In June the minister of internal affairs, based on powers enumerated in the Amnesty Act, extended the act for 24 months. Since 2000 the government has offered blanket, unconditional amnesty for all crimes committed by individuals who engaged in war or armed rebellion against the government. Between January and June, the Uganda Amnesty Commission processed 28 cases, of which 17 were LRA returnees.

On April 8, the Supreme Court ordered Thomas Kwoyelo, a former LRA rebel, to be tried in the International Crimes Division section of the High Court, overturning a 2011 Constitutional Court ruling that Kwoyelo should receive amnesty (see section 5).

#### **e. Denial of Fair Public Trial**

The constitution and law provide for an independent judiciary, and the government generally respected this provision. Corruption, understaffing, and inefficiency were problems in the lower courts. Authorities generally respected court orders.

The president appoints Supreme Court, Court of Appeal, and High Court judges, and members of the Judicial Service Commission (which makes recommendations on appointments to the judiciary), with the approval of Parliament.

A shortage of judges in the Supreme Court, Constitutional Court, High Court, and the lower courts affected the delivery of justice during the year, since the lack of a judicial quorum meant cases could not be heard. On March 5, after nearly two years without a chief justice, the president appointed the most senior judge of the Supreme Court, Justice Bart Katureebe, as chief justice.

Judicial corruption was a problem, especially in the lower courts. The media reported numerous instances of magistrates arrested for taking bribes. On March 6, lawyer Bakampa Brian Baryaguma stated court clerks at Nakawa High Court demanded bribes when he attempted to file a bail application for a client held in pretrial detention since 2011.

According to section 119 of the UPDF Act, civilian suspects may be tried by court martial if they attack the military with firearms, accompany military officers in an attack, or are found in illegal possession of firearms. Military law establishes a court martial appeals process. Only senior UPDF leadership may grant appeals of sentences, including the death penalty. If deemed exigent military authorities may convene a field court martial at the scene of an alleged crime. The law does not permit appeal of a field court martial conviction.

On August 7, a court martial in Kasese District convicted 11 civilians of murder and sentenced them to 25 years' imprisonment (see section 1.a).

### **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; 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 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 may not be compelled to testify or to confess guilt. These rights extend to all groups.

## **Political Prisoners and Detainees**

During the year authorities detained several opposition politicians and activists on politically motivated grounds for short periods (see section 3). Authorities released many of them without charge but charged others with crimes such as terrorism, treason, inciting violence, holding illegal meetings, and abuse of office.

On July 9, police arrested and detained two presidential aspirants--the FDC's Kizza Besigye and former prime minister Amama Mbabazi--in separate incidents. Before they could attend planned political consultations and public rallies, police placed both under preventive arrest. Police claimed they arrested Besigye because of intelligence indicating he would "compromise security." Police further stated that Mbabazi's planned rally was illegal because his political party had not endorsed him as a presidential aspirant and that his planned rally was in violation of the Public Order Management Act. Both denied the allegations and were released the same day.

The 2011 terrorism case against Democratic Party activist Annet Namwanga and nine others continued; the suspects remained free on bail. The next hearing was scheduled for March 14, 2016.

## **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 may 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, but there were reports the government failed to respect these prohibitions. Police did not always obtain search warrants, as required by law, to enter private homes and offices.

The Antiterrorism Act and the Regulation of Interception of Communications Bill authorize government security agencies to tap private conversations as part of efforts to combat terrorism-related offenses. The government utilized both statutes to monitor telephone and internet communications.

The government encouraged university students and government officials, including members of the judiciary, 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 and opposition politicians reported authorities 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 restricted these rights.

Freedom of Speech and Expression: Security forces and government officials occasionally interrogated and detained radio presenters and political leaders who made public statements critical of the government and used slander laws and national security as grounds to restrict freedom of speech.

On July 21, police arrested and detained a Jal Fresh radio talk show host, Payira Bonny, and his three panelists--Okot Thomas, Okyak Silva, and Agwen Samuel--for allegedly using abusive language against the president when they criticized a road project in the area. Police held the four for three nights and then released them on bond. Payira stated the radio station management cancelled the talk show and temporarily suspended him.

Unlike in the previous year, there were no reports the government deployed officials to monitor public meetings in schools to prevent students from holding debates about a successor to the president.

Press and Media Freedoms: The UPF’s Media Crimes Unit closely monitored all radio, television, and print media, and security forces subjected numerous journalists to harassment, intimidation, and arrest. There were private rural radio stations, but government officials and ruling party members owned many of them and imposed reporting restrictions.

On July 8, the executive director of the Uganda Communications Commission, Godfrey Mutabazi, issued a directive to all media broadcasting houses against “negative and unprofessional trends such as lack of balance, sensationalism, incitement, abusive language, and relying on unauthorized and unreliable sources of information.” Mutabazi based the directive on section 31 of the Uganda Communication Commissions Act.

On October 14, Inspector General of Police Kale Kayihura publicly warned media regarding its coverage of opposition events. Kayihura accused some journalists of being embedded in opposition groups and said he was “ready to go after” any member of media engaged in partisan politics.

Violence and Harassment: Security forces assaulted, harassed, and intimidated journalists. On January 12, Joram Mwesigye, a divisional police commander in Kampala, beat two journalists covering a youth protest against unemployment. The journalists, Andrew Lwanga and Joseph Ssettimba, were hospitalized due to the beatings.

Police arbitrarily arrested and detained journalists. On August 2, police arrested Pison Mugizi and Robert Bingana of Eshato Publications for publishing a magazine that included a public message from presidential aspirant Amama Mbabazi. The North Ankole Diocese contracted Eshato Publications to create a magazine for the consecration of a new bishop. To fund the publication, the company sold advertising space to those who wanted to congratulate the bishop, and included a paid congratulatory message from Mbabazi. Security forces confiscated all copies of the magazine, including those already distributed. Mugizi and Bingana were released without charge.

On September 23, counterterrorism police arrested and detained court reporter Derrick Kiyonga on suspicion of passing messages from suspects to their lawyers in a 2010 terrorism case. Presiding judge Alphonse Owiny Dollo suspended court proceedings until police produced Kiyonga later that day and warned police against intimidating journalists. The police deputy spokesperson said Kiyonga was arrested for “doing work that was not his.” Police released Kiyonga the same day without charge.

On July 3, the Constitutional Court nullified the parliamentary ban against *Observer* journalists David Tash Lumu and Sulamain Kakaire. In 2013 Speaker of Parliament Rebecca Kadaga banned the journalists from covering Parliament after

they published a story she claimed was not factual. The Constitutional Court also ordered Parliament to allow parliamentary access to Lumu and Kakaire.

Censorship or Content Restrictions: To avoid government intimidation or harassment, many print and broadcast journalists practiced self-censorship, particularly when reporting on the president or his family, senior members of the ruling NRM party, security forces, or the exploration and use of oil resources. Many rural radio stations claimed unnamed government officials ordered them to deny broadcast time to opposition politicians, and police questioned several radio hosts for having opposition members on their shows. Media activists reported authorities censored footage, especially of protests or demonstrations. The African Center for Media Excellence stated that self-censorship by editors and journalists was rampant, largely due to fear that negative stories about the government and large corporations could adversely affect their advertising revenue.

On July 21, station management of Baba FM, which is owned by NRM Member of Parliament and former party district chair Moses Balyeku, reportedly switched off the station five minutes into a one-hour talk show featuring opposition leader Kizza Besigye. Management also suspended Innocent Anyole and David Isabirye for hosting Besigye. A third journalist, Alton Kasolo, was reportedly suspended for posting pro-opposition messages on his Facebook page.

Libel/Slander Laws: Authorities used libel and slander laws to suppress criticism of government officials. The Human Rights Network for Journalists reported that eight journalists faced defamation cases as of November.

On April 22, in Bushenyi District, police arrested Zadock Amanyisa for “publication of false news” after he criticized a speech by Security Minister Mary Karoro Okurut. Police acknowledged they initially arrested the journalist under Section 50 of the Penal Code Act, a law declared unconstitutional and repealed in 2004. Authorities eventually dropped charges against the journalist.

## **Internet Freedom**

There were no reports the government attempted to restrict or disrupt access to the internet or censor online content. The government monitored internet communication in accordance with the Antiterrorism Act, the Regulation of Interception of Communications Bill, and the Computer Misuse Act. According to 2014 statistics from the International Telecommunication Union, approximately 18 percent of the population used the internet during the year.

On January 8, the Uganda Communications Commission and police signed a memorandum of understanding to share information on internet users and content published online. The government maintained cyber units in its security agencies. Throughout the year officials warned of possible restrictions on social media platforms. For example, on September 17, State Minister for Internal Affairs James Baba warned against misusing social media and said the government would create a legal framework to crack down on those who used social media to spread lies and malicious information.

On June 8, police arrested Robert Shaka under Section 25 of the Computer Misuse Act, alleging he published “offensive communication” online under the pseudonym Tom Voltaire Okwalinga; Shaka was the first person to be charged under the Computer Misuse Act. Police alleged Shaka violated the president’s privacy by posting statements about the president’s health on Facebook. He was released on bail, and the case continued at year’s end.

### **Academic Freedom and Cultural Events**

Unlike in the previous year, the government generally respected academic freedom. Authorities required research clearance from the Uganda National Council for Science and Technology, but university officials did not report unnecessary delays or political interference.

### **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. The 2013 Public Order Management Act places a significant bureaucratic burden on those wishing to organize or host gatherings and grants the UPF authority to prevent gatherings. Opposition and civil society activists reported the UPF routinely denied permission on technicalities. In many instances the UPF gave no official response to requests to hold public meetings, instructed applicants not to assemble, or dispersed meetings after permission was granted.

On March 20, police dispersed a rally organized by the National Association of the Unemployed in Nateete, a suburb of Kampala. Police deployed antiriot police, police dogs, and four teargas trucks and then sealed off the venue because

opposition leader Kizza Besigye was scheduled to address the rally. Police claimed Besigye's presence was likely to "disturb peace and cause disorder." Organizers claimed authorities gave them permission on March 19 to host the event.

Opposition political parties, NRM party members critical of Museveni and his continued rule, and civil society critics claimed authorities particularly restricted their right to assemble.

On September 9, at least four persons, including three police officers, were injured as police dispersed crowds gathered for presidential aspirant Amama Mbabazi's rally in Jinja District. Authorities claimed the presidential campaign period had not begun and it was therefore illegal for Mbabazi to hold campaign-style public rallies. Opposition leaders noted that authorities allowed the president and the ruling NRM to hold similar rallies and events.

The media also reported several cases of police actively facilitating meetings organized by supporters of the president. For example, on June 22, NRM youth held a rally in Kisenyi, a Kampala suburb, where State Minister for Youth Evelyn Anite promoted the president's candidacy. District Police Commander Emmanuel Ocamringa said the rally was allowed because the ruling NRM needed "to sensitize" the community.

Police used their legal powers of "preventive arrest"--which allow police to remove and detain persons to prevent them from committing an offense--to harass opposition leaders. Police preventively arrested several opposition leaders during attempts to hold meetings and processions and later released them. On several occasions police confined Besigye and other opposition leaders to their residences to prevent them from participating in events. For example, on May 20, police used preventive arrests to stop Besigye and Erias Lukwago from leaving their houses to attend a parliamentary committee meeting where they were invited to discuss proposed constitutional reforms. Police accused the two leaders of seeking to cause chaos.

Police often used excessive force to disperse protests and public rallies or arrest opposition activists. On October 10, police caused a series of automobile collisions by setting spikes as a roadblock to prevent presidential aspirant Kizza Besigye from traveling to the Rukungiri District for planned party assemblies. Those involved claimed police also manhandled and stripped a female activist traveling with the group, while police claimed the woman undressed on her own as



a protest. Police declared the planned assemblies illegal and arrested six Besigye supporters.

Police regularly arrested persons, most often opposition youth, for unlawful assembly. On July 10, police arrested 18 youth activists who addressed a press conference and condemned the July 9 arrest of presidential aspirants Amama Mbabazi and Kizza Besigye.

### **Freedom of Association**

While the constitution and law provide for freedom of association, the government did not always respect this right. The law limits NGO activity and requires NGOs seeking registration to obtain letters of approval from local government and community officials. 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 LGBTI organizations from registering as NGOs (see section 6). An organization may also register as a “company limited by guarantee” through the Uganda Registration Services Bureau (URSB).

On November 26, Parliament passed the 2015 Nongovernmental Organizations Act that aims “to provide a conducive and enabling environment” for NGOs and to “register, regulate, coordinate, and monitor” NGO activities. Parliament worked closely with civil society leaders on the bill and adopted most civil society recommendations in a parliamentary committee report. While most of this report was incorporated in the final bill, Parliament left intact a clause on “special obligations” that requires NGOs to receive approval from the local NGO monitoring committee and local governments before initiating activities and prohibits NGOs from engaging in acts “prejudicial to the interests of Uganda and the dignity of the people of Uganda.” The president had not signed the bill by year’s end.

### **c. Freedom of Religion**

See the Department of State’s *International Religious Freedom Report* at [www.state.gov/religiousfreedomreport/](http://www.state.gov/religiousfreedomreport/).

#### **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.

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 to list children on her passport.

#### **Protection of Refugees**

Access to Asylum: The law provides for the granting of asylum or refugee status, and the government has established a system for providing protection to refugees. As of November UNHCR, in partnership with the government, registered an estimated 507,000 refugees and asylum seekers of different nationalities. Of these, 210,000 were from the DRC and 186,000 from South Sudan. Other countries of origin included Somalia, Rwanda, and Burundi. The government provided adequate protection to refugees, including temporary protection, resettlement, and other long-term solutions.

As of August there were 20,264 asylum seekers in the country. According to UNHCR, the government made little progress in clearing the backlog because the Refugee Appeals Board has not operated since August 2014, when the tenure of the previous board expired.

The government did not fulfill UNHCR's 2012-13 recommendation to implement a cessation clause and lift the blanket refugee status conferred on approximately 4,000 Rwandan refugees who arrived in the country prior to 1999. Separately, the prime minister in May committed to providing a legal framework for approximately 15,000 long-term refugees to integrate locally, including the 4,000 Rwandan refugees who arrived prior to 1999.

According to a September report from the International Refugee Rights Initiative, Israel allegedly transferred African (mostly Sudanese and Eritrean) migrants and asylum seekers to Uganda and Rwanda. The government of Uganda, which was

investigating the matter, denied any agreement with the Israeli government to permit such transfers.

Refoulement: In 2013 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 despite his refugee status. The officer in charge, Joel Aguma, was suspended for his role in the affair. On July 20, however, the inspector general of police promoted Aguma to deputy director of the UPF's Crime Intelligence Directorate.

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

On January 9, the government signed a Memorandum of Understanding that allowed the Refugee Law Project (RLP) to resume operation. The RLP, which is based at Kampala's Makerere University School of Law and provides legal services to refugees, including victims of gender-based and sexual violence, was suspended in March 2014 in the wake of the Anti-Homosexuality Act; it remained suspended even after the act was annulled (see section 6). Humanitarian partners estimated the government's suspension of the RLP prevented thousands of minority members and vulnerable refugees from receiving legal, medical, and other assistance.

Durable Solutions: The government did not accept refugees for resettlement from foreign countries, but it facilitated UNHCR efforts to resettle refugees in foreign countries. The government assisted the safe and voluntary return of refugees to their homes. UNHCR reported most of the 1,204 refugees from the DRC who voluntarily repatriated to the DRC returned to Uganda during the year.

In response to a petition filed by RLP in 2010, on October 6, the Constitutional Court of Uganda ruled that citizenship through naturalization was available to refugees. Although citizenship through naturalization requires residency in the country for an aggregate period of 20 years, many long-resident refugees had already satisfied this requirement, including most of the 15,000 refugees targeted for legal local integration by the government.

### **Section 3. Freedom to Participate in the Political Process**

The constitution and law provide citizens the ability to change their government through free and fair periodic elections based on universal and equal suffrage. The 2011 presidential and National Assembly elections marked an improvement over previous elections but were marred by serious irregularities.

#### **Elections and Political Participation**

Recent Elections: In 2011 the country held its fourth (second multiparty) presidential and legislative election since the president came to power in 1986. The president 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 Parliament (at year's end there were 381 members). While the campaign period and elections were generally peaceful, domestic and international election observers noted several serious irregularities. Problems included the diversion of government resources before and during the elections for partisan gain, unfair access to the media for NRM candidates and restrictions on access for opposition candidates, heavy deployment of security forces on election day, government intimidation, disorganized polling stations, and the absence of many voters' names from voter rolls. Additionally, opposition parties claimed the Electoral Commission lacked independence.

Political Parties and Political Participation: There were 29 registered parties as of August, according to the Electoral Commission.

The ruling NRM party operated without restriction, regularly holding rallies and conducting political activities. Authorities often restricted the activities of the main opposition parties by refusing them permission to hold public demonstrations and preventing opposition leaders from being interviewed on local radio stations. Police used tear gas to disperse rallies of opposition leaders and arrested youth activists belonging to opposition groups (see section 2.b.).

On June 13, police in Mbarara arrested several youths allied with presidential aspirant Amama Mbabazi for planning a demonstration, displaying Mbabazi posters, and possessing Mbabazi campaign items including hats, T-shirts, and stickers. Media reported that when asked why police were removing Mbabazi campaign materials and allowing Museveni posters and campaign material, police spokesperson Fred Enanga said, "The president is the fountain of honor and he

enjoys absolute immunity for whatever actions and enjoys structural advantages. You cannot just pull down his pictures under whatever circumstances.”

Opposition activists claimed the government was responsible for short-term, politically motivated disappearances. For example, on August 19, unidentified men detained Norman Tumuhimise, who leads opposition activist group Jobless Brotherhood, and held him in an undisclosed location without access to a lawyer or other constitutional protections until August 25. Authorities denied involvement in any politically motivated disappearances.

Participation of Women and Minorities: 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. On September 29, the Constitutional Court nullified the special interest MP slots for the UPDF, organized labor, and youth. The ruling stemmed from a series of petitions filed in 2010 challenging the process by which MPs representing special interest groups are elected. On November 26, Parliament amended the Parliamentary Elections Act to reinstate UPDF, organized labor, and youth MP slots.

#### **Section 4. Corruption and Lack of Transparency in Government**

The 2009 Anticorruption Act provides criminal penalties for official corruption, including up to 12 years’ imprisonment upon conviction. The government did not implement the law effectively, and officials frequently engaged in corrupt practices with impunity. Government agencies responsible for combating corruption included the Inspectorate of Government, the DPP, the Anticorruption Division (ACD) of the High Court, Parliament’s Public Accounts Committee, the police Criminal Investigation Division, the Office of the Auditor General, and the Directorate for Ethics and Integrity. These agencies lacked the political will to combat corruption at the highest levels of government, and many corruption cases remained pending for years. In March the auditor general released the annual report for the fiscal year ending June 2014. The report revealed government departments increasingly lacked financial discipline, leading to loss of funds or failure to account for funds.

On October 15, the president signed the 2013 Anticorruption (Amendment) Bill that Parliament passed on July 7. The bill retained the criminal penalties in the 2009 Anticorruption Act and added the mandatory confiscation of property of

persons convicted. It also widened the scope of categories of persons liable for offenses related to corruption to include political leaders and private companies.

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

Corruption: On July 29, the ACD sentenced former director of the Parliament Budget Office Samuel Wanyaka to 10 years' imprisonment for embezzling more than 822 million shillings (\$225,000). Under section 46 of the 2009 Anticorruption Act, the court also banned Wanyaka from being employed by any government entity for 10 years and ordered him to refund the money he embezzled. According to the media, however, Parliament was still paying Wanyaka a salary, despite protests from the inspector general of government (IGG). The IGG started investigating the Parliament Budget Office in 2013 after a whistleblower filed a complaint with the office.

On April 15, the court dismissed a case connected to the 2013 pension scam in which the government lost more than 165 billion shillings (\$45 million) after officials from the Ministries of Public Service and Finance created 2,605 ghost pensioners. The court dropped the case because the government had not presented a witness in nearly two years. Following reports police detectives working on the case allegedly received bribes from some suspects, the inspector general of police transferred the detectives, and on August 19, the DPP reinstated the case. On August 30, the ACD denied bail to the suspects and further remanded them to Luzira Prison. The case continued at year's end.

The 2014 Uganda National Roads Authority (UNRA) investigation continued. In August authorities suspended four top UNRA managers over the controversy surrounding the tender for construction of a 46-mile road from Mukono to Katosi, a project in which the government lost 24.7 billion shillings (\$6.8 million). On July 2, a judicial commission appointed by the president began its investigation into corruption at UNRA. On July 28, the IGG, in a separate investigation into UNRA, filed charges against former minister of works and transport Abraham Byandala and five others involved in the contract. Byandala and his coaccused faced 24 counts of fraud, corruption, abuse of office, and influence peddling. The ACD remanded the suspects to prison and granted them bail. On September 29, the UNRA executive director announced the dismissal of all remaining UNRA staff as part of the restructuring of the agency but noted that fired staff could apply to rejoin the agency. The case continued at year's end.

Financial Disclosure: Public officers are required to disclose their income and assets upon assuming and leaving office. The IGG is responsible for monitoring compliance, and penalties include a warning or caution, demotion, dismissal, and administrative leave from office. The government selectively enforced financial disclosure laws, to which an estimated 25,000 public officials were subject to biannual reporting requirements that applied to spouses and dependent children as well. According to the IGG, as of March 22, 500 public officials had declared their assets.

Public Access to Information: The 2005 Access to Information (ATI) Act provides for public access to government information, but the government rarely provided such access. The law allows individuals to petition any government department to access information. The Secrecy Act, however, bars public servants from revealing information.

The ATI Act provides that requesters pay 20,000 shillings (\$5) to access information held by the government. Information may be denied on security or sovereignty grounds, and the law provides for redress through internal dispute resolution processes or courts.

On February 6, the Chief Magistrates Court upheld the constitutional right of citizens to access government information, regardless of the reason for the request. The Hub for Investigative Media (HIM), a local NGO promoting transparency in government, noted, however, that many public servants were unaware of the law's requirements and that most requests for information were improperly denied. Between January and August, HIM submitted 52 ATI requests, of which two were granted. HIM submitted court cases for all declined requests. Courts issued judgments in three of the cases, finding for HIM in each case.

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

Some domestic and international human rights groups operated without government restriction, investigating and publishing their findings on human rights cases. Authorities denied local LGBTI-related organizations official status due to discriminatory laws preventing their registration, however, and NGOs that worked in the areas of governance, human rights, and political participation were sometimes subject to extra scrutiny and threatened with closure.

On February 16, the URSB, responsible for registering organizations as companies “limited by guarantee,” rejected the 2012 application by Sexual Minorities Uganda to reserve its name, the first step required to register. The bureau rejected the name, citing Section 36 of the 2012 Companies Act that states the registrar may refuse a name “which in the opinion of the registrar is undesirable.”

On July 3, the minister of internal affairs requested the NGO Board to investigate and possibly deregister a local NGO, Great Lakes Institute for Strategic Studies that the minister claimed was involved in partisan political activities.

The government was often unresponsive to concerns of local and international human rights organizations. For example, on July 19, thieves broke into the Uganda Land Alliance (ULA) offices, killed a security guard, and stole three computers and a server. ULA executive director Edmond Owor’ said police asked the ULA for money to start its investigation. No suspects had been arrested at year’s end.

In March Tanzanian authorities arrested ADF leader Jamil Mukulu pursuant to an INTERPOL Red Notice issued by the Ugandan government for breaches of the Geneva Convention in connection with a 1998 attack on a college dormitory. In July the government of Tanzania extradited Mukulu to face seven charges of aggravated murder. In August police announced the possibility of additional charges for war crimes and crimes against humanity. On November 20, Mukulu’s lawyer Caleb Alaka reported that Mukulu faced treason, murder, and terrorism charges. Alaka, who alleged he had been unable to meet his client since his extradition, filed a complaint with the inspector of courts.

On April 8, the Supreme Court ordered that the trial of Thomas Kwoyelo, a former LRA rebel, resume in the International Crimes Division of the High Court of Uganda. In 2011 the Constitutional Court awarded amnesty to Kwoyelo and ordered his release from prison. Kwoyelo remained in prison despite this order, and in April the Supreme Court overturned the Constitutional Court ruling (see section 1.d). In its ruling, the Supreme Court held that the act does not apply to grave breaches of the Geneva Convention, genocide, willful killings of innocent civilians, and other serious crimes perpetrated against civilians or communities without military necessity--which are illegal under Ugandan law and Uganda’s international treaty obligations. The court also held that the act does not violate the DPP’s constitutional powers, and that the government did not discriminate against Kwoyelo by denying him amnesty because he was not eligible for amnesty due to the nature of the charges against him. Transitional justice activists from Refugee



Law Project, ENOUGH Project, Chapter Four, and Uganda Law Society stated the ruling eliminated blanket amnesty for LRA atrocities and provided for victims to receive justice. According to the DPP, Kwoyelo faced 12 charges under the Geneva Conventions Act and 53 charges under the Penal Code for planning, commanding, and executing alleged atrocities during his time with the LRA. His case was expected to resume in January 2016.

Government Human Rights Bodies: The UHRC is a constitutionally mandated institution with quasi-judicial powers to investigate allegations of human rights abuses, direct the release of detainees, and award compensation to abuse victims. The president appoints its board, consisting of a chairperson and commissioners. The contracts for the chairperson and three of the commissioners expired in April, however, leaving only two active commissioners on the board. While the UHRC continued to operate, it could not hold tribunals or hear cases due to lack of a quorum. The UHRC pursued suspected human rights abusers, including in the military and police forces, and had branches countrywide. For example, on October 15, it released a statement criticizing the police for unnecessary use of force in applying ambiguous electoral laws. The UHRC reported its resources were inadequate to investigate all the complaints it received, and human rights activists claimed it lacked the political will to investigate or identify senior-level perpetrators of abuses (see section 1.c.).

In 2010 Parliament established the Committee on Human Rights Affairs, responsible for ensuring human rights concerns are reflected in parliamentary bills, monitoring government compliance with national and international human rights instruments, tracking UHRC governmental recommendations, and overseeing human rights matters within each government agency. Although independent, the committee had limited resources and was ineffective. The committee chair cited the 2012 development of a human rights checklist for all pending legislation as the committee's primary achievement. She added, however, the committee had not implemented the checklist due to lack of resources.

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

The law prohibits discrimination based on race, sex, religion, political opinion, national origin or citizenship, social origin, disability, age, language, and HIV/communicable disease status. The government did not enforce laws against discrimination adequately, and locally or culturally prevalent discrimination against women, children, persons with disabilities, or certain ethnic groups were problems. The law does not address discrimination based on sexual orientation or

gender identity, and the penal code prohibits “unnatural offenses” that authorities often used to arrest members of the LGBTI community.

## Women

Rape and Domestic Violence: The law criminalizes rape, including spousal rape, which is punishable by life imprisonment or the death penalty. The penal code defines rape as “unlawful carnal knowledge of a woman or a girl.” Men accused of raping men are tried under section 145(a) of the penal code that prohibits “carnal knowledge of any person against the order of nature.” The law also criminalizes domestic violence and provides up to two years’ imprisonment for conviction.

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 UPF crime report through June listed 10,163 reported sexual offenses, of which 787 were rapes, 8,954 defilements, 308 indecent assaults, 56 incest, and 58 “unnatural offenses.”

According to the 2011 Uganda Demographic and Health Survey (DHS), the most recent government report on maternal mortality, at least 27 percent of girls and women between ages 15 and 49 experienced some form of domestic violence during the year prior to the survey. The same survey showed at least 56 percent of married women reported having experienced some form of domestic violence during their marital life. According to a representative from the UPF’s child and family protection unit, victims often did not report domestic violence because society generally did not consider it a crime and police officers often did not consider it a serious offense.

Local NGOs operated hotlines in 11 districts, including Kampala, Mukono, and Jinja. The government worked with local and international NGOs and religious institutions like the Roman Catholic Church to strengthen understanding of domestic violence as a human rights abuse. A few NGOs ran domestic violence shelters, including Action Aid, Mifumi, and Uganda Women’s Network. Action Aid reported its shelters received between three and 10 domestic violence survivors daily.

Female Genital Mutilation/Cutting (FGM/C): The law and constitution prohibit FGM/C of women and girls and establish a maximum penalty of 10 years' imprisonment for convicted perpetrators--or life imprisonment if the victim dies during the act of FGM/C. The government, women's groups, and international organizations combated the practice through education and livelihood skills training. These programs, which received some support from local leaders, emphasized close cooperation with traditional authority figures and peer counseling. Nevertheless, the Sabinu ethnic group in rural Kapchorwa District and the Pokot ethnic group along the northeastern border with Kenya continued the practice; the Sabinu practiced types I and II, and the Pokot practiced type III.

On September 14, media reported a 14-year old girl died giving birth due to FGM/C-related complications.

Authorities arrested more than 20 persons on FGM/C charges, including parents complicit in the practice. In February a court in Kapchorwa convicted four women of performing and abetting FGM/C and sentenced each of them to four years' imprisonment. A month earlier in Kapchorwa, authorities arrested eight persons on FGM/C charges and courts convicted six of the eight. Local citizens attacked a man suspected of reporting the eight to authorities and accused critics of FGM/C of destroying their culture.

A UN Children's Fund (UNICEF) study released in January reported 86 FGM/C cases from January to October 2014, compared with 54 cases during the same period in 2013. The joint UN-government program on FGM/C estimated 95 percent of Pokot girls and women and 50 percent of Sabinu girls and women were subjected to FGM/C.

While traveling through Bukwo District on August 24, the president ordered the regional police commander of Kapchorwa to release elderly women arrested for carrying out FGM/C. The president stated fighting FGM/C was a sensitive issue and urged the Sabinu to stop the practice.

On September 19, the Anglican Church in Kapchorwa and the UN Population Fund (UNFPA) organized a marathon to promote awareness among local communities of the importance of ending FGM/C. The head of the Anglican Church in Uganda, Archbishop Stanley Ntagali, urged communities to end FGM/C, noting the practice dehumanized women and girls and inflicted permanent injuries that endangered women and their babies during childbirth. The UNFPA has collaborated with local churches in the region to fight FGM/C.

Other Harmful Traditional Practices: Police recorded five child ritual killings through June. In February the MGLSD drafted a National Action Plan to end child sacrifice and child mutilation. The plan was developed with the support of UNICEF, Makerere University, World Vision, Plan Uganda, and ANPPCAN Uganda. In 2014 the UHRC reported boys more likely to be victims of ritual sacrifice than girls, especially before age six.

On September 30, police in Lwengo arrested Fred Kamuntu, Joyce Kamuntu, and Rogers Mutesasira for the ritual killing of 13-year-old Kennedy Kayibanda, in Mayira village. Police detained the suspects at Mbirizi police station but dropped charges following an investigation.

Sexual Harassment: The law criminalizes sexual harassment and provides for penalties of up to 14 years' imprisonment, but authorities did not effectively enforce the law. Sexual harassment was a serious and widespread problem in homes, schools, universities, and workplaces. In 2013 local NGO Uganda Human Rights Defenders Association reported 90 percent of women had faced sexual harassment at work and that their prospective male employers routinely asked female job seekers for sex. The Ministry of Gender, Labor, and Social Development (MGLSD) reported that fears of retaliation made many victims unwilling to report harassment.

Reproductive Rights: Couples and individuals have the right to decide the number, spacing, and timing of their children, manage their reproductive health, and have access to the information and means to do so, free from coercion, discrimination, or violence; however, family planning information and assistance were difficult to access, particularly in rural areas, where there were few health clinics. According to the 2011 Uganda DHS, one in three married women wanted to delay childbirth or space their children but could not access family planning aids. Of women and girls between ages 15 and 49, 18 percent used a modern method of contraception. Women also faced challenges of religious restrictions imposed by their faiths.

Women who attempted to use family planning without their husbands' knowledge or approval risked domestic violence or eviction from their homes. For example, on November 17, a man in Bulambuli District beat his wife to death after learning that she had an intrauterine device implanted without his knowledge. Police continued to investigate the case at year's end.

Abortion is illegal, and approximately 1,200 women died annually from unsafe abortions. On June 4, the Ministry of Health launched standards and guidelines on reducing morbidity and mortality from unsafe abortions, including increased access to family planning services and legal post-abortion care and services. Fear of arrest often made health-care professionals unwilling to attend to women who had undergone abortion.

The 2011 Uganda DHS reported a maternal mortality rate of 438 deaths per 100,000 live births. Skilled healthcare personnel attended 42 percent of births. Health officials attributed the high maternal mortality rate to medical complications and limited capacity of health-care facilities to manage complications.

On May 13, the High Court ruled in favor of the family of a woman who died in 2011 due to obstructed labor after the hospital staff left her unattended for eight hours. The court found the human and maternal rights of the deceased were violated and ordered the Nakaseke District Local Administration, which had oversight of the hospital, to pay 35 million shillings (\$9,589) in compensation to the family.

Discrimination: The law provides women with the same legal status and rights as men. Discrimination against women, however, was 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 may not 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. In some ethnic groups, men may “inherit” the widows of their deceased brothers.

In June Transparency International Uganda released the report “Women, Land and Corruption,” which found women disadvantaged in accessing and acquiring land due to corruption in the Ministry of Lands. The report also found that discrimination against women restricted their freedom to participate in economic production.

Women experienced discrimination in access to employment, credit, and income, and were underrepresented in business ownership and senior or managerial positions (see section 7.d.). According to the International Labor Organization’s (ILO’s) 2015 report on “Women in Business and Management,” women held 20

percent of management positions. The World Bank 2014 Enterprise Survey indicated 15 percent of firms were headed by women.

The law provides that “every employer shall pay males and females equal remuneration for work of equal value.” In 2013 the National Organization of Trade Unions (NOTU) reported, however, that women received much lower wages than men for the same work.

On August 6, the Supreme Court ruled unconstitutional the practice of refunding the bride price after the breakdown of a customary marriage. Chief Justice Bart Katureebe wrote, “the practice of refunding bride price suggests that women are held on loan and can be returned and money recovered.” The court, however, rejected the argument that bride price itself was unconstitutional. Mifumi, a women’s rights organization that brought the case to court, stated bride price encouraged domestic violence and led men to believe they had paid for their wives’ sexual and reproductive capacity.

## **Children**

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

The law requires citizens to register a birth within three months. The URSB, the government agency responsible for recording births and deaths, reported registering an estimated two million children under age five between 2010 and August. According to the 2011 Uganda DHS, only 29 percent of rural and 38 percent of urban births were registered. 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 URSB established a computerized system, known as the Mobile Vital Records System that 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. The records system operated in 135 hospitals in 58 districts.

Education: The government provided free universal primary education to four children per family as well as universal secondary education, although parents

were required to provide lunch and schooling materials for children in secondary school. A 2015 International Center for Research on Women study indicated more than 50 percent of girls between ages 14 and 18 dropped out of school due to poverty and early pregnancy. In 2013 the Ministry of Education and Sports and UNESCO noted nearly 70 percent of pupils enrolled in the first level of primary school in 2006 dropped out by 2013. The ministry reported significantly higher dropout rates for girls than for boys due to early pregnancy and child marriages, sexual harassment and sexual abuse, lack of access to sanitary pads, and poverty.

Child Abuse: Child abuse remained a serious problem. Authorities maintained a national hotline to report child abuse and received 4,891 reports between June 2014 and August. Adolescent children were particularly vulnerable to sexual exploitation, early marriage, human trafficking, drug and substance abuse, involvement in social unrest, and engaging in criminal activities. Through June police registered 7,349 child-related offenses, including 4,430 cases of child neglect, 1,366 of desertion, 755 of abuse, 360 of kidnap, 314 of abduction or stealing, 76 of trafficking, and 48 of infanticide.

The law considers sexual contact outside marriage with children under age 18, regardless of consent or age of the perpetrator, as “defilement,” which carries a maximum penalty of death. Payment to the child’s parents often settled such cases. In September, Assistant Inspector General of Police Mugenyi said defilement was the most common crime against children. In 2013 the Ministry of Education and Sports and UNICEF released a study indicating 78 percent of primary school children and 82 percent of secondary students had experienced sexual abuse. In most cases the perpetrators were teachers. Of the victims, only 40 percent of girls and 39 percent of boys reported the abuse to authorities.

The government worked with UNICEF and NGOs, including Save the Children, Child Fund, and the African Network for the Prevention of and Protection against Child Abuse and Neglect (ANPPCAN), to combat child abuse. The UPF provided free rape and defilement medical exam kits to hospitals and medical practitioners throughout the country to assist investigations.

Corporal punishment is illegal but remained a problem in schools and sometimes resulted in permanent injuries. The Ministry of Education in 2013 released a study reporting 75 percent of children in government schools and 73 percent in private schools experienced corporal punishment.

For example, in May 2014 Lilah Babirye, the mother of Naswif Katongole, filed a suit in the High Court against Sir Apollo Kagwa Primary School. Babirye alleged two teachers at the school, Joseph Owino and Garace Lumu, assaulted Katongole, who developed sharp pains in the waist, psychological impairment, and mobility complications. The court case continued at year's end.

Early and Forced 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 some parents arranged such marriages or sexual arrangements for girls as young as 12 due to poverty. According to the UNFPA, the prevalence rate of early and forced marriage was approximately 46 percent for girls 15 and older. UNICEF's 2015 State of the Children report estimated 10 percent of girls were married before age 15.

On June 16, the MGLSD launched the first National Strategy on Ending Child Marriage and Teenage Pregnancy, developed in partnership with UNICEF and local NGOs, to strengthen legal protections for children, improve access to education and health services, and change attitudes regarding earlier marriages. According to UNICEF, the government child helpline registered 131 cases of child marriage between January and June.

In March 2014 police in Butaleja District, Eastern Region, arrested nine persons for attempting to marry a 12-year-old girl to a 45-year-old man. The nine suspects did not return after being released on bail, and authorities did not forward the case for prosecution.

Female Genital Mutilation/Cutting: See information for girls under age 18 in women's section above.

Sexual Exploitation of Children: 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 years. Defilement, which refers to any sexual contact with a minor, carries a maximum penalty of death. Payment to the child's parents often settled such cases. The law prohibits child pornography. In February 2014 the president signed into law the Anti-Pornography Bill.

The Computer Misuse Act 2011 carries a definition of child pornography that adheres to international legal standards, but the act does not specifically address



the solicitation of children for sexual purposes. In March the government formed the National Working Group on Prevention of Online Child Sexual Exploitation, an interagency group tasked with protecting children from online predation.

Child prostitution remained a problem. The local NGO Uganda Youth Development Link estimated at least 18,000 girls and women engaged in sex work across the country.

Child Soldiers: Although LRA members abducted as children continued to leave the LRA and return home, an estimated 150 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 to abduct children from neighboring countries. The LRA usually held abductees for a few hours or days for use as porters, as opposed to the prior practice of long-term abductions for use as soldiers. The government led regional efforts, backed by an AU-mandated military mission, to counter the influence of the LRA in coordination with South Sudan, the Central African Republic, and the DRC.

Unlike in the previous year, there were no reports of child soldiers in the ranks of AMISOM.

Infanticide or Infanticide of Children with Disabilities: The UPF reported 48 infanticides through June.

Displaced Children: Families from the farming region 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. According to the July 2014 Human Rights Watch Report *Where Do You Want Us to Go*, authorities worked jointly with social workers and community leaders to return 295 Karamojong street children to their homes in Moroto District. The report stated that, of 2,535 recorded street children, 1,906 from Karamoja were resettled and reintegrated. The report accused several government agencies, including police, of perpetrating abuse of and violence against street children. The UPF dismissed the claims, and no investigation was conducted by year's end.

Institutionalized Children: There were reports of abuses in several orphanages. For example, in April media reported police rescued 29 children ages three to 17 living in deplorable conditions in an illegal orphanage in Luweero District, in the

central part of the country. In October 2014 the MGLSD began a crackdown on illegal orphanages. The MGLSD estimated there were more than 50,000 children in nearly 1,000 orphanages in the country, of which only 83 were licensed by the ministry. More than half of the orphanages had unacceptable care standards and held 55 percent of children illegally. Nearly 70 percent of orphanages maintained inadequate records on the children present. Most children in orphanages had at least one living parent.

According to regulations issued in May 2014, an approved home “shall only receive children in an emergency from a police officer or under an interim care order from a judge.” All approved homes are required to keep proper accounts, employ a qualified warden and registered nurse, keep health records for each child, provide adequate sleeping facilities, and provide for an appropriate education. Nevertheless, the government lacked the resources to register and monitor orphanages.

International Child Abductions: The country is not a party to the 1980 Hague Convention on the Civil Aspects of International Child Abduction. For country-specific information, see [travel.state.gov/content/childabduction/en/country/Uganda.html](http://travel.state.gov/content/childabduction/en/country/Uganda.html).

### **Anti-Semitism**

The Jewish community had approximately 2,000 members centered in Mbale District, in the eastern part of the country. 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/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **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 law, however, does not establish penalties for those engaging in discrimination. The law provides for access to buildings, information, and communications for persons with disabilities, but the government did not enforce the law effectively. A

2013 study conducted by architects in Kampala indicated 95 percent of buildings in the city were inaccessible to persons with disabilities. Study findings showed most buildings did not have ramps or elevators.

Persons with disabilities faced societal discrimination and limited job and educational opportunities. The UHRC received complaints of discrimination in employment (see section 7.d) and access to transport and other public services.

Most schools did not accommodate persons with disabilities. In December 2014 UNICEF and the MGLSD reported that 9 percent of children with disabilities attended primary school and 6 percent secondary school. The low attendance rate was attributed to inadequate resources and the limited number of schools that accommodated children with learning and physical disabilities.

In June 2014 the National Union of Disabled Persons of Uganda (NUDIPU) criticized the government for failure to plan for persons with disabilities in the ongoing national identification card registration process. For example, the NGO noted registration required taking fingerprints, and that no alternate provision for amputees existed.

In 2013 NUDIPU released a report indicating many courts were inaccessible and did not provide sign language interpreters.

A 2012 report released by the National Council on Disability (NCD) indicated 45 percent of persons with disabilities were literate, compared with 71 percent literacy in the general population. The report indicated children with mental disabilities were sometimes denied food and were tied to trees and beds with ropes to control their movements, and the needs of children with autism and other learning disabilities were ignored due to an insufficient number of appropriate classes.

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

Government agencies responsible for protecting the rights of persons with disabilities included the Ministry of State for Disabled Persons under the MGLSD and the NCD, but they lacked sufficient funding to undertake any significant initiatives.

### **National/Racial/Ethnic Minorities**

There were isolated reports of violence among ethnic minorities in some parts of the country over land, grazing rights, border demarcations, and other contested matters.

### **Indigenous People**

The government has historically displaced indigenous groups to create national parks and reserves.

The Benet ethnic group, evicted from their land on Mount Elgon in 1983, continued to clash with the Uganda Wildlife Authority (UWA). For example, in March media reported that UWA officials shot a Benet man in the chest, and, in a separate incident, UWA officials shot two Benet youths in the legs while they grazed their animals near the national park.

In June the Mount Elgon Benet Indigenous Ogiek Group (MEBIO) reported the government had not fully complied with a 2005 ruling that returned lands within Mount Elgon to the Benet. MEBIO reported the Benet continued to pressure the government to honor the ruling to secure permanent land and provide social services.

The government displaced the Batwa ethnic group, which had 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. The United Organization for Batwa Development in Uganda reported that dominant ethnic communities living near the Batwa depicted them negatively, refusing the Batwa access to the same water sources or marriage into other ethnic communities.

### **Acts of Violence, Discrimination, and Other Abuses Based on Sexual Orientation and Gender Identity**

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 for a penalty up to life imprisonment. LGBTI persons faced discrimination, legal restrictions, and societal harassment and violence, intimidation, and threats.

On January 15, police arrested nine men who helped organize an HIV/AIDS testing clinic in the western Ntungamo District for “carnal knowledge against the order of nature.” Police claimed four of those arrested were engaged in sexual activity at the time of arrest, a charge disputed by those arrested. The men were subjected to forced anal exams; their court cases continued at year’s end.

In July a consortium of local LGBTI rights NGOs released a report that listed 89 human rights violations of LGBTI individuals in 2014. Of those, state actors perpetrated 47 violations and nonstate actors 42. The report commended some police officers for protecting the rights of LGBTI individuals and highlighted five such cases. In May 2014 police rescued a bisexual man from a mob that had locked him in a house and assaulted him.

In August 2014 the Constitutional Court nullified the Anti-Homosexuality Act, which the president signed into law in February 2014. The president stated repeatedly that the country did not need new anti-LGBTI legislation because homosexuality was already illegal under the penal code.

Some religious and political leaders delivered church sermons and wrote articles to lobby the public against LGBTI persons. On September 3, media quoted Amos Lapenga, director of ethics and integrity in the Office of the President, attributing the increase of “immoral acts like homosexuality” to foreigners.

### **HIV and AIDS Social Stigma**

Although the law prohibits discrimination against persons with HIV/AIDS, discrimination was common and prevented persons with HIV/AIDS 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 and to receive information about HIV/AIDS, with their partners and family. Persons with HIV/AIDS formed support groups to promote awareness in their communities.

Police and the UPDF regularly refused to recruit persons who tested positive for HIV, claiming their bodies would be too weak for rigorous training and subsequent deployment.

In May 2014 Parliament passed the HIV and AIDS Prevention and Control Bill that creates a legal framework for the prevention and control of HIV, disclosure of seropositive status to reduce transmissions, testing and counseling services, and prescribes penalties for the intentional spread of HIV. On July 31, the president signed the bill into law. Human Rights and HIV/AIDS activists criticized the bill, asserting it represented a dangerous backslide in the country's effort to respond to HIV. Activists expressed concern about the clause in the bill that criminalizes attempted and intentional transmission of HIV. A person convicted of these offenses faces up to 10 years' imprisonment or a fine of approximately five million shillings (\$1,370).

NGOs reported 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.

### **Other Societal Violence or Discrimination**

Mob violence remained a problem. Mobs attacked and killed persons suspected of robbery, killing, rape, theft, ritual sacrifice, and witchcraft, among other crimes. Mobs beat, lynched, burned, and otherwise brutalized their victims.

On April 12, Makerere University students beat to death David Otim Ojok, a software developer and former student of Makerere University, after he was mistaken for a thief. On April 26, authorities charged three students--Martin Atukwase, Derrick Wagoli, and Marvin Mutungi--with his murder. The three were on remand in Luzira Prison awaiting trial 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--including police, army, and management-level officials--to form and join independent unions. All unions must be registered under the NOTU or the Central Organization of Free Trade Unions (COFTU). The law does not provide the right to collective bargaining in the public service sector. The law also does not

explicitly provide trade union federations and confederations the right to engage in collective bargaining. A document of recognition must be obtained before unions could engage in collective bargaining. The law 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, either or both of the parties to the dispute may refer the dispute to the Industrial Court. In June 2014 the Industrial Court reopened after Parliament approved six judges to serve on the bench. In November 2014 the court started hearing cases. By April the court received 249 cases referred by the Civil Division of the High Court. The court also received 11 cases and 11 appeals from the MGLSD. The court remained constrained, however, because it was not fully staffed and had limited office facilities.

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. Workers have the right to strike, freedom of association, and the right to bargain collectively. 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. The ILO noted 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.

Labor officials reported that domestic and agricultural workers--as well as workers in the informal sector--are excluded from protection by the labor laws.

The government did not effectively enforce applicable labor laws. The MGLSD was not adequately funded and failed to undertake sufficient labor inspections. Labor inspections were mainly done in response to complaints. The MGLSD reported it conducted 200 labor inspections through October 15. Penalties were generally not adequate to deter violations.

Freedom of association and the right to bargain collectively were generally not respected, and the government did not always protect these rights. NOTU officials reported that some employers used a "recognition agreement" to allow union operations at the workplace. 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 Parliament for workers. On September 29, however, the Constitutional Court nullified the special interest MP slots for organized labor (see section 3).

As of October 15, NOTU reported 15 major strikes over low salaries, wages, delayed salary payments, and poor working conditions and claimed police often used excessive force to disperse striking workers.

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. NOTU officials reported many workers failed to join trade unions due to fear of intimidation and dismissal.

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.

Labor activists reported some employers ignored the legal requirement to enter into collective bargaining agreements with registered unions. Labor activists also reported some employers resorted to subcontracting and outsourcing services or hired workers temporarily to avoid such agreements. According to NOTU, employers required a document of recognition from a union before they would engage in collective bargaining with it. NOTU reported that 52 collective bargaining agreements were signed since 2014.

The Platform for Labor Action was the leading civil society organization involved in the promotion and protection of labor rights in the country. The NGO operated without government restrictions.

## **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 a worker is “hired out to or placed at the disposal of a private individual, company, or association.” The penalty for conviction of violating the law against forced or compulsory labor was not adequate. Violators convicted may face a fine



not exceeding 960,000 shillings (\$263), two years' imprisonment, or both and a fine of 80,000 shillings (\$22) for each day the compulsory labor continues. 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 of the decree is punishable with a fine and imprisonment. The government did not enforce the law.

There were reports of forced labor, particularly in prisons (see section 1.c.). FHRI noted cases of forced labor in 23 of the 31 prisons it inspected during the year. In addition persons held in pretrial detention engaged in forced labor. Prison officials allegedly hired out prisoners to work on private farms and construction sites where they 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 accrued wages in a book, and prisoners had access to these funds.

Also see the Department of State's *Trafficking in Persons Report* at [www.state.gov/j/tip/rls/tiprpt/](http://www.state.gov/j/tip/rls/tiprpt/).

### **c. Prohibition of Child Labor and Minimum Age for Employment**

Labor regulations regarding children are contradictory. The law prohibits employers from hiring workers below age 18 and prohibits children under age 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 MGLSD regulations permit the employment of children between ages 14 and 18. Children age 15 and older who have completed their education may work up to seven hours per day, not to exceed 35 hours per week. The law prohibits overtime work for children ages 15 through 17. The law allows 13-year-old children to engage in "light work," provided it does not interfere with their education. The law prohibits children from working between the hours of 7 p.m. and 7 a.m. or from being employed in work that is "injurious to their health, dangerous or hazardous or otherwise unsuitable." The law provides for government inspection of workplaces, identification of workplace hazards, and other related matters for all workers, including children. Violations of the law on child labor carry a 685,055 shillings (\$188) fine. There have been no convictions under the law since its adoption in 2006. Children's rights activists reported the employment of children between ages five and 17.

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 MGLSD. Financial constraints limited enforcement efforts. 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. Labor officers are responsible for reporting on child labor problems, but more than half of the 112 districts in the country did not have one. Due to lack of funds and logistical support, district labor officials have not conducted any inspections exclusively for child labor since 2004. In 2013 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 of the harmful effects of child labor among employers and employees. Additionally, unit officials disseminated information on child labor policy and the national action plan. A report of the exercise's findings was pending at year's end.

The government coordinated its efforts to stop child labor through the National Steering Committee on Child Labor that included representatives of the MGLSD, the Ministry of Education and Sports, the Ministry of Local Government, the Ministry of Agriculture, and the Ministry of Health. Other organizations represented included 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 government cooperated with the ILO, foreign governments, and NGOs on several initiatives to combat child labor, including education and reintegration of child laborers into their communities. Several human rights NGOs continued programs to remove children from hazardous work situations.

Child labor was common, especially in the informal sector. 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 ages five and 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/reports/child-labor/findings/](http://www.dol.gov/ilab/reports/child-labor/findings/).

#### **d. Discrimination with Respect to Employment and Occupation**

The constitution and employment laws prohibit discrimination based on race, sex, religion, political opinion, national origin or citizenship, social origin, disability, age, language, and HIV/communicable disease status; the law does not address sexual orientation or gender identity. Some discrimination occurred based on the above categories with respect to employment and occupation. In June the Ministry of Public Service disqualified 50 persons with disabilities from immigration department jobs. The 50 candidates passed the aptitude test but were disqualified due to their inability to participate in a six-mile fitness test. Following public criticism over the disqualification, the Ministry of Internal Affairs, which includes the Immigration Department, announced on July 30 it had contacted the 50 for new interviews.

#### **e. Acceptable Conditions of Work**

The minimum legal wage was set in 1984 at 6,000 shillings (\$1.64) per month. In 2003 the government and the private sector negotiated a rate of 54,000 shillings (\$14.79) per month that the government had yet to implement. On May 1, the president said the government was focused on infrastructure and energy and could not afford a minimum wage. On June 2, however, the permanent secretary of the MGLSD, Pius Bigirimana, announced the government was preparing a minimum wage. On June 25, the cabinet approved the seven members--including representatives from government, workers, and employers--of the Uganda Minimum Wages Advisory Board. No wage recommendations had been made by the board by year's end.

The 2014 Poverty Status Report from the Ministry of Finance, Planning, and Economic Development indicated 20 percent of the population lived beneath the national poverty level in 2013.

The legal maximum workweek is 48 hours, and the maximum workday is 10 hours. The law provides that the workweek may be extended to 56 hours per week, including overtime, with the employee's 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 normal hourly rate for work on public holidays. The law grants employees a 30-minute break during 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. The law allows compulsory overtime for all workers.

The law establishes occupational safety and health (OSH) standards, and the MGLSD'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 does not apply to the informal sector, which the MGLSD estimated to include 12.3 million 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 the review of OSH standards in several sectors, including the production of beer and other beverages, sugar processing, and steel manufacturing.

Authorities did not effectively enforce the law. Of the 112 districts in the country, approximately 49 had a district labor officer responsible for addressing all labor issues. Training, funding, and logistical support for district labor officers were inadequate. 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. NOTU believed there was a deliberate government policy not to prevent violations or improve the wages or working conditions of workers.

NOTU officials reported that employers determined salaries. Sometimes employers paid workers as little as 50,000 shillings (\$14) per month. Workers were subject to hazardous working conditions. Violations of standard wages, overtime pay, or OSH standards were common in several sectors, including steel fabrication factories, domestic work, and the informal sector.

Deaths occurred due to unsafe working environments. On March 9, a fire at Crest Foam Industries killed six workers. An MGLSD investigation concluded the company did not have an adequate fire response plan, including a lack of escape routes and fire extinguishers. NOTU officials recorded two deaths and four injuries during the year due to poor safety practices at several construction projects. Officials reported that, due to the high unemployment rates, workers were did not remove themselves from situations that endangered their health. The government did not effectively protect employees in this situation due to lack of a policy to address the problem and insufficient monitoring mechanisms.