

### **European Union**

The E.U. in late 2001 agreed to continue its “critical engagement” with the government of Sudan for another year, envisioning resumption of E.U. development aid to Sudan by the end of 2002 if certain benchmarks (in human rights) were met. As the peace talks under IGAD got underway, however, with E.U. members playing a leading role, the goal shifted to one of encouraging Sudan and the SPLM/A to take serious steps on the road to peace through the IGAD process, and maintaining a common donor/international front on the peace issue.

As the year progressed, the E.U. expressed public concern about ongoing abuses (such as the February bombing of the Bieh relief site). The E.U. demanded unrestricted access for aid agencies to reach civilians affected by the civil war, which was eventually accomplished in the context of the IGAD peace talks at Machakos.

## **UGANDA**

### **HUMAN RIGHTS DEVELOPMENTS**

The Ugandan political landscape in 2002 was characterized by continued conflict over the “movement” system, by which Uganda is governed. As a result, political and civil rights were violated, though on a somewhat lesser scale than during the violent election year 2001. Uganda was a major player in armed conflicts in the region: Continuing during most of the year, the occupation by the UPDF (Uganda’s army) of the northeastern part of the Democratic Republic of Congo (DRC) began to be scaled back in September; meanwhile, the UPDF fought a major military offensive against the rebel Lord’s Resistance Army in northern Uganda and southern Sudan. In both wars, civilians were victims of widespread abuse.

Legal restrictions as well as arbitrary arrest and detention were used to suppress political dissent. On May 9, parliament adopted the highly contested Political Organizations Law, which retained current constitutional restrictions on political parties and added new ones. It outlawed most activities normally associated with political parties, such as opening and operating branch offices, and holding delegates’ conferences and rallies. Existing political parties would “legally cease to exist” if they failed to register within six months of the law’s entry into force.

A parliamentary commission investigating the violence during the 2001 presidential and parliamentary elections unearthed cases of detention of suspected opposition politicians in illegal locations, torture, and state-sponsored violence against opposition supporters. For example, Kidima Mubarak, who had campaigned in 2001 for a parliamentary candidate opposing the brother of army commander James Kazini, testified before parliament in March 2002 about his arrest in June 2001 followed by two months of detention at military barracks in the Ugandan-controlled areas of the DRC.

On January 12, 2002, police broke up a peaceful rally in Kampala organized by an opposition party, the Uganda's People's Congress (UPC), by firing on demonstrators with live ammunition. They killed a young journalist, Jimmy Higenyi, and injured several other persons with gunfire. They briefly detained several UPC leaders and two journalists. Local elections held in February were the occasion for cases to manipulation and abuse by government forces. Plainclothes agents abducted a campaign worker for Kampala's mayor, took him to the headquarters of Chief-taincy Military Intelligence (CMI—a government security agency), and later to an unacknowledged detention center in Kampala. They accused him of cooperating with armed rebel groups and beat him severely. Nevertheless, the overall level of violence was reduced compared to the elections of the previous year, and in some areas opposition representatives were voted into leadership positions in the local administration.

Not only known or suspected political opposition supporters but civilians at large continued to be subject to arbitrary arrest and detention by government security forces, including the police, UPDF, Presidential Protection Unit (PPU), CMI, and members of the Kalangala Action Plan (a militia close to Presidential Advisor Kakooza Mutale). In many cases agents carrying out the arrest wore civilian clothes with no identifying insignia. Civilians were held in army barracks in different parts of the country (although by law the army is allowed to carry out arrests only in emergency situations), at CMI headquarters and at a facility controlled by the Joint Anti Terrorism Task Force in Kampala. Detainees were held in overcrowded cells and sometimes tortured. One woman, released in April 2002, testified how her detention had included being held for a week in March 2001 in a hole dug in the ground; another detainee told Human Rights Watch how he had been tortured on the genitals. On July 23, 2002, a detainee of the CMI, Patrick Manenero, died while being rushed to hospital. According to the death certificate, his death was caused by internal bleeding due to blunt force trauma.

In previous years, the government held large numbers of people on treason charges, particularly in western Uganda, where suspects were accused of supporting the rebel Allied Democratic Front (ADF). During 2002, civilians continued to be held without trial for prolonged periods under constitutional provisions allowing detention of treason suspects without charge for up to 360 days. In April, Human Rights Watch interviewed several treason suspects in western Uganda who had just been released after months or years of detention, only to be told that there were no charges against them. A few victims submitted complaints to the Ugandan Human Rights Commission.

In May, a tough anti-terrorism law came into force. The Anti-Terrorism Act has a broad definition of terrorism, describing it as the "use of violence or threat of violence with intent to promote or achieve political, religious, economic and cultural or social ends in an unlawful manner." The law carried a mandatory death sentence for those found to be terrorists. It could threaten also the legitimate work of journalists who publish material considered "likely to promote terrorism."

In June, Ugandan security forces started a crackdown on criminals or alleged criminals in Kampala, called "Operation Wembley," to deal with an apparent increase in crime. According to the nongovernmental Foundation for Human

Rights Initiative, nine persons were killed by security operatives in action, in circumstances that might have been extralegal. Over four hundred people were arrested, and in late August a court martial was set up to try the suspects, including civilians, undermining due process protections.

Uganda's human rights record was also tainted by its involvement in two armed conflicts wracking the region. The Lord's Resistance Army (LRA), which had been waging a war in northern Uganda and committing gross human rights violations since 1989, had been supported by the Sudan government in retaliation for Uganda's support of the Sudanese rebels, the Sudan People's Liberation Movement/Army (SPLM/A). Under United States (U.S.) pressure the Sudan government cut off assistance to the LRA, and in March 2002, with the permission of the Sudan government, the UPDF launched a major offensive against the LRA in southern Sudan, called "Operation Iron Fist." The initial plan to eliminate the LRA failed, as the LRA fled to mountains in southern Sudan and then crossed back into Uganda. These military operations had a horrendous impact on the civilian population in northern Uganda and southern Sudan. (See also Sudan.) From May the LRA increased its attacks in northern Uganda, abducting and killing civilians, looting villages, and attacking camps for internally displaced persons; United Nations (U.N.) sources indicated that the LRA had attacked sixteen such camps by July. On July 24 and 25 LRA soldiers killed an estimated fifty-seven people in several villages about twenty-two kilometers from Kitgum town. In mid-August the rebels announced that all nongovernmental organizations (NGOs) working in northern Uganda—most of them providing humanitarian aid—had to withdraw, or risk becoming targets of new attacks. Despite this warning, relief agencies continued operations. The LRA also attacked and looted camps for Sudanese refugees in Uganda, causing casualties among the refugees, and attacked humanitarian aid trucks serving the displaced in southern Sudan. In early July, LRA forces attacked a refugee camp in Adjumani, killing six refugees, and causing over half of the twelve thousand inhabitants to flee. On August 5 an LRA raid on the Achol-pii settlement in Pader district resulted in the deaths of about sixty people. The rebels looted all the recently-delivered food, and burned what they could not carry. They forced the camp's twenty-four thousand refugees and relief staff to flee the site. The refugees were provisionally moved to a site in western Uganda, and by September their permanent relocation to other camps was underway, a measure that was long overdue.

Since the outbreak of hostilities in northern Uganda, the LRA have abducted Ugandan children, trained them in southern Sudan and forced them to fight in the front lines. Abductions continued in 2002, albeit on a lesser scale than in previous years. As protection parents in affected areas sent their children to towns, where they stayed overnight in hospitals, schools or other places under poor conditions. Despite the return of the LRA to northern Uganda in May, few child soldiers managed to escape their captors. The LRA did release some one hundred sick and elderly people including children with their mothers in June.

UPDF forces also committed human rights abuses in the context of the northern war. From 1996, Ugandan civilians in the north of the country were forced by the army to move into camps for internally displaced people, and living conditions for the over four hundred thousand civilians in the camps remained very poor in

2002. The camps provided little or no protection from the LRA, and residents were vulnerable to abuse by the UPDF and individual soldiers. The Ugandan army recruited children in the camps as “home guards”—a reserve force used to guard the camps and fulfill other security functions. In response to the LRA’s 2002 campaign in northern Uganda, the army stepped up the existing pattern of arbitrary long-term detention of civilians suspected of collaborating with the LRA, and tortured some detainees.

For most of the year the UPDF continued to occupy the northeastern parts of the Democratic Republic of Congo (DRC), where it trained, equipped, and supported several rival rebel groups and competing ethnic militias, which committed gross abuses and continued to recruit child soldiers. The Ugandan involvement fueled conflict among different communities. Members of the UPDF continued to be involved in highly profitable business in the northeastern DRC, such as the exploitation of timber, diamonds, and gold, as well as collecting fees for the “protection” of farms and trucks. The role of Ugandan elite networks in the exploitation of resources was highlighted in a widely publicized report by the U.N. Panel of Experts on the Illegal Exploitation of Natural Resources and Other Forms of Wealth in DRC, published in October. The Sun City Accord, a power-sharing agreement between the Congolese government and the Ugandan-backed Movement for the Liberation of Congo (MLC) concluded in April, did not end the war in the northeastern DRC. By August, the Ugandan army chased away the rebel Congolese Rally for Democracy-Liberation Movement from Bunia, and handed over control to the Union of Congolese Patriots, comprising extremists from the Hema ethnic group, which committed gross abuses against civilians. In September, the Ugandan and Congolese governments struck a peace deal in Luanda, and Uganda withdrew its troops from parts of the northeastern DRC, but left two battalions in Bunia (See also DRC.)

As a result of regional conflict, Uganda hosted close to two hundred thousand refugees at the beginning of 2002, coming principally from Sudan, Rwanda, and the DRC. The Ugandan government estimated in 2002 that as many as fifty thousand refugees lived in Kampala. These refugees suffered from a variety of protection problems, stemming partly from the government’s preference that refugees reside in camps. Some refugees, including victims of torture, suffered from a lack of medical assistance on the part of UNHCR and its local subcontractor. Other refugees faced insecurity at the hands of agents linked to their original persecutors. Human rights activists and other prominent community leaders from the Rwandan-controlled parts of the DRC were followed by agents of the security services of the rebel Congolese Rally for Democracy-Goma, and sometimes threatened. Refugees who had fled the Ugandan-held territories of the DRC were in an especially difficult situation as they were effectively under the control of the same authorities responsible for their original persecution. Rwandan refugees also faced severe problems. In one particularly egregious case, approximately forty-five Rwandan army officers sought asylum in Uganda, but were detained for weeks at the end of 2001 and in early 2002, and later held under house arrest, by the Ugandan authorities. UNHCR was denied access to these refugees. Finally, the Ugandan and Rwandan governments established a Joint Verification Team to question the officers and other

alleged military dissidents. The confidentiality of the officers’ claims was seriously compromised since detailed information was disclosed to the Rwandan government.

## DEFENDING HUMAN RIGHTS

Human rights organizations, church bodies, and other independent associations continued to play a vital role in Uganda’s public life, but their freedom was threatened by the Non-Governmental Organizations Amendment Bill brought before parliament. The bill would introduce more complicated registration procedures and allow the suspension of NGOs whose objectives “are in contravention of any government policy or plan,” and NGO leaders could be imprisoned if they violated the bill. A coalition of Ugandan organizations campaigned against this law, which was still before parliament at this writing.

Several human rights organizations published important studies on the plight of the internally displaced. Human Rights Focus, a Gulu-based organization, published a report on the “protected villages” of northern Uganda. It documented attacks by the LRA on the displaced, as well as abuses by the Ugandan security forces administering the camps. This was followed by the publication of a report on human rights abuses against internally displaced people in the Rwenzori region of western Uganda, by the Kabarole Research Centre and two international organizations.

On World Press Freedom day, May 3, the Eastern Africa Media Institute organized a conference on press freedom in Uganda, raising among other issues the threats against journalists in the new anti-terrorism law.

The Foundation for Human Rights Initiative continued to carry out an impressive program of work on Uganda’s prisons. Early in the year, the organization met with the prime minister and the minister of internal affairs to discuss recent cases of arrest and torture.

## THE ROLE OF THE INTERNATIONAL COMMUNITY

In the context of the geopolitical changes after the attacks on September 11, 2001, Uganda reasserted its role as a key African ally for the United States, United Kingdom and other Western governments.

### United Nations

The U.N. was involved at several levels in addressing the war in northern Uganda and the war in the DRC.

In March, UNICEF called on the LRA to release all child soldiers. The plight of children abducted by the LRA in northern Uganda was also highlighted in a resolution by the U.N. Commission on Human Rights in April and at the United Nations General Assembly Special Session on Children in May. However, preoccu-

pied with the serious abuses against children by the LRA, UNICEF and other relevant U.N. agencies failed to make the issue of recruitment of children by the Ugandan army itself in northern Uganda a priority. Later in the year, U.N. agencies in northern Uganda faced major problems delivering humanitarian aid.

In the DRC, the U.N. pushed for a peaceful solution to the conflict, while increasing its peacekeeping force—MONUC—on the ground. Unfortunately, the presence of MONUC in Ugandan-held territories was very thin and largely unable to monitor and report on the severe human rights abuse that continued to shatter the Ituri region. The U.N. Panel of Experts on the Illegal Exploitation of Natural Resources and other Forms of Wealth in the DRC continued its investigations, building on findings from its first two reports, published in April and November 2001. In these reports the Panel accused several persons close to Uganda's President Yoweri Museveni, as well as UPDF officers and soldiers, of involvement in illegal business with diamonds, timber, gold and other resources.

The situation of refugees remained precarious, and in the absence of adequate governmental protection, UNHCR failed to perform its protection responsibilities on behalf of some refugees in camps as well as in urban areas in Uganda who faced serious human rights violations.

### **European Union**

The E.U. underlined the need for peace in the DRC, and as relations between the Ugandan and Rwandan governments continued to deteriorate, Uganda's key E.U. interlocutor, the United Kingdom (U.K.), played an important mediation role in late 2001 and during 2002, and arranged several meetings between the two country's leaders. The U.K. failed, however, to exert pressure to ensure respect for human rights in the Ugandan-held areas of the DRC. It remained, overall, supportive of Ugandan policies: the U.K. was the largest bilateral donor and carried out large reform programs in a variety of sectors. In general the E.U. continued to support the Ugandan government politically and financially, albeit cautious E.U. criticism was expressed concerning the state of civil liberties, in particular the Political Organizations Law.

### **United States**

The U.S. government welcomed the adoption of the anti-terrorism act and put the LRA on its official list of "terrorist organizations," providing legitimacy for the government military offensive in the north and in Sudan. While the U.S. government noted a number of serious human rights issues in the State Department's *Country Report on Human Rights Practices*, it avoided putting pressure on the Ugandan government to remedy abuses, and remained largely quiet on the human rights violations in the Ugandan-held areas of the northeastern DRC. The U.S. was Uganda's second largest donor, and its strong political support was reiterated during President Museveni's visit to the U.S. in May.

### **RELEVANT HUMAN RIGHTS WATCH REPORTS:**

*Hidden in Plain View: Refugees Living Without Protection in Nairobi and Kampala*, 11/02