

**UNITED NATIONS COUNTRY TEAM IN UGANDA
SUBMISSION TO THE UNIVERSAL PERIODIC REVIEW**

I. INTRODUCTION

This report was prepared by the UN Country Team in Uganda. The information contained in this report is not exhaustive but rather highlights the main human rights issues the UNCT addresses in its work¹.

II. BACKGROUND

Over the past two decades, Uganda has experienced significant civil, economic and political transformations. The country registered high economic growth rates, improved social indicators and a decline in poverty from 44% in 1997 to 24.5% in 2010. Uganda has also made good progress towards achieving some of the MDG targets. The Government has recently launched the National Development Plan (NDP, 2009/10 – 2014/15) which sets out its investment and policy priority areas for the coming years with a focus on infrastructure and quality of services. Significant regional disparities remain, with the central and western regions of Uganda showing better development indicators than Karamoja (poverty rate of 75%) and Northern Uganda (poverty rate of 40%).

Despite considerable achievements, Uganda still faces serious challenges: Its population growth rate (3.2%) and dependency ratio (1.1%), ie the share of those aged 0-14 and 65+ (51.9% of the population) as share of those aged 15-64 (48.1% of the population), are among the highest in the world. An estimated 80% of Ugandans live in disadvantaged rural areas, with persisting hunger and food insecurity. Delivery of social services, particularly in health and education, remains weak. Furthermore, the Government's tendency to multiply the number of districts in Uganda is contributing to gaps in coverage and quality of services.

Northern Uganda experienced one of Africa's longest and most brutal civil wars that ravaged the region and led to the displacement of millions. A cessation of hostilities agreement in 2006 between the Government and the LRA and the Juba Peace talks in 2008 opened a window for post-conflict recovery. Over 90% of IDPs have started to return home but challenges remain in terms of ensuring durable solutions and adequate service provision for the returnees. The implementation of a Peace, Recovery and Development Plan (PRDP) for Northern Uganda commenced with the national budget of 2009/2010.

Karamoja, in Northeastern Uganda, is a region marked by a history of violence due to tribal clashes, cattle raiding and military operations. Its social indicators are the lowest in the country. The *Karamoja Integrated Disarmament and Development Plan (KIDDP)* guides the Government's interventions in the region "to contribute to human security and promote conditions for recovery and development". Serious problems with the KIDDP exist however, particularly since the disarmament operations carried out by the UPDF have resulted in grave human rights violations. A transition to civilian law enforcement in the region is underway and is a welcomed step. Significant investments for the realization of economic, social and cultural rights of the Karimojong are necessary.

Uganda has since 1986 been governed by the National Resistance Movement (NRM) headed by Yoweri K. Museveni. Over the years much progress has been made to establish democratic institutions and values yet much is still needed for democratic consolidation. Questions over transparency and accountability in government affairs persist. By some estimates corruption costs Uganda UGX500 billion per year in direct financial losses.

The 2011 elections were carried out in relative peace with limited incidences of violence. This marked an improvement over past electoral periods which were marred by allegations of rigging, intimidation and violence. There were nonetheless serious issues of concern during the electoral period, from the tabling in parliament of restrictive legislations on freedom of expression and association, to administrative and logistical failings in the organization of the election that led to the disenfranchisement of a considerable number of citizens.

III. LEGAL, POLICY AND INSTITUTIONAL FRAMEWORK

Uganda has ratified all the core international human rights instruments except for CED, OP II-ICCPR, OP-CEDAW, OP/CAT, OP-ICESCR. It also ratified the African Charter on Human and People's rights, the Maputo

¹ Annexes A and B include a list of acronyms as well as a listing of all the documents where data was extracted from for this report.

Protocol, and the African Charter on the rights and welfare of the child and its protocol. Uganda has reported to the international mechanisms although not on a regular basis and not under all conventions/protocols. The most recent review of Uganda was under CEDAW in October 2010. There is no permanent institutionalized system to coordinate Government engagement with the international mechanisms for implementing recommendations, monitoring performance and reporting², leading to the Ministry for Foreign Affairs often having to take the lead.

Uganda's constitution, under chapter 4, provides for a strong framework for the protection of human rights (although it focuses more on civil and political rights than economic, social and cultural rights). Uganda is a dualist State, and although important bills for human rights have been passed through Parliament, there are still several instruments that need to be domesticated and national laws harmonized with international standards. Furthermore, important Acts that guarantee fundamental rights, such as the Access to Information Act, have not had their regulations enacted - effectively hampering the realization of these rights. Policy wise, the principal document guiding government action is the NDP, complemented by sectoral policies. There is no national action plan for human rights in place.

Human rights protection institutions in Uganda include Parliament, Inspectorate General of Government, the National Human Rights Commission and Equal Opportunities Commission, key ministries such as the Ministry of Gender, Labour and Social Development, Ministry of Justice and Constitutional Affairs and Ministry of Local Government. Uganda does not have a Ministry or secretariat solely dedicated to human rights issues. The Judiciary operates through its courts of judicature including the Supreme Court, the Court of Appeal, the High Court and other courts or tribunals established by Acts of Parliament. The Justice Law & Order Sector (JLOS) brings together important government organs for the promotion and protection of human rights and aims to facilitate the reform process of the entire justice sector to address systemic weaknesses in the system. The UHRC of Uganda, established under the Constitution, is generally compliant with the Paris Principles. It faces multiple challenges in accomplishing its mandate however, including: lack of implementation by Government of the Commissioners' decisions; backlog of cases in the tribunal; gaps in capacity; inadequate financial and human resources; and insufficient geographical coverage. Furthermore, many question the full autonomy of the body and highlight that the last appointment process of the commissioners was fraught with delays that seriously constrained the work of the institution. The recently established Equal Opportunities Commission which could be an important institution to ensure equality and non-discrimination in Uganda suffers from similar constraints as the UHRC.

Uganda has a wide range of civil society organizations working on human rights issues. Coordination remains a challenge and resource constraints make NGOs dependent on external sources of funding. Furthermore the NGO Act in its current state puts heavy administrative constraints on NGOs, such as yearly burdensome registration obligations with the NGO Board. Also challenging is the fact that in order to operate at the local/village level, NGOs need to consult and seek prior permission of local government authorities, which makes their work vulnerable to political considerations and unclear limitations.

Recommendations for the Government:

- Translate and disseminate all relevant laws and international standards for easier access to the population as well as include human rights education as part of national curriculum.
- Establish and adequately fund a permanent coordination structure to monitor and report on implementation of Uganda's obligations vis-à-vis human rights instruments and mechanisms and to mainstream human rights into government policies.
- Update its reporting to international human rights mechanisms and issue a standing invitation to the special procedures mandate holders of the UN.
- Consult on and pass regulations for Acts important for human rights.
- Increase investment and capacity of staff in protection organs like the UHRC and EOC.
- Develop a national human rights action plan.
- Ensure that human rights obligations, action plans and recommendations from human rights mechanisms are incorporated and aligned with national development frameworks and policies.
- Introduce human rights and gender based planning and budgeting amongst the different sectors and also in the planning guidelines for local governments.
- Review the NGO Act to ensure CSOs an adequate and less restrictive operational environment.

² Annex C provides an in-depth review of Uganda's engagement with the United Nations and Regional Human Rights Mechanisms

- Through the Ministries of Finance and of Justice, ensure that all determinations by the UHRC and wider justice apparatus are respected and compensations paid to victims.
- Guarantee participation of the public in the design of policies and laws.

IV. PROMOTION AND PROTECTION OF HUMAN RIGHTS

Equality and non-discrimination

The Constitution of Uganda guarantees the right to equality of all persons before the law and prohibits discrimination. Nevertheless, several groups in Uganda still face discrimination including persons with disabilities, sexual minorities, indigenous minority groups, women and children.

Persons with Disabilities (PWD): Estimates indicate that 19.8% of Ugandans have some form of disability. There are Constitutional and legal guarantees in place for the protection of PWDs. Nevertheless discriminatory laws and attitudes still exist³. Freedom of movement and access to information still remain a big limitation to PWDs. Mobility aids are not affordable to many, public buildings such as health facilities and schools are not properly adapted, and government documents are not available in accessible formats. Access to Justice can also be a challenge due to problems such as long distances, lack of interpreters and discriminatory attitudes.

Rights of Lesbian, Gay, Bisexual, Transgender and Intersex persons: LGBTI persons in Uganda face several forms of discrimination including harassment and unequal access to public services. Provisions in the penal code have been used to bring charges against homosexuals. In 2009, an Anti-Homosexuality Bill was introduced to Parliament which seeks the death penalty for “aggravated homosexuality” and imprisonment for those who do not denounce these “practices”. The Bill, if passed, would contravene several of Uganda’s human rights obligations. Consideration of the Bill by Parliament was stalled due to public pressure but fresh attempts have emerged to reintroduce similar provisions under the newly revised Sexual Offences Bill, 2010, which among others, imposes a life sentence for committing unnatural offences including same sex relations⁴. Public attitude and the media have also played a role in the discrimination and persecution of LGBTI community. In 2010, LGBTI activists brought the “Rolling Stones” magazine to court for having published pictures, names and addresses of “alleged” homosexuals calling for them to be hanged. In an unprecedented and welcomed ruling, the High Court determined that the publication was an affront to the plaintiff’s fundamental rights and freedoms. The court ordered the paper to compensate the plaintiffs and to cease publication of similar articles.

Recommendations for the Government:

- Commission a study that maps out the legal framework governing the rights of PWDs.
- Strengthen monitoring systems and the collection of disaggregated disability-specific data.
- Repeal all laws and policies that discriminate people on any basis including a person’s gender identity and sexual orientation. Contest any attempts for legal reform that further institutionalize discrimination.
- Ensure that no groups are discriminated on any basis in accessing public services.
- Thoroughly and impartially investigate cases of persecution and even killing of HRDs.

The Rights of Women

The rights of women and gender equality are covered in the Uganda Constitution. Article 33(6) for example “prohibits laws, customs or traditions which are against the dignity, welfare or interest of women”. Uganda has also made significant progress in enacting laws and policies to combat discrimination and increase protection for women. These include the Domestic Violence Act, the Female Genital Mutilation Act and the Trafficking in Persons Act. Promotion of gender equality and women’s empowerment is a key objective of the NDP and gender mainstreaming is an objective of multiple sector policies. Government has established within the MGLSD a GBV Secretariat and Reference Group aimed at coordinating interventions and policies amongst various stakeholders. The Ministry has also designed national plans of action for implementation of CEDAW recommendations and the UNSC 1325, 1820 and the Goma Declaration.

³ Legal provisions in the Constitution, the Presidential Elections Act (art.4(4), & the Parliamentary Elections Act (4(2)) hinder PWDs rights with regards their capacity to be elected to Parliament; to access credit: prohibition to draft a will and other inheritance related issues,

⁴ This Bill was published in the official Gazette on 14 Jan, 2011 and is due for Parliamentary consideration.

Despite these commendable developments, women still face discrimination, marginalization and violence. Enactment of regulations and effective implementation of the aforementioned laws are lacking. Crucial legal reforms, such as a law that introduces the offence of marital rape, and the Marriage and Divorce Bill have been pending in Parliament for decades. Dissemination and awareness-raising on women's rights is limited. Efforts for improvement are hampered by deep rooted cultural and traditional practices discriminating against women and girls, low female literacy rates and high levels of poverty. Customary laws which govern much of the land-holding in northern Uganda only secure a woman's right to access land through a male figure - women are discriminated with regards to succession/ inheritance rights, where women are dispossessed after the death of their spouses. National Laws also discriminate against unmarried women owning or having a say in a man's land.

Violence against women continues to be a key hindrance to women's rights. Women are subject to various forms of violence, namely sexual based violence and exploitation, domestic violence and harmful traditional practices such as FGM. In 2006, UDHS estimated that 60% of women in Uganda experienced physical violence while nearly two in every five women experienced sexual violence. These numbers do not seem to have changed over the ensuing years as battery, defilement and rape top the list of crimes reported to police. Prevalence of FGM in the country is less than 1%, but in certain communities it is as high as 90%. The Government has been making commendable efforts to tackle this problem, although it is noted that full implementation of the FGM Act and supportive policies are required. Even though Police Family and Child Welfare Units have been created at the district level to handle cases of GBV, they are regularly understaffed or officers are not appropriately trained to handle these cases. The lack of medical officers and police surgeons means that cases cannot be properly prosecuted because of a lack of medical evidence or testimony. For example, in Kotido (Karamoja), out of the 45 SGBV cases involving children reported to police only 3 reached the court because the Police Complaint form (PF3) had not been signed by the relevant medical personnel. The conviction rate nationally has traditionally been below 5% for GBV. Given the weaknesses in the legal system, cases of SGBV are generally settled through traditional mechanisms in which family concerns regularly override women's rights. Impunity is at the source of underreporting and low trust in justice institutions.

Recommendations for the Government:

- Take the necessary steps to protect the property rights of women during and after dissolution of marriage as well as on death of a spouse.
- Speed up the enactment of the Marriage and Divorce Bill and set in place legal redress measures for the protection for women from marital rape.
- Disseminate widely and fully domesticate relevant legal instruments like CEDAW and the Maputo Protocol.
- Fully cost and finance the implementation of National Plans of Action.
- Enact regulations for the implementation of the DVA and other gender specific legislations.
- Ensure regular training for law enforcement on gender rights, case management and handling of victims.
- Expedite the removal of administrative barriers to access to justice and end impunity for SGBV offenders.

The Rights of Children

The main legal framework covering the rights of Children in Uganda is the Children's Act (1997), which is currently under review. Key national policies include the National Child Labour Policy, National Plan on Child Sacrifice; National Strategic Programme Plan of Interventions for Orphans & Other Vulnerable Children III; and the Northern Uganda Child Protection Recovery Strategy.

In Uganda, an estimated 2.5 million children aged 7-14 years are engaged in an economic activity and 17% of all children are engaged in child labour including trafficking. The later are vulnerable to workplace abuses and exploitation, as well as injury, health issues and curtailed education. The juvenile justice system does not have adequate infrastructure to handle youth in conflict/contact with the law. In Karamoja, the lack of juvenile courts for example leads to youth having to be transferred and detained in distant locations. On average, only one in five children is registered at birth, which often results in undocumented youth being incarcerated with adults.

A study⁵ conducted in 2005 in five districts found that over 98% of the 1406 children interviewed had experienced physical violence in their communities, 60% of in-school children had been routinely beaten and humiliated at school and a further 24% had experienced sexual abuse at school. 21% of girls and 7% of boys aged 15-19 years

⁵ Save the Children and Raising Voices study: "Violence Against Children - The Voices of Uganda Children and Adults"

have experienced sexual violence. Unaccompanied or separated children migrating from rural to urban areas face exacerbated risks of violence and exploitation.

Many children are married at a young age, most times against their will. There are high rates of abortion amongst the youth. Existing legal instruments that prohibit sex with and marriage of a minor have not been implemented well largely due to weak law enforcement and deep rooted cultural beliefs. Child sacrifice continues to be of concern although reported cases decreased from 318 in 2008 to 18 in 2009. Government has taken positive steps to address the problem with the establishment of a National Task Force within the MGLSD, a Child Sacrifice unit within the UPF and a Judicial Commission of Inquiry within the Ministry of Internal Affairs.

The Social Development and JLOS Sectors and their member institutions are moving towards greater harmonization of structures and mechanisms at national and sub-national levels to increase protection of children. Challenges that remain include the coordination and inadequate capacity of statutory protection services and community-based structures to identify, support, refer, follow-up and report on child protection cases. This is due to insufficient funding, human resources and training. In Karamoja, street children do not have a home or facility to assist them. This situation has resulted in many children remaining on the streets and migrating to distant places like Kampala. The rights of children and modes of redress for violations are not well known by the children themselves or by protection services. There has also been fragmentation of responses to supporting child labourers and other vulnerable children.

Recommendations for the Government:

- Develop additional and improved data collection systems on children, particularly to assess the scale of violence they face in terms of prevalence, incidence, nature, magnitude, dynamics, and geographical areas.
- Carry out assessments of the underlying causes and vulnerability factors contributing to child labour and other rights violations to better inform prevention programmes.
- Make all efforts to identify and remove children from harmful situations and provide them with safe spaces and shelters to ensure their recovery and effective reintegration.
- Increase harmonization of existing policies, sectoral plans, structures, mechanisms, and partnerships for effective response to child protection concerns.
- Develop an integrated and coherent framework for the coordination and delivery of comprehensive services to vulnerable children, and child friendly mechanisms to ensure their access to justice.
- Train law enforcement and judicial officers in handling juvenile justice matters in line with the minimum standards and guiding principles.
- Work with cultural/religious institutions to tackle harmful practices affecting children.
- Mainstream children's rights across all legislative, policy, planning, budgeting and reporting frameworks in line with relevant international instruments.

Right to life, liberty and security

Death Penalty is still permissible in Uganda. In 2009 the Supreme Court ruled however that mandatory death penalty was unconstitutional. It also ruled that if a death penalty sentence is not executed within three years then it should be converted to life prison⁶. Uganda has not applied the death penalty since 1993. However, there are no serious measures being taken towards completely abolishing the death penalty and sentences are still being issued.

Torture, Cruel, Inhuman and Degrading treatment: Article 24 of the Constitution guarantees every person the right to freedom from Torture, Cruel, Inhuman and Degrading Treatment, which is also considered an absolute freedom by Article 44(a) of the same Constitution. However, up to date Uganda has not passed implementing legislation that creates the specific crime of torture under the penal code. Individual responsibility for torture therefore cannot be established under the current legal framework. Cases of torture are frequently reported in Uganda. The Uganda Human Rights Commission has noted that several security and law enforcement agencies have been accused of committing torture. A multi-stakeholder coalition against torture has been created which has lobbied for a Private Members' Bill in Parliament to criminalize torture and award compensation to victims.

⁶ The court also ruled that convicts on death row whose cases are on appeal should refer back to the High Court to mitigate their sentences. As of Sept 2010, 70 cases has been mitigated with several others still pending. 418 cases have been filed.

Conditions of detention in Uganda present a series of human rights challenges, despite considerable efforts of the Prison Service. Overcrowding, poor infrastructure and insufficient training and poor work conditions for officers are persistent problems. Scarcity of resources has led to gaps in provision of adequate food, water, medical care, bedding and sanitation for prisoners. The Prison Service does not budget adequately for provision of services to pregnant women or women with children in prisons. Women often have to share convenience facilities with men and there are inadequate separate detention spaces for children⁷. Several HIV/AIDS positive prisoners report not having access to ARV treatment.

In police holding cells allegations of torture are particularly common and some complaints of summary execution whilst in custody have also been reported. Allegations of the use of ungazetted places of detention have persisted, especially in Karamoja where most arrested suspects are detained in military detachments/barracks.

Military Court martials of civilians still continue to be held in Uganda which is against international and regional human rights standards. Pursuant to Section 119 (g) and (h) of the UPDF Act, the military can bring to court martial any civilian who is in unlawful possession of military equipment, particularly weapons. This section is especially used in the forceful disarmament process in Karamoja, but is also practiced in other parts of the country. In 2009, the Supreme Court ruled that the trial of civilians by military courts is unconstitutional. Nevertheless, court martials continued to try suspects and issue death sentences in the course of the past year.

Cordon and Search Operations: In Karamoja, the UPDF continues to implement its forceful disarmament operations aimed at halting armed cattle raiding and improving security in the region. In February 2010, the Government re-designed its disarmament strategy with the support of the Police and it seeks to involve local populations more directly in the process. The number of security personnel in the region has continued to increase since the onset of the disarmament process. An improved police presence was registered during the third quarter of 2010 and almost every sub-county in Karamoja has established a police post now. The responsibility for public security is supposed to be shifted gradually to the police, but the military character of the operation remains as a matter of concern, since serious human rights violations were registered by the UHRC and OHCHR. Violations include: excessive use of force by the military in disarmament and cattle recovery operations which are often in contravention of the UPDF Guidelines on Cordon and Search; frequent death and injuries, including of young children and women; arbitrary arrest and detention of civilians in military detachments for extended periods; use of torture and ill-treatment; and violation of property rights of the Karimojong by the killing and theft of their animals and belongings.

Recommendations for the Government:

- Pass the Anti-Torture Bill, hold accountable all those committing acts of torture and ensure timely and adequate compensation to victims.
- Seek to abolish the death penalty. For this to occur it could seek to implement a clear phase-out strategy and 'declare' a moratorium on the use of the death penalty.
- With UPDF, respect and enforce judicial decisions barring trial of civilians in military courts.
- Take all measures necessary to improve conditions of detention particularly for children, women, and mothers with their children and prisoners in ill health.
- Review its disarmament strategy in Karamoja and provide rights compliant law enforcement.
- Consult widely with all local populations in Karamoja in the design of security and development policies for the region.

Administration of justice and the rule of law

Government and donors alike have been investing greatly in the improvement of the administration of justice. However, serious limitations and challenges persist. The geographic distribution and reach of justice institutions is weak. There are insufficient police, courts and justice officials in the more remote areas of the country, and even where posts exist the vacancy rates are high. The high backlog of cases in the court system led the Government to launch a quick win case backlog reduction programme in March 2010 that has shown initial positive results in terms of resolution of cases and decongestion of prisons. The infrastructure and resources allocated to the justice system are limited (housing for officers, salaries, fuel, paper, vehicles, etc). Capacity gaps of personnel are one of

⁷ There are 4 remand homes nationwide and one reception centre in Naguru which have not been able to adequately handle the number of cases leading to continued detention of juveniles with adults.

the most troublesome aspects of administration of justice in Uganda. Often officials are not knowledgeable on the law, abuse authority or exercise excessive use of force, are absent from their post, are susceptible to corruption and sometimes use personal beliefs over the law to handle cases. Mob justice through lynching is becoming more common as people lose faith in the justice apparatus and take matters into their hands.

Due process guarantees: Arbitrary arrests and prolonged periods of (pre-trial) detention are common in Uganda. Usually investigations only start once a suspect is put into custody which means that often they are held beyond the 48 hour constitutional guarantee before being brought to Court for charges. Police bond and court bail are not commonly granted; detainees themselves are not aware that they are entitled to these. Delays in investigations and backlog of cases contribute to prolonged pre-trial detention.

Lack of legal aid services: The constitution stipulates that all Ugandans have a right to legal counsel but there is a general lack of legal aid services being provided by the State. Civil society organizations provide some assistance but cannot cover the whole country. There is ongoing debate over a national legal aid policy without which many will continue to be denied access to justice due to financial, geographic and socio-cultural constraints.

Weak accountability mechanisms: When a State agent, particularly security and law enforcement officials, commit human rights violations, often investigations are poor and there are no adequate accountability mechanisms set in place leading to impunity and further mistrust by the population.

Local Council Courts: An area of particular concern is the role and capacity of LCCs, which provide the first tier of justice to the smallest administrative units in the country. What is often found in LCCs is a lack of knowledge of basic legal rules; instances of partiality and corruption of chairpersons; charging of higher fees than legally prescribed; issuance of decisions on matters beyond the LCC's jurisdiction or based on erroneous application of the law; poor record keeping compromising the appeals process; and lack of knowledge of local residents on which matters the LCCs are allowed to hear and which cases can be appealed to magistrate courts. Women are particularly affected, as LCCs often wrongly refer cases of SGBV to be mediated at the community level.

Transitional Justice: The Government of Uganda has taken important steps to comply with the commitments made during the Juba Peace process. In 2010, Uganda domesticated the Rome Statute of the ICC and the establishment of the War Crimes Division within the High Court was completed, albeit its Rules of Procedure and Evidence are still pending. The WCD is still in its initial stages and is operating with limited resources. Furthermore its first case has been fraught with procedural and due process irregularities. Efforts are being taken by the Uganda Law Reform Commission for the establishment of a comprehensive legal and institutional framework for victim and witness protection. Most worrisome though has been the lack of action to implement other components of the Juba Accords particularly with regards to truth telling and reparations.

Recommendations for the Government:

- Develop and implement a comprehensive legal aid policy.
- Conduct an in-depth functionality and needs assessment analysis of the LCC system in order to identify gaps and invest in solutions.
- Invest in a systematic and comprehensive strategy for clearing the backlog of cases in the justice system particularly those regarding gross violations of human rights.
- Invest in and strengthen internal and external mechanisms of accountability of law enforcement officials, UPDF and other intelligence and security organs.
- Ensure that justice apparatus reaches and is accessible to all Ugandans.
- Table in Parliament for discussion and enactment the Truth and Reconciliation Bill and make every effort to establish a well financed and credible truth and reconciliation commission to look into the abuses committed over the years by armed groups including the UPDF.
- Consult widely the population on the victimization they experienced under the hands of rebel and government groups or forces. This analysis should direct a Government reparations policy.

Freedom of religion, belief, expression, association, assembly and right to participate in political/public life

The 2011 Presidential election in Uganda were generally peaceful with few cases of violence and intimidation reported despite claims that political parties had been training "vigilante" groups. Basic freedoms including association, assembly and movement were generally respected; however a number of developments during the

electoral period were of concern. In the run-up to the election a number of legislative proposals were presented in Cabinet and Parliament with real implications for the realization of fundamental rights. These included:

The Interception of Communications Act 2010 permits the GoU to intercept and monitor private communications for security reasons and gives the Minister of Defence broad discretionary powers. In its current form, the Act could be interpreted in a way that could have serious implications for human rights.

The Press and Journalism Amendment Bill 2010 seeks to amend the current Press and Journalists Act. It introduces stringent regulatory and licensing conditions on journalists and media houses and could negatively impact press freedom and freedom of expression. It confers upon a State-appointed Media Council wide powers to regulate media content and revoke media licences based on broad and ambiguous grounds related to national security and the social and cultural values of the newspaper.

The Public Order Management Bill, 2009 if enacted in its current form, would give the police wide discretionary powers to regulate public meetings of three or more persons wishing to discuss policy, principles and actions of the Government. The bill imposes undue restrictions and heavy duties on those wishing to hold public assemblies. It also attempts to reintroduce Sec. 32(3) of the Police Act (previously ruled as unconstitutional) that broadly permits use of force by the police in crowd control.

Other election concerns included:

- Unequal treatment of candidates by the media, especially state owned media houses, giving the ruling NRM party substantially more coverage than other parties.
- Allegations of vote buying, intimidation and rigging took place in some localities, particularly in the context of the local council elections.
- Access to public funds and use for campaigning.
- The voter register and administrative and logistical challenges were particularly concerning and led to the disenfranchisement of a significant number of voters across the country and impeded a smooth voting process (including delays in delivering election materials, transport of ballot boxes to the tallying centres in the districts). The registration process was very short and civic education, particularly in rural areas, was limited. The weak capacity of electoral commission officials manning the polling stations led to additional constraints and queries.
- In some areas the nature of the presence of security forces, particularly the military, was a concern.

Human rights and counter terrorism

Uganda passed an Anti-Terrorism Act in 2002, which contains a broad definition of terrorism and confers considerable discretionary powers to the Minister of Internal Affairs to declare a group as ‘terrorist’ without recourse to the courts of law as well as allowing the Minister to intercept communications without appropriate oversight mechanisms in place. Wide interpretations of the Act and operations by the Joint Anti-Terrorism Task Force have resulted in abuses. There are credible allegations that persons arrested in the aftermath of Al Shabaab bombings in Kampala in July 2010 have not had their fair trial and due process guarantees granted. There are also members of the political opposition in the months preceding the general elections that were arrested on charges of terrorism, which creates concerning precedents on how the Anti-terrorism Act is being employed.

Recommendations for the Government:

- Constructively and openly engage the opposition and broader civil society to agree on measures that will enhance the transparency and effectiveness of future electoral processes and also help build public trust on the work of the Electoral Commission.
- Ensure that all proposed bills comply with international standards and do not restrict fundamental freedoms unnecessarily and against the spirit of especially Art. 19 and 20 of the ICCPR.
- Ensure that due process is followed and fair trials ensured in all terrorism cases and that the operations of security forces in the context of combating terrorism do not violate human rights. Take special safeguards against incommunicado detention, torture and ill-treatment of terrorism suspects.

ECONOMIC, SOCIAL AND CULTURAL RIGHTS

There are no appropriate legal mechanisms of redress for violations of ESCR in Uganda. These are not clearly spelt out in the Constitution and are only referred to in the National Objectives and Principles of State Policy and

secondary legislations. Measuring progress in the realization of these rights is also difficult as there is no common/rights based framework for reviewing Government policies and measuring performance and progressive realization of ESCRs like food, education, water and health. In the absence of government-wide accountability (and directives), ensuring attainment of at least minimum levels of economic and social rights has been a challenge. Lack of participation by the public in planning and budgeting processes and lack of access to key information from national and local authorities has made further realization of these rights difficult.

Right to Health

Uganda has committed to providing a minimum health care package to citizens which caters for essential services. Decentralization of health services is meant to increase access and quality of care. Health indicators have been improving in Uganda over the past years but the healthcare system remains weak and serious and multifaceted challenges remain. Financing for health is one of these challenges as funding for the health sector (including donor contributions) has stagnated at around 9-10% of the national budget despite a high population growth rate and increased demand for health services. There is an over dependence on external sources of funding for key health sector interventions.

Accessibility is a major concern as over 75% of the population has to walk to reach a government health unit. For Northern, Eastern and Western Ugandans the average distance to a hospital is 20km. Access to health care services is constrained by diverse factors including: social cultural factors, lack of information coupled with low literacy rates especially among women, weak transport and communication systems, poorly equipped health infrastructure, poor referral systems and supply management, chronic drug stock outs and shortages in personnel. Also, poor working conditions and low morale have impacted negatively on deployment and retention strategies for qualified medical personnel. In Karamoja, there are extremely basic health services with only four hospitals and few doctors to service an area the size of Rwanda.

Government through its Health Sector Strategic and Investment Plan (HSSIP) seeks to address many of these challenges and several corresponding policies and programmes are being designed and implemented. The challenge remains however in translating policy statements into actions. Policy documents are not adequately disseminated and funded, coordination amongst implementing agencies is weak and monitoring and evaluation systems are limited. Capacity gaps, corruption and lack of absorption capacity of institutions have lead to funds being returned or completely withdrawn. Civil society has limitations and is fragmented and not strategically focused to demand accountability and improved service delivery.

Recommendations for the Government:

- Increase health care coverage across the country and invest in infrastructure, supplies, recruitment, capacity building, and retention of health workers (particularly for hard-to-reach areas);
- Strengthen institutional and community based oversight and accountability mechanisms to monitor issues such as high out of pocket spending on health and corruption
- Increase Government spending on health in compliance with the Abuja Declaration Commitments of 15% and in accordance with other right to health standards such as those stipulated by the CESC.
- Develop and utilize stronger mechanisms for oversight and accountability of health financing.
- Develop and implement programmes for community outreach and awareness-raising on health. This should be done in collaboration with men and women and other relevant community support structures.

Maternal and Infant Mortality: Although declining over the years, the current rate of maternal mortality stands at 435/100,000, far from the MDG target of 131/100,000. Regional disparities also exist, with rates in areas of Northern Uganda reaching 600-800/100,000. National infant mortality rate (IMR) is at 76/1,000 live births. Contributing factors to high maternal and infant mortality include HIV/AIDS, malnutrition and sexual and gender based violence. Access to reproductive health services is still low and there are unmet needs for family planning services (41% nationally with lower levels or non-existent services in hard to reach areas). Youth are a significant proportion of Uganda's population, yet adolescent sexual and reproductive health services are limited. Most young girls do not have access to information on contraception. The contraceptive prevalence rate is 24%, with 41% unmet needs. Low use of contraceptives often results in unwanted pregnancies and unsafe abortions which in general are responsible for 9% of all maternal deaths. The under one population is at 1,366,682 (4.3%) of the entire population in 2010. High IMR is a barrier to the attainment of MDG4. To address these challenges, the government has put in place policies including the Roadmap for Accelerated Reduction of Maternal and Neonatal mortality and morbidity, the Child Survival Strategy, and the MDG5 Acceleration Framework.

Recommendations for the Government:

- Increase investment in the nationally prioritised maternal health interventions.
- Provide equitable access to skilled attendants at delivery for all women.
- Improve provision and quality of sexual and reproductive health services through training of health professionals at all levels; strengthen referral systems; improve logistics of procurement and distribution of contraceptives to men and women; integrate and implement adolescent sexual and reproductive health in school health programmes; increase the number of facilities providing adolescent friendly sexual and reproductive health services and SGBV services.
- Provide integrated Family Planning/HIV services in health facilities.

HIV/AIDS: Uganda is still experiencing a severe generalized HIV epidemic. Average national adult prevalence has remained at approximately 6.4% since 2005, although the absolute number of HIV infected people has grown over the years owing to population growth and availability of ARVs. An estimated 1.2 million people are HIV infected (57% female and 13% children under the age of 15). There were about 124,000 new HIV infections in 2009 (20% children and 55% women). Even though MTCT is responsible for 18% of all new HIV infections, only 52% of HIV-positive antenatal women had access to PMTCT in 2009, way below the UNGASS target of 80% by 2015. Early diagnosis of HIV in infants is being extended to rural areas but this has been greatly affected by lack of funds at local government level to transport the samples to examining laboratories.

Government has put before parliament an *HIV and AIDS Prevention and Control Bill, 2009* which is meant to address some of the problems with national HIV/AIDS interventions and provide a regulatory framework for HIV management and control. There are however controversial provisions in the bill related to the criminalization of intentional and attempted HIV transmission, and mandatory testing and disclosure to third parties, which threaten to impose extreme human rights burdens on PLHA and undermine public health strategies. The government is also finalizing the National HIV Prevention Strategy which sets forth opportunities and guidance for intensified efforts to stem the number and rate of new HIV infections. PMTCT Policy guidelines have been developed with a comprehensive scale up plan to meet the global target of 80% uptake by 2015. The ART treatment guidelines are being revised to include the new 2010 WHO guidance on ART, PMTCT and Infant feeding whilst the HCT policy and implementation guidelines are being finalized. Nevertheless, there are frequent stock outs of ARVs for ART and PMTCT and other essential supplies like test kits and condoms. There are multiple players in the national AIDS response operating without a strong coordination mechanism. For close to two years now the National AIDS Commission has had financial and programmatic accountability problems leading to the suspension of essential financial support by donors. The AIDS Control Programme within the Ministry of Health is not empowered to make major decisions necessary for a strong response.

Recommendations for the Government:

- Expand PMTCT services to all ANC and delivery services.
- Further integrate and improve linkages and referrals between RH&HIV.
- Strengthen and enforce institutional accountability mechanisms as part of a broader strategy to rebuild local and donor confidence in government bodies such as the National Aids Commission. Consider elevating the AIDS Control Programme to a department level (headed by a Commissioner) to enable major decisions to be made quickly and with authority.

Neglected Tropical Diseases (NTDs): Endemic NTDs in Uganda are not associated with high mortality but they can cause disability and have chronic social and economic consequences. They are particularly prevalent in poorer, remote and underserved areas of the country. There is a lack of access by people at risk of NTDs to effective preventive care. There have been positive developments, such as a completion of a comprehensive strategic plan for the control, elimination and eradication of NTDs; increased number of at risk districts reached with preventive chemotherapy; and significant reduction of cases of river blindness with total elimination in some areas. However, the focus has been mainly on diseases whose main intervention is mass treatment with donated drugs, with less focus on diseases that require screening, early detection and treatment. Not much attention has been given to disability management, leaving the affected without adequate care. Control of NTDs is included in the HSSIP III but is not among the top priorities for health investment. Government allocation for NTD control is very small and there is over-dependence on donors.

Recommendations for the Government:

- Prioritize NTD control as a development program and allocate it more funding ; Assist in particular districts that show higher prevalence of NTDs .
- Improve access to medical care and medicines for NTDs and related disabilities.

Right to Education

Uganda's Universal Primary Education system has been free of charge since 1997. Net enrolment rate (NER) is now almost universal at 96.1% (96% boys, 96.5% for girls). Less than one third of children however fully complete primary education. High drop-out and low completion rates for girls in secondary and tertiary education are particularly worrisome (53.5% compared to 46.3% for boys). Similarly, literacy and numeracy rates are still low despite improvements in recent years.

The Ministry of Education and Sports (MoES) has developed policies and programmes aimed at improving quality of education, including: Education Sector Strategic Plan and a girls' education policy. Whilst the efforts undertaken are commendable, implementation has not yielded desired results. Amongst the reasons are high absenteeism amongst teachers (58%) and head-teachers (62%). Other serious challenges to children accessing affordable and quality education include violence in and around schools; poor health of students and parents; and costs associated with uniforms, books and other materials. For girls, there are additional barriers such as child marriage, teenage pregnancies (which stands at 24%), FGM, sexual violence and lack of proper sanitary facilities for girls in schools. There are also specific challenges for adolescents formerly involved in armed conflict.

Recommendations for the Government:

- Expand learning opportunities and strengthen primary teacher training centres.
- Strengthen early childhood development for children from the ages 3 to 5.
- Develop a policy, legislative and budgetary framework that keeps children learning.
- Finance its national strategy on girls' education.
- Put in place measures to reduce the customary practices that discriminate against girls' right to education and reduce cases of sexual violence against girls both in and out of school.

Right to Food

Overall food security has improved in Uganda with a general increase in market supplies of food items. In northern Uganda a majority of IDPs have returned to their villages of origin and resumed crop cultivation. The health and agriculture sectors have developed implementation plans for improvement of nutrition and health indicators. Agricultural extension services are also being rolled out. Nevertheless, six million people (20.4%) still go hungry in Uganda while 20.3 million (68.5%) are food insecure in terms of the recommended daily caloric intake.

The agriculture sector growth rate is slow at 2.6 percent per annum (2002 constant prices) compared to the population growth rate of 3.2% in 2009. The sector budget is 4.4% of the national budget, way below the 10% NEPAD Maputo Declaration (2003) target. Malnutrition is rampant and rates have not improved over the past three decades. Stunted, wasted and underweight children are at a high risk of dying and if they survive are likely to be less productive in their adult life. Estimates are that under-nutrition in all its forms may be contributing to 230 deaths of children daily and that Uganda may be losing up to 310 million USD annually due to related ills. Further challenges affecting the realization of the right to food in Uganda include: low levels of adoption of improved technology, over exploitation of natural resources, high level of pests, vectors and diseases, and inadequate focus of advisory services for poor and marginalized farmers. Human resource capacity is also a key challenge. Lawmakers are insufficiently aware of the magnitude of malnutrition and the implications of the State's slow actions. During 2010 only one parliamentary hearing was conducted on the matter. Nutrition issues are not part of the agenda for periodic local governments' forums.

As of yet there is not comprehensive legislation addressing the right to food in Uganda, although there are a number of supporting isolated laws. There is a Food and Nutrition Bill (draft April 2010) which is based on the Food and Nutrition Policy (2003) and Strategy (2010). If enacted this new law could go a long way in ensuring adequate resourcing and planning for food security and nutrition.

Recommendations for the Government:

- Fast track the tabling and enactment in Parliament of the Food and Nutrition Bill 2010.

- Operationalise and implement the Agriculture Sector's Development Strategy and Investment Plan (DSIP) with a budget that will see prioritization of improving access to markets and the promotion of agricultural products, as well as scaling-up the availability and provision of crucial inputs such as fertilisers and pesticides to enable improved production, productivity and income generation.
- Simultaneously improve agricultural production and productivity while enhancing direct access to adequate, safe and nutritious food that is culturally acceptable.
- Improve direct participation for vulnerable segments of the population in the development, implementation and monitoring of food security and nutrition actions and policy design.
- Design targeted interventions to address food insecurity and malnutrition, and review existing legal, institutional and administrative structures in order to establish a functioning and effective monitoring and enforcement mechanism for food and nutrition interventions in accordance with existing legal and regulatory provisions.
- Produce measurable and costed multi-sectoral action plans and allocate earmarked financing
- Incorporate quality criteria on nutrition into existing quality assurance and certification processes

Right to Water

Improving functionality of existing water systems is one of the major priorities for the national water supply sector given its importance to ensure access to potable water and improved health to the population. National water coverage has improved, but serious health risks associated with contaminated water sources and poor hygiene remain. There are marked differences between districts and regions in water indicators, with access to improved water sources ranging from 12 to 85 per cent. Over the past years, the status of functionality and safe water coverage of rural water supplies has stagnated between 80-83 per cent. Rural water access improved slightly from 61% in 2004 to 65% in 2009 but the increase has not kept pace with population growth.

Some of the reasons for low functionality include inactive water user committees, weak supply chain, design issues, low willingness and ability to pay for operation and management, as well as high maintenance fees charged by hand pump mechanics. Particularly affected are displaced families in northern Uganda who upon returning to their villages with little resources have found water sources destroyed or non-functioning. Other factors impacting the realization to the right to water in Uganda include: inadequate capacity at local level, lack of uniformity in operations of water systems, and dependency on external support and financing. Further complicating matters is the fact that government allocations to the water and sanitation sector have been declining.

Recommendations for the Government:

- Review the National Policy of CBMS to generate evidence for improvements, and identify bottlenecks in order to propose improvements for the sustainability of existing water systems.
- Improve local capacity in monitoring and reporting on aspects related to right to water.
- Revitalize community based maintenance systems for improvement of functionality.

Housing and other land related rights

Access to adequate housing continues to be a challenge for many Ugandans with glaring discrepancies between rural and urban populations. Participation in housing related decision making, security of tenure and accessibility as well as affordability of services and infrastructure remains inadequate. Land matters are contentious due to multiply claims over land, particularly in the context of the returning populations from the IDP camps in Northern Uganda where land tenure was mainly governed by customary laws. This collective system of ownership is now being challenged by individuals who are buying (sometimes unlawfully) land titles. Evictions by Government and private individuals have been occurring, often carried out by Government agents such as the UPDF and the police. Lack of safeguards and compensations for these practices undermines the right to adequate housing and security of tenure. There is also no comprehensive answer to questions of compensation to land owners who hosted IDPs and military and police detachments on their lands during the conflict. Weak land management and administration structures coupled with lack of an operational land policy further exacerbates disputes.

Human Rights violations have also been occurring with respect to disputes over land tenure in the Protected Areas of Uganda⁸. Communities that were evicted from these areas once they were gazetted never received any form of

⁸ These include national parks, national forests and sensitive ecological, and places protected and managed by the State

compensation. This has resulted in consistent conflicts on tenure, with human rights violations such as unlawful killings, excessive use of force, forceful evictions, torture, arbitrary arrests/ detentions and including destruction of property taking place. The State is encouraged to resolve such conflicts with the full participation and involvement of the affected communities and further, to investigate, prosecute and provide redress for all violations committed.

Recommendations for the Government:

- Operationalize the land fund to provide compensation to victims of land evictions.
- Strengthen land management and administrative structures and provision of services, facilities and infrastructures in IDP return areas and other vulnerable communities.
- Implement provisions of the penal code to curb illegal evictions.

Climate Change, Disaster Preparedness and Human Rights

Climate change has impacted Uganda on many fronts. Extended periods of drought but also flash floods have impacted on agricultural productivity and are endangering the livelihood of many. In Karamoja, drought and the attendant stress on pasture and water are leading pastoralists to seek resources further afield but they are constrained in movement by Government policy. The Rwenzori Mountains icecap is expected to disappear in 20 years time, compromising fresh water sources. Uganda has also witnessed an increase in frequency and intensity of natural disasters. The level of preparedness by the State in addressing these events remains low and is still very much response-oriented. Recent landslides in eastern Uganda killed over 200 people and indications are that the tragedy could have been averted had there been adequate prevention measures in place. The National platform for disaster risk reduction is trying to increase the level of preparedness through contingency planning, pre-positioning of relief items, early warning and improved coordination. Preparedness at community level though is still very limited as the local District Disaster Management Committees (DDMCs) remain largely non-functional. At risk communities are rarely involved in the planning and design of disaster preparedness strategies. In addition, response personnel are usually not well versed in protection and human rights issues in emergencies which results in important human rights considerations being left out of planning and response strategies.

Recommendations for the Government:

- Ensure wide consultation with and participation of concerned communities in the design of national disaster preparedness and climate change strategies.
- Improve allocations for preventive strategies and properly equip the DDMCs.

Migrants, refugees, asylum seekers, Internally Displaced Persons

Refugees and asylum seeker: Currently, Uganda hosts 146,108 refugees and asylum seekers, the majority of who are Congolese and reside in 9 settlements in North Western and South Western Uganda. Of this population, 26% is hosted in urban centres, mainly in Kampala. The Government in general should be commended for its, by and large, receptive attitude toward refugees. The admission rate of refugees to Uganda is one of the highest in the world; the government allows freedom of movement and provides refugees arable land for tilling. Uganda has promulgated a municipal law governing refugee matters in conformity with international refugee instruments and it also came up with legislation which recognises gender related persecution as a distinct ground for seeking asylum in Uganda. Uganda's reservation to Article 17 of the Geneva Convention on wage earning employment notwithstanding, refugees have been able to get employment, mainly in the private sector. The policy of the Government, though this is hardly implemented, is that refugees who elect to reside in urban areas should be able to fend for themselves and should they be unable to do so, then they have to reside in refugee settlements.

Despite commendable policies, serious concerns remain. One such concern is the unavailability of local integration as a solution to refuge plight. In addition Article 1(ii) of the Ugandan Constitution expressly denies refugees and their descendants any form of naturalization. Concerns also exist with regards to the institutional structures in Uganda for analyzing refugee applications. The Crime Intelligence office of the Ugandan Police Force, which has no *locus standi* in refugee matters is part of the adjudication body for refugee status. In addition to this, the appellate process is weak with many refugees not having their appeals fully considered.

Due to pressures from the Rwandese Government, Uganda has since 2009 been frequently denying applications for asylum of Rwandese nationals and has also barred Rwandan refugees from accessing land for cultivation (unlike for other refugee populations). These measures are pressuring Rwandan refugees to return home involuntarily in spite of their stated continued fear of persecution.

The terrorist bombings that hit Uganda in July 2010 led to the investigation and detention of several Somali residents in Uganda as well as increased security and screening measures at immigration points. Although these measures are understandable, it would be important that precautions be taken to ensure due process in the arrest of these persons as well as ensure that all peoples who have legitimate grounds for seeking asylum and refuge are provided the opportunity to do so without prejudice.

IDPs: At the peak of the LRA's insurgency, over 1,840,000 people were displaced, mainly, within the Teso, Lango, Madi and Acholi Sub regions. Since the return of relative peace in Northern Uganda, most IDP camps have started to phase out their activities and shut down. The current population of IDPs is of approximately 125,598, with an additional 52,300 living in transit sites/areas. Currently there are 14 active camps. Extremely Vulnerable Individuals (EVI)/Persons with Specific Needs PSNs are estimated at 10,190 individuals. These are usually the ones left behind in the camps, having nowhere to go for assistance or not finding a way to return home. Although resettlement and reintegration solutions should include return to the areas of origin, integration within the community where IDPs are resident or relocation to another part of the country, the authorities have been a lot more inclined to push for return to the areas of origin to the exclusion of the two other solutions.

Displacement and resettlement are also serious factors impacting livelihood and wellbeing of the population in Karamoja. Insecurity, natural disasters, and limited access to basic services have led to the displacement of significant numbers of Karimojong. Since mid-2008, population movements into the greener belt in search of arable land, access to wood fuel and construction materials have been confirmed by inter- agency assessments. There are 13 to 14 resettlement sites in North Karamoja and another 10 other sites are targeted for resettlement. Some sites have been established to resettle Karimojong who had out-migrated to urban areas in other districts in search of livelihood opportunities. The resettlement phenomenon raises a number of concerns, chief among which is the lack of Government policy to guide the process and guarantee the rights and protection of those resettling. In a few instances, conflict has ensued between resettlers versus host communities or versus mobile kraal communities seeking pasture and water for their animals in the same green belt. Where local government oversight of the process exists, the interests of women, the elderly and child-headed households are often overlooked. Moreover, as the resettlement process and sites are seldom integrated into district development plans, the provision of basic services to such communities is either ad hoc or non-existent.

Recommendations for the Government:

- In order to achieve durable solutions in Northern Uganda, increase efforts to address the needs and challenges affecting the returnee and resettling populations in the northern and Karamoja regions. This includes increased investment to improve service delivery in areas of return or resettlement and targeted policies for the most vulnerable populations.
- Lift the ban on tilling land by Rwandan refugees as this would continue to compel refugees to return home against their will.
- Grant continued refuge to Rwandan refugees, upon the invocation of the cessation clause, that have compelling reasons for not returning to Rwanda.
- Consider reviewing Article 1(ii) of the constitution to create the possibility for local integration of refugees with Ugandan spouses, those who have been in the country for a long period of time (15+ years) and those that have the necessary financial means.
- Fully implement and comply with its national legal framework for asylum seekers and constitute an independent appellate board.
- Support IDPs if they wish to integrate in their current locations or if they wish to relocate to other parts of the county even if they are also able to return to their places of origin.
- Look into multiple issues relating to land ownership in an effort to ensure that upon return the IDPs will not be further dislocated or victimized.

V. Capacity building and technical assistance

UN assistance to Uganda results from consultations with Government, civil society and beneficiaries and is framed by the UN Development Assistance Framework (UNDAF 2010-2014), the UN Peace Building and Recovery Assistance Programme for Northern Uganda (UNPRAP), agencies' country programmes as well as seven different UN Joint Programmes that deal with a variety of issues including climate change, peace building, gender equality, HIV/AIDS, FGM, GBV and population issues. The UNCT expresses its commitment to support

the Government of Uganda in the realization of its human rights obligations and as possible in the implementation of upcoming UPR recommendations.