

EXTERNAL (for general distribution)

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Further information on UA 141/91 (AFR 59/08/91, 26 April 1991) and follow-up AFR 59/10/91 (8 May 1991) - Legal Concern/Torture

UGANDA: Omara Atubo - member of national assembly
Irene Apiu Julu - member of national assembly (f) (note name correction)
Zachary Olum - member of national assembly

The elders and community leaders named above from the northern Ugandan districts of Lira, Gulu and Kitgum, were charged with treason on 8 May 1991 in Kampala Chief Magistrate's Court. They are among several hundred people arrested since the end of March in a major military operation in the north and subsequently held without charge or trial in military custody.

They appeared in court together with 15 others, among them the community leaders from Gulu, Okwango Latigo, Yovan Ojok and Tadeo Omal, and the politician Tiberio Atwoma Okeny (see UA 137/91, 24 April and follow-up 14 May). Some of the prisoners, among them Omara Atubo and Zachary Olum, showed signs of having been beaten and ill-treated while in military custody. It was also alleged that the prisoners had been denied food.

Amnesty International is also concerned that the charges brought against the above-named and their co-accused are vague, suggesting that the charge of treason may be being used as a holding charge in the absence of any evidence which would permit their conviction, or possibly even their prosecution, on such a charge. In a number of other cases, for example that of 43 people arrested in late 1988 who were charged in January 1990 and who have still not been brought to trial, the bringing of vague treason charges, has preceded lengthy periods where there has been no sign that serious efforts are being made to bring the cases to court. Those charged with treason may not be freed on bail until 15 months after being charged.

The authorities have indicated that the allegations of torture and ill-treatment that were made in court are to be investigated. Amnesty International is urging that the government should set up an independent inquiry which should issue a prompt report. The organization is concerned that in the past investigations announced into killings by the army in rural areas have failed to produce reports on their findings and it has remained impossible to assess whether the investigations announced by the Ugandan authorities have represented genuine attempts to confront problems of human rights.

Amnesty International is continuing to investigate whether the three people named above are prisoners of conscience. In the meantime the organization is urging the Ugandan authorities to ensure that the treason charges have not been brought against them on a

spurious basis and to ensure that the charges are sufficiently detailed to allow the prisoners to challenge the accusations against them.

BACKGROUND INFORMATION

The Uganda Government has been facing armed insurgency in the north and east of the country since late 1986. There have been mass arrests, which have frequently led to people being imprisoned without charge or trial for several years, and many incidents where the army has been responsible for the extrajudicial execution of prisoners and unarmed civilians.

In addition to the arrests mentioned above, there have been reports of hundreds of detentions and incidents of extrajudicial execution and soldiers raping prisoners in Gulu and Kitgum Districts.

FURTHER RECOMMENDED ACTION: Telegrams/telexes/faxes/express and airmail letters:

- expressing concern at the alleged torture and ill-treatment of Omara Atubo, Zachary Olum while they were in military custody before being charged with treason on 8 May 1991;

- urging that the government immediately establish an independent inquiry to conduct a prompt investigation of the allegations and to recommend both the prosecution of anyone who has used torture and measures to prevent it;

- expressing concern that the treason charges are unsatisfactorily vague and do not enable the preparation of a defence;

- indicate that Amnesty International is continuing to investigate whether the three are prisoners of conscience and urge the Ugandan authorities to ensure that the treason charges have not been brought against them on a spurious basis.

APPEALS TO

President Yoweri Museveni
President of the Republic
Office of the President
Parliament Buildings
PO Box 7168
Kampala, Uganda

Telegrams: President Museveni, State House, Entebbe, Uganda

Telexes: 60148 KAPITAL; 61006 VICTORIA

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Mr George Cosmas Adyebo
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Office of the Prime Minister
PO Box 341
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**Telegrams: Prime Minister Adyebo,
Kampala, Uganda**

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COPIES TO:

General David Tinyefunza
Minister of State for Defence
Ministry of Defence
PO Box 3798
Kampala, Uganda

**Telegrams: Defence Minister Tinyefunza,
Kampala, Uganda**

Telexes: 61203

Prof George Kanyeihamba
Minister of Justice and Attorney General
Ministry of Justice
PO Box 7183
Kampala, Uganda

and to diplomatic representatives of Uganda in your country

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat, or your section office, if sending appeals after 14 June 1991.