

EXTERNAL (for general distribution)

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Legal Concern/Fear of Torture

14 May 1991

UGANDA: Andrew Adimola - former Ugandan High Commissioner in London
Okello Aldo - local community leader
Maurice Lagolo - District Education Officer, Kitgum
G.B. Ocan Acaar Lamola - District Tax Officer, Kitgum
John Ocira - local community leader
R.T. Odur - prison officer
Philip Odwong - head teacher
James Olobo - local community leader
Hannington Opira - local community leader
Jacob Okello Orach - local community leader
Ojara Penyamoi - local community leader

The elders and community leaders named above from the northern Ugandan districts of Lira, Apac, 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 with seven others, among them Omara Atubo, Irene Apiu Julu and Zachary Olum who are all members of parliament (see UA 141/91, 26 April and follow-ups 8 May and 14 May), and Okwanga Latigo, Yovan Ojok and Tadeo Omal, community leaders from Gulu, and Tiberio Atwoma Okeny, a politician (see UA 137/91, 24 April and follow-up 14 May).

Some of those brought to court, among them Omara Atubo and Zachary Olum, showed signs of having been beaten and ill-treated while in military custody. It was alleged that others had also been beaten and that they 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 18 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.

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

- expressing concern at the alleged torture and ill-treatment of prisoners while they were in military custody before being charged with treason on 8 May 1991 and urging that measures be taken to ensure this does not happen again;

- 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;

- indicating that Amnesty International is continuing to investigate whether all 18 charged with treason on 8 May 1991 are prisoners of conscience and urging 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

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

Telegrams: President Museveni, State House, Entebbe, Uganda
Telexes: 61048 KAPITAL; 61006 VICTORIA
Faxes: 256 41 235462

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

Mrs Betty Bigombe
Minister of State for the North and East
Office of the Prime Minister
PO Box 341
Kampala, Uganda

Telegrams: Justice Minister Kanyeihamba Kampala, Uganda
Telexes: 61007 ADMINISTER

Telegrams: Mrs Bigombe. Minister for North and East, Kampala, Uganda
Telexes: 61092

COPIES 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.