

EXTERNAL (for general distribution)

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Fear of Execution

4 September 1991

UGANDA	Abdalla Nebudere	Dominiko Oboth
	Lt. Col. Abdallah Nassur	Kelly Omuge
	Peter Ndasonzerura	Badru Walakira
	Edward Mpagi	Salim Ikuluba
	Paulo Matovu	Herbert Kasolo
	Haji Mohamed Birikadde	Paulo Musisi
	Simba Ogwang	Badru Babalanda
	Joseph Muganga	Suleiman Ojasi
	Salimu Mulumba	Fred Tindikira
	Paulo Kayondo	Frank Byaruhanga
	Abdu Mukasa	Karisiti Sebugwawo
	Silver Ongom	Joseph Mukasa Mubiru
	Peter Osungei	Capt. Aloysius Ndibowa

Amnesty International is concerned that the 26 prisoners named above are at risk of imminent execution. The organization has learned that Uganda's Committee on the Prerogative of Mercy, which advises President Yoweri Museveni on whether or not death sentences should be carried out, has considered their cases and has not recommended that their sentences be commuted. The final stage of the ratification of their sentences is the signature of the President on their death warrants. The recommendations of the Committee are not binding on the President who is therefore the last chance for clemency.

The majority of the prisoners listed were convicted in different cases of murder or aggravated robbery, both of which carry mandatory death sentences in Uganda law. Some have been in the condemned section of Luzira Maximum Security Prison near Kampala for several years. Lt. Col. Abdallah Nassur, a former Governor of Kampala under the government of President Idi Amin, was originally sentenced to death for murder in 1981. Another prisoner, Abdallah Nebudere, has been held since 1978.

At least two prisoners, Capt. Aloysius Ndibowa and Joseph Mukasa Mubiru, have been convicted of treason. They were arrested in late 1986 and tried in March 1988 with four other men, among them Evaristo Nyanzi, a former Minister of Commerce, who were acquitted. One of those acquitted, Major Fred Mviso, was re-arrested as he left the court room and held in illegal military detention without charge or trial until September 1990. The appeals to the Supreme Court of Captain Aloysius Ndibowa and Joseph Mukasa Mubiru were heard in late 1990, together with that Davis Ssozi Ntambi who had been convicted with them. All three appeals were rejected, but it is not known if Davis Ssozi Ntambi's case has been considered by the Committee on the Prerogative of Mercy.

BACKGROUND INFORMATION

On 29 June 1991 nine prisoners convicted of murder and aggravated robbery were hanged in Luzira Maximum Security Prison. Like many of those listed above, their appeals to the Supreme Court were rejected in 1989. The executions in June 1991 were the first executions following civilian court procedures since 15 March 1989 which, in turn, were the first executions of prisoners sentenced

in civilian courts since the National Resistance Movement came to power in 1986.

Several soldiers convicted of offences under the National Resistance Army's Code of Conduct have been executed by firing squad since 1986. In many cases these executions have been in public and have followed unit tribunals which do not appear to allow adequate right of appeal or proper legal representation. It is believed that over 100 soldiers are currently held in Luzira Maximum Security Prison awaiting execution following their conviction before military courts.

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

- appealing to President Yoweri Museveni to exercise his prerogative of mercy in order to grant clemency to the 26 prisoners listed above and to any other prisoners awaiting execution in Uganda;

- noting that the increasing use of the death penalty in Uganda runs counter to the trend in other parts of Africa, such as in Mozambique, Namibia and Sao Tome and Principe, where the death penalty was abolished during 1990, and Angola, where its use has been markedly reduced;

- stressing Amnesty international's total opposition to the use of the death penalty in all cases - in criminal cases as well as those involving politically motivated crimes - as a violation of the right to life and the right not to be subjected to cruel, inhuman and degrading punishment, as proclaimed in the Universal Declaration of Human Rights.

APPEALS TO

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

Dear President Museveni

**Telegrams: President Museveni, State House, Entebbe
Uganda**

Telexes: 61048 KAPITAL, 61006 VICTORIA

Fax: 256 41 235462

COPIES TO:

Mr Samson Kisekka
Vice-President of the Republic
Office of the Vice-President
PO Box 7006
Kampala, Uganda

Telegrams: Vice President Kisekka, Kampala, Uganda

Telexes: 61389

Mr Paul Ssemogerere
Minister of Foreign Affairs
Ministry of Foreign Affairs
PO Box 7048
Kampala, Uganda

**Telegrams: Foreign Affairs Minister Ssemogerere,
Kampala, Uganda**
Telexes: 61007 ADMINISTRER
Fax: 256 41 259722

Mr Abubakar Mayanja
Minister of Justice and Attorney General
Ministry of Justice
PO Box 341
Kampala, Uganda
Telegrams: Minister of Justice Mayanja
Telexes: 61092

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 18 October 1991.