

EXTERNAL (for general distribution)

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Death Penalty

16 March 1993

UGANDA:

Yafasi Kamala	Paul Musisi	Yoana Serukuma
Abdalla Nasuru	Chris Rwakasisi	Fred Tindikura
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Paul Kayondo	Suleiman Ndabage	
Paul Matovu		

Amnesty International fears that some forty prisoners may be at imminent risk of execution in Uganda because their appeals have been rejected by the Supreme Court.

On 1 March 1993 twelve prisoners under sentence of death were hanged at Luzira Upper Prison near Kampala. There has been no official indication of their identities, however Uganda press reports name Sajabbi Siraisi, Kelly Omuge and Karisiti Sebugwawo as among those executed.

It is possible that the above list contains names of prisoners who were executed on 1 March 1993. Amnesty International condemns the executions that have taken place and is deeply concerned that others may be about to be carried out.

BACKGROUND INFORMATION

The majority of the prisoners listed above were convicted in different cases of murder or aggravated robbery. In Uganda the death penalty is mandatory under the Penal Code for murder, kidnap with intent to murder, armed robbery and a range of treason-related offences such as waging war against the state and incitement to mutiny. In 1987 the death penalty was introduced for armed smuggling and in 1990 it was introduced for various sexual offences including rape, defilement of girls under the age of 18 and unlawful sexual intercourse with a prisoner.

Capital offences under the Penal Code are heard by the High Court where defendants have access to legal counsel of their choice and the right of automatic appeal to the Supreme Court. If conviction and sentence are upheld, the case is then considered by the Advisory Committee on the Prerogative of Mercy which recommends to the President whether the sentence should be carried out. The President is not bound by their advice but it seems that so far he has always abided by it. No execution can take place without the President signing the death warrant.

As far as Amnesty International is aware the execution of 12 prisoners on 1 March 1993 were the first executions carried out of prisoners convicted of

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offences under Uganda's Penal Code since 29 June 1991 when nine prisoners convicted of murder and aggravated robbery were executed in Luzira Maximum Security Prison. Since the National Resistance Movement came to power in 1986, the only other executions carried out under civilian court procedures were on 15 March 1989. During 1992 at least nine death sentences were passed by the High Court but no executions were reported to have been carried out.

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.

RECOMMENDED ACTION: Please send telegrams/telexes/faxes/express and airmail letters in English or your own language:

- expressing concern at the recent execution of twelve condemned prisoners at Luzira Upper Prison in Kampala and calling on the government to disclose the names of all the prisoners executed on 1 March 1993;

- explaining that Amnesty International considers that the death penalty is the ultimate form of cruel, inhuman and degrading punishment as prohibited by Article 5 of the Universal Declaration of Human Rights and other international human rights standards;

- urging that the President exercise presidential clemency in the case of those listed above and that all other death sentences are commuted;

- calling for an immediate moratorium on all executions until an exhaustive review of the death penalty has taken place in Uganda.

APPEALS TO

1) President Yoweri Museveni
Office of the President
PO Box 7168
Kampala, Uganda
**Telegrams: President Museveni,
State House, Entebbe,
Uganda**

**Telexes: 61048 KAPITAL,
61006 VICTORIA
Faxes: 256 41 235462
Salutation: Your Excellency**

2) Mr Samson Kisekka
Vice-President of the Republic
and Minister of Internal Affairs
Office of the Vice-President
PO Box 7006
Kampala, Uganda
Telegrams: Vice President Kisekka,
Kampala, Uganda
Telexes: 61389

Salutation: Dear Vice-President
COPIES TO:

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

and to diplomatic representatives of Uganda accredited to your country.

PLEASE SEND APPEALS IMMEDIATELY. Check with the International Secretariat,
or your section office, if sending appeals after 27 April 1993.