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HUMAN RIGHTS

IN UGANDA

REPORT

June 1978
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EXTERNAL

Amnesty International
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Human Rights in Uganda : AI Report AFR 59/05/78 of June 1978

ERRATA

Page 4, section 4, line 9: the name should be Juma Ali.

Page 6, footnote 9, line 4: the name should be Nakibinge.

Page 7, paragraph 2, line 4: should read - extent since then.

Page 7, paragraph 6, line 3: the forest is Mabira.

Page 8, section A, paragraph 2 : Mr. Byagagaire recovered from the shooting injuries and is now in exile.

Page 10, paragraph 4: Solly May has reportedly been released recently.

Page 13, last line of paragraph 3: the name of Colonel Aziz should be deleted.

Page 16, end of paragraph 1: Captain Juma Sabuni has no ministerial post and is not the same person as Brigadier Sabuni, the Minister of Power and Industry.

Page 16, paragraph 3, line 15: the name should be Mukasa-Bukenya.

Page 17, end paragraph 1: reference should be made to Appendix 1.

Page 17, beginning of paragraph 2 : reference should be made to Appendix IV.

Page 19, line 3: refoulement is ~~in~~correctly spelled.

Page 19, line 5: the name should be Onzima.

Page 20, line 9: footnote 37 should of course be part of the text, with the first words, - the Radio Uganda reference - in brackets.

Page 22, footnote 42, line 3: Mr. Obol Ochola was released and is alive.

Page 24, the date of this statement is 1977, not 1978.

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HUMAN RIGHTS VIOLATIONS IN UGANDA

Introduction

Amnesty International is extremely concerned about the human rights situation in Uganda. Since the military government of President Idi Amin came to power by coup d'etat in 1971, there has developed a consistent pattern of gross human rights violations which is still continuing. Amnesty International's main concerns are as follows:

1. the overthrow of the rule of law;
2. the extensive practice of murder by government security officers, which often reaches massacre proportions;
3. the institutionalized use of torture;
4. the denial of fundamental human rights guaranteed in the Universal Declaration of Human Rights;
5. the regime's constant disregard for the extreme concern expressed by international opinion and international organizations such as the United Nations, which results in the impression that gross human rights violations may be committed with impunity.

These aspects of repression in Uganda are documented here in outline. This statement centers on the human rights issues within the mandate of Amnesty International's statutory concerns, and details of other political, economic and historical events and trends are mentioned only where they are relevant to this purpose. The focus is on events during 1977 and the first part of 1978. Events up to 1977 have been well documented by the International Commission of Jurists and are not generally included here. Though some earlier events are briefly mentioned in order to show clearly the structure of human rights violations.

The aim of this report is not simply to deliver another condemnation of one man at the center of this terrible structure, who has been instrumental in creating and perpetuating it: what Amnesty International considers more important is to describe the whole structure, which involves many other individuals and which

* "Uganda and Human Rights: Reports of the International Commission of Jurists to the United Nations", Geneva 1977.

penetrates all areas of Ugandan society from the severely diminished urban elite to the poorest rural peasant. The effect of this structure of repression can be said without fear of exaggeration to have transformed the whole society in a short period of time into a ruthless military dictatorship marked by arbitrary arrest, torture, murder, the removal of virtually all fundamental human rights, the terrorization of the population, the turning of tens of thousands of Ugandans into refugees.

International concern about human rights violations in Uganda has been voiced on many occasions from many different sources. The International Commission of Jurists made important submissions on Uganda to the United Nations Commission on Human Rights in 1974 and 1976. The Commission took no action in 1975 and President Amin announced that he had been exonerated from what he called a "smear campaign". He falsely claimed that "the accusations, inspired by an imperialist conspiracy, were found baseless".* On 25 August 1976 the Sub-Commission on Prevention of Discrimination and Protection of Minorities recommended that the Commission should undertake a thorough study of human rights violations in Uganda. By 1977 Uganda had secured a seat on this Commission. When the Commission met again in February and March 1977, the Commission decided again to take no action but merely to keep the situation under review. An open statement on human rights violations in Uganda was made by Amnesty International at the commencement of the Commission's session, and there were strong international protests at the atrocities and massacres which were perpetrated by Ugandan security officers at the very time the Commission was in session. In May 1977 Amnesty International made a lengthy communication to the Commission, under its confidential procedures, on human rights in Uganda. In March 1978 the Commission took an undisclosed decision on Uganda, announced by the Chairman, Mr. Keba M'Baye, after considering the case in confidential session.

Two subsequent important events are relevant to the consideration of the international community. In June 1977 an unprecedented public condemnation of the Uganda government was made by Commonwealth heads of government, at their meeting in London. In their final communique, they stated:

" Cognisant of the accumulated evidence of sustained disregard for the sanctity of life and massive violations of basic human rights in Uganda, it was the overwhelming view of the Commonwealth leaders that these excesses were so gross as to warrant the world's concern and to evoke condemnation of heads of government in strong and unequivocal terms. Mindful that the people of Uganda were within the fraternity of Commonwealth fellowship, heads of government looked to the day when

* Uganda Radio, 18 January 1977.

the people of Uganda would once more fully enjoy the basic human rights which were now being so cruelly denied."

A similar condemnation was made by the Roman Catholic Bishops of Eastern Africa at their meeting in Eldoret, Kenya, in September, 1977. They called for a thorough investigation of the situation in Uganda and action to halt the loss of life and "destruction of the Ugandan nation".

A decision was made by the European Community Foreign Ministers meeting in Luxembourg on 21 June 1977:

" The Council deplores consistent denial of basic human rights to the people of Uganda. The Council agrees to take steps within the framework of its relationship with Uganda under the Lome Convention to ensure that any assistance given by the Community to Uganda does not in any way have as its effect a reinforcement or prolongation of the denial of basic human rights to its people."

There have been similar condemnations in the United States and demands by Congress and individuals calling for economic sanctions against the Ugandan regime on the grounds of gross human rights violations. This, however, had not become United States Government policy in early June 1978.

The position of Amnesty International on this issue must be made clear. AI does not take any position on the question of whether or not governments should end aid or trade with a country where human rights are grossly violated. The only demand AI makes is that the practices documented by it should cease. It makes this demand of the offending government. AI brings its information to the attention of all segments of international public opinion with a view to securing the widest possible articulation of its concerns. Accordingly, AI's function here is solely to provide information on human rights in Uganda so that the whole area of debate may be conducted in full knowledge of the appalling situation prevailing there.

I. The overthrow of the rule of law.

Uganda's military government came to power by coup d'etat on 25 January 1971, led by General Idi Amin Dada. Parliament was abolished, political parties were suspended, and Presidential rule by decree was enacted. Constitutional safeguards against the misuse of power were reduced. A series of decrees signed by President Amin as Chairman of the Defense Council directly conflict with the rule of law:

1. The security forces have wide powers of arrest without warrant, and can detain indefinitely without charge any person suspected of subversion. 1/

1/ Decrees Nos. 7, 13 and 15 of 1971.

2. The security forces have immunity from prosecution, which was made retroactive to the beginning of military rule. 2/.
3. Any security official is empowered to "use any force he may deem necessary" to arrest or prevent the escape of anyone suspected of kondo-ism (armed robbery, which carries the death penalty). 3/ This supports a policy of "shooting to kill" on mere suspicion of kondo-ism, which is frequently used to justify arbitrary arrest or murder by security officers, whether in uniform or not. This was the case for example with the death of Makerere University student Paul Sserwanga (See below page 16).
4. Military tribunals, originally confined to judging cases within the armed forces, are empowered to try civilians accused of capital offenses such as sedition, subversion or treason. 4/ This removes the possibility of obtaining a fair public hearing by an independent and impartial tribunal. Members of these military tribunals have no legal training (indeed some, like the tribunal chairman, Colonel Juma Oris, have only a few years primary education); defendants are usually denied legal representation; a legally qualified "court advisor" has no power to intervene where legal processes are contravened, such as rules of evidence and other internationally accepted judicial norms; trials are often in closed court and proceedings are not published. Cases are known of trials which have been conducted in secret or even without the defendant's knowledge. There is no appeal from these tribunals to a non-military legal authority, only to the Defense Council (i.e. President Amin). Military tribunals are prone to corruption, as in the instance of Colonel Juma who was removed around late 1976 from being Chairman of a military tribunal, reportedly after he had been shown to have acted corruptly in convicting some persons. He was later reinstated.

The President is also empowered to order trials by military tribunal for "acts calculated to intimidate or alarm members of the public or bring the military under contempt or into disrepute". 5/ This confers extreme and arbitrary powers, on charges which are excessively vague and undefined.

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- 2/ Decree No. 8 of May 1972.
 - 3/ Decree No. 7 of May 1972.
 - 4/ Decree No. 3 of 24 January 1973.
 - 5/ Decree No. 12 of June 1973.

5. Under the Economic Crimes Tribunal Decree of 25 March 1975, "economic crimes" such as overcharging, hoarding, smuggling, corruption, fraud, embezzlement, illegal currency sales, etc., carry a maximum death penalty and are to be judged by military tribunal. These were already offences in criminal law and far removed from military concerns. Arrest, trial and sentencing in such cases appear to be excessively arbitrary.

This Decree was later amended so that "any person who diverts certain commodities to unscheduled destinations, even within Uganda, faces death by firing squad". 6/ This covers commodities such as cattle, coffee, cement, fish, beans, maize, petrol products, sheep, sugar, tea, timber, waragi (liquor), etc. This amendment was directed particularly at the widespread smuggling of these and other goods, but it is so vague and wide that it could possibly apply to any trading transaction. 7/ Stealing from an employer was also brought within the scope of this tribunal.

Some specific instances of gross violations of legal rights, as distinct from legal decrees themselves, are cited here to show the full extent of the destruction of the rule of law:

A. The murder of judges.

On 21 September 1972, Chief Justice Benedicto Kiwanuka was dragged from Court Chambers, taken away in an army vehicle and murdered. It was apparently in retaliation for his demands in favor of the independence of the judiciary and the right of habeas corpus.

The president of the Uganda Industrial Court, Raphael Sebugwaawo Amooti, was killed by State Research Bureau Officers on 13 March 1978. He had delivered judgments on industrial disputes affecting businesses allocated to security officials. (He was also National Organising Committee chairman of the 1979 Uganda Catholic Church Centenary celebration).

B. Public executions.

This practice was resumed in 1977, following earlier instances in 1973 of alleged "guerrillas" being publicly shot. The best known case was that of 15 men who were publicly executed on 9 September 1977.

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- 6/ Radio Uganda, 20 January 1977.
 - 7/ It is alleged that most smuggling is in fact organized by security officers, but none has been brought to trial.

C. Intimidation of lawyers and litigants.

Defendants in political trials or trials involving security forces officers cannot expect fair trial. In 1973 a businessman, Samson Dungu, was acquitted against the wishes of the Public Safety Unit. He was shot dead in the street after his trial, and his lawyer, Enos Sebunya, was arrested and severely tortured. This case is not untypical, and lawyers are among those who have been arrested and murdered in recent years.

In April 1977 the widow of the former Minister of the Interior, Basil Bataringaya (who was murdered in 1972), was herself murdered by security forces and her body found burned. This was apparently in reprisal for her winning a case in court to retain possession of her house, against the wishes of a senior army officer.

II. "Disappearances" and killings by security forces.

Since 1971 a very large number of persons in Uganda have "disappeared" following arrest by the security forces.^{8/} A number have managed to flee the country when hearing of their imminent arrest, but the vast majority are never seen alive again.^{9/} Only a very few survive the initial period of detention, and there is rarely any genuine judicial investigation of their cases leading to a court appearance. Nearly all are tortured severely. Most torture victims either die under torture or are killed in other ways. There are occasional small "amnesties" announced by President Amin, which sometimes include detainees as well as persons sentenced to long prison terms for "economic crimes" or other offences.

Victims of arrest by the security forces are normally bundled into the back or trunk of a security forces' vehicle. Arrests are carried out by different branches of the security forces who normally take victims to their own headquarters. The various security agencies are as follows:

The Police: they used to be a fairly well-disciplined body, but persons have been tortured and killed at Kampala Central Police Station - though possibly not by police officers.

The Army: army barracks, which are in all towns of Uganda, have been the scenes of mass killings of soldiers and police officers, especially from the Acholi and Langi tribes, in 1971, 1972, 1973 and 1977. Members of other tribes (such as Lugbara, Teso, etc.) have also suffered a

^{8/} For details of "disappearances" before 1977 see ICJ Report.

^{9/} During 1971-3 several prominent Ugandans were murdered in public and their bodies mutilated, e.g. Chief Justice Kiwanuka, former Mayor of Masaka Francis Walugembe, former Mayor of Kampala Mr. Nabudere, but later killings were not usually in public.

similar fate on other occasions. Civilians have also been tortured and killed in army barracks, such as Bugolobi Marine Commando Barracks. Killings of soldiers are usually carried out by the Kakwa or Nubian "core" of the security forces. The Presidential bodyguard have also been responsible for many murders.

The Military Police: their headquarters at Makindye Barracks in Kampala were the scene of numerous atrocities in 1972-73, but to a lesser extent than, though torture and killing are still common at Makindye in special "extermination cells."

The Public Safety Unit (PSU): this is a uniformed and plain clothes police unit (reportedly about 2,000 strong) set up in 1972 to deal with armed robbers (kondos). PSU night patrols regularly shoot on sight at suspected armed robbers and many persons have been killed by the PSU allegedly "resisting arrest." These deaths are not normally reported or inquired into. The PSU headquarters are at Naguru Police Training School (three miles from Kampala). Very large numbers of detainees have been tortured and killed at Naguru since 1972 and still in 1978.

The Bureau of State Research: this is the much feared State intelligence agency (reportedly about 3,000 strong). Its powers override other security agencies and it is directly under the control of the President. Its headquarters are at Nakasero (Kampala), where many people have been tortured and killed since 1976, with very few survivors. Victims of the State Research officers have also been tortured and summarily killed in isolated places in the bush, and in various private houses used for this purpose.

Persons arrested by any of these officers are liable to summary "execution" by shooting or other methods which have become common in Uganda. For example a detainee may be ordered at gunpoint to murder other detainees by hitting them on the head with a hammer, axe or car axle. In one version of this grotesque and common method of killing, detainees are lined up: the first man is given a hammer to kill the next man, he is then in turn killed by another man, until the whole line is killed, the last survivor being shot. There have been numerous reports over the years of detainees' bodies being found with crushed skulls.

Dead bodies of persons killed by the security forces have been seen (buried or unburied) in such places as the Namanve Forest, Mabria Forest, Nandere Forest, near Murchison Bay Prison, in the Sezibwe River, on Paradise Island, etc. AI has not found it possible to compile a list of those who have disappeared and are thought to have been killed. The names of many of them are known only to their close relatives.

Bodies of those murdered are sometimes returned to relatives (usually in a mutilated condition), on payment of large bribes (e.g. the equivalent of US \$300-1,000) to security officers. Many

bodies are never recovered. Within the climate of fear inside Uganda, people do not readily divulge that relatives have disappeared or have found refuge in other countries, and even when refugees have reached other countries, they are usually afraid of contacting organizations such as Amnesty International for fear of reprisals against their relatives.^{10/} The cases known to Amnesty International and other organizations are clearly a small fraction of the total number of people who have disappeared and been killed.

However, to present an overall view of the pattern of these killings, cases are mentioned here of people killed in 1977-1978 for belonging to various categories of the population which have become especially liable to arrest and death:

A. Politicians and civil servants.

Large numbers of former parliamentarians and politicians have been killed, ranging from members of the former President Obote's cabinet to several members serving as ministers under President Amin, such as Mr. Charles Oboth-Ofumbi and Lieutenant-Colonel Wilson Oryema, who were killed on 16 February 1977. All members of President Amin's original cabinet have been killed or have fled to exile.

A former Minister of Agriculture, Mr. Justus Byagagaire, was shot by soldiers near Mbarara in May 1977. Many senior civil servants, especially of the Acholi and Lango tribes, were killed during this time (See Appendix II). Uganda's representative to the now defunct East African Legislative Assembly, Mr. Nyeko, was arrested by soldiers in July 1977 and reportedly killed in Makindye Prison.

B. Religious leaders and followers.

The killing of the Right Reverend Janani Luwum, Archbishop of the Church of Uganda, Rwanda, Burundi and Boga-Zaire, is described more fully in Appendix II. Other leading churchmen (but no other bishops) have been killed since 16 February 1977, and there were reports of ordinary church people being shot or arrested for commemorating the 1977 Church of Uganda centenary.^{11/} In October-November 1977 about 400 Christians in Masaka region, mainly Catholics and including 37 catechists, were arbitrarily killed or arrested by soldiers. This was at first thought to be revenge for the murder of a Muslim trader, but one reliable source states that he was in fact murdered by soldiers to create a pretext for eliminating passive resistance to the regime. Further arrests of 54 Catholics took place in Masaka in February 1978. On 12 April 1978 soldiers shot dead a number of Gospel Mission Church worshippers at Makerere, Kampala and arrested over 150 others.

^{10/} Reprisals against the relatives of former Foreign Minister Wanaume Kibedi and former Finance Minister Emmanuel Wakheya are documented in the ICJ Report. AI's policy is not to reveal informants' names for fear of such reprisals.

^{11/} London Sunday Times, 6 March 1977.

C. Academics, teachers and students.

Several Acholi and Langi academics from Makerere University have either been arrested or have fled since February 1977. Y. Okot, the Chief Inspector of schools, was arrested in February 1977 and publicly executed in September. At that time many head-teachers and secondary school teachers in the north are reported to have been arrested or killed. A large number of students from Makerere University (especially Acholi and Langi) have fled to Kenya, though it is fairly certain that others have been killed. (See also Appendix IV referring to the August 1976 incident at Makerere University).

D. Businessmen.

It is alleged that nearly all managers of former foreign companies have been killed, such as a business partner of a West German firm, arrested in August 1976.^{12/} Acholi and Langi businessmen have suffered most in recent months, such as Ben Ongom (publicly executed in September 1977).

Mr. Kasule, a supplier of food to Makerere University, was arrested around February 1977 and is feared dead. The arrests of some senior bank officials were also reported in April 1977. Businessmen are liable to arrest because of the state of economic chaos and mismanagement as a result of military interference in the economy, seizure of properties, arbitrary reallocation of expropriated property, shortage of basic commodities and spare parts for industry and transport, smuggling, black market activities and the activities of the "anti-corruption unit" under the "economic crimes decree" tribunal. For example in 1975 12 senior officials of the Uganda Development Corporation were arrested on the order of Robert Astles, head of the anti-corruption squad. They were eventually released over a year later, having been earlier acquitted in court of embezzlement charges.

E. Writers.

Byron Kawadwa, artistic director of the Uganda National Theatre (and Uganda President of the International Theatre Institute, a UNESCO body) was arrested at the theatre by State Research officers in late February 1977. He had just returned from Nigeria where one of his plays had been performed at FESTAC. He had been rehearsing a new play he wrote (due to be filmed) about St. Charles Lwanga, one of the first Christian martyrs in Uganda. This may have had hidden reference to the murder of Archbishop Luwum and the persecution of Christians. Some other actors were arrested at the same time. His mutilated body was later found and buried. (He had earlier been a political detainee under the Obote regime, allegedly tortured, and detained without trial at Luzira prison.) He was Uganda's most popular Luganda-language playwright.

^{12/} Kenya Daily Nation, 9 August 1976.

On 23 July 1977, the subsequent director of the National Theatre, Dan Kintu, together with playwright John Male and John Sebuliba, Undersecretary in the Ministry of Culture, were sentenced to death by secret military tribunal. They had been arrested on the opening night of John Male's play "The Empty Room" which allegedly insulted President Amin. The army officer who was bribed by their relatives to return their bodies fled Uganda and revealed this to the press. 13/

F. Soldiers and police officers.

Very large numbers of Acholi and Langi soldiers and police officers were killed after Archbishop Luwum's murder. The former Commissioner of Prisons, Leonard Kigoonya was killed in April 1977. 14/

G. Foreigners.

Citizens of several African countries have been arrested and many of them killed since 1971, e.g. from Kenya, Tanzania, Rwanda, Sudan, Somalia, Zaire, Ghana 15/ and other countries. At least nine of the 245 Kenyans arrested after the Entebbe incident in August 1976 were killed. In April 1977 the Kenyan press reported that 50 Kenyans were held at Makindye barracks, and up to 100 imprisoned for four months for being "vagrants" despite their having valid documents for doing business in Uganda. 16/ In August the Kenya government was making appeals for the release of four Kenyans held in Uganda who had been accused of espionage and tortured. 17/ In the Kenya Parliament on 3 May 1978 it was stated that 9 Kenyans were still detained in Uganda, though 15 others had been recently released. These included a businessman jailed for 7 years for overcharging on a bottle of beer.

Citizens of other nations including USA, UK, and Federal Republic of Germany, have also experienced arrest. A small number of Asians are thought to have been killed in 1972, though verification is difficult. 18/ Denis Hills was reprieved and released after being sentenced to death in 1975. The case of Mrs. Dora Bloch is described in more detail later (page 17), but another Jewish person of South African citizenship, Solly May, who was arrested at the same time, has been in detention since then. An American law student, Brian Swartz, was arrested on 24 February 1977 and taken to a police station where other Europeans were held. He was put in one of the cells with 50 people in each, some of whom had been detained for several months and frequently beaten. Mr.

13/ London Times, 18 August 1977.

14/ Kenya Daily Nation, 19 April 1977.

15/ Some Ghanaians were reportedly killed by mistake in 1977 because their names sounded like Lango names.

16/ Kenya Daily Nation, 14-15 April 1977.

17/ Kenya Daily Nation, 20 August 1977.

18/ A fuller account of the Asian expulsions is given in the ICJ Report.

Swartz was released four days later after diplomatic intervention. 19/

In March 1977 a British citizen, Mark Elias, a former tea planter doing official business in Uganda, was arrested and was possibly still alive in detention in early 1978. Robert Scanlon, a Ugandan citizen of British origin, was arrested in June 1977 at the time of the Commonwealth Conference, and was denied all access to his family. On 27-28 August, eight Kenyans who later escaped saw about 186 people (including two women) beaten to death by hammers at a private house on Kololo Hill used as a detention center. The killers were soldiers in plain clothes. The Kenyans had been arrested on 9 April 1977 and been detained for five months, managing to escape the day before they were due to be murdered. In this "prison" they saw Robert Scanlon (earlier held at Makindye Military Barracks before he became seriously ill and was admitted to Mbuya Military Hospital). The Ugandan government claimed Scanlon had escaped from a "remote prison" with the help of "British intelligence". According to a later report from a Ugandan official, Scanlon and four others were hammered to death on 14 September. 20/

Three Americans were reported disappeared after arrest by State Research officers on 10 August 1977 in a Kampala hotel. A Ugandan nurse, Monica Nansamba, later reported that she had been forced to behead their dead bodies in Mbuya Military Hospital. Three girls, one of the girls' brothers and an army doctor Captain Mawazi were allegedly also murdered. There has been no official confirmation of the deaths of the Americans, named as Richard Sankey, George Milton Smith and Austin Brown. 21/

H. Wives and families.

There have been cases of the killings of relatives of prominent persons killed, such as Mrs. Batarigaya (see above, page 6). More than one source states that around 200 wives and children of murdered Acholi and Langi soldiers from Mubende and Mbarara barracks were also killed on their return to the north in February 1977. Wherever soldiers were killed, their families in the barracks were loaded into lorries, and they were not heard of again.

I. Killings of members of particular ethnic groups.

Members of former President Obote's ethnic group (Lango) and the adjoining Acholi have been especially subject to killings

19/ London Daily Telegraph, 3 March 1977.

20/ Kenya Daily Nation, 8 September 1977. London Observer, 9 October 1977.

21/ London Sunday Times, 28 August 1977.

since 1971. There were several massacres of Acholi and Langi soldiers in the army in 1971-1973 and 1977. Reports state that there was a 'Death List', planned in advance and organized on a country-wide basis in February 1977, of all Acholi and Langi prominent in the professions, educational institutions and the civil service. This numbered 7,000 in some accounts 22/, and in other accounts covered all males between the ages of 15 and 50. It is certain that soldiers did go round government offices, the university, hospitals and other such places, with lists of names of persons to be arrested. A number managed to flee the country but very many were arrested and must be feared dead. After former President Obote's broadcast in London in February 1978 attacking the regime for its policy of mass killings, there were extensive reprisal killings in Lango and Acholi districts. Such incidents of large scale attacks on members of one particular ethnic group might seem to suggest a case for examining whether this would amount to genocide, which is an international crime. Killings, however, are not confined to Acholi and Langi but affect people from all parts of Uganda.

Arbitrary and random arrests and killings also take place all over the country, especially after any "crisis" thought to effect the security of the regime, such as coup attempts and assassination attempts, the circulation of anti-government leaflets, students' demonstrations, or demonstrations of popular support for the Church. Some sources report that some persons organizing the Catholic welcome for the Cardinal on his return from Rome in mid-1976 were arrested and killed. Many persons have been arrested and killed simply because a security official or soldier decided to possess their wife, their house, their car, their property or shop, their cattle, their coffee crop, etc. This happens as much in the towns to wealthier Ugandans as in the countryside to poor peasants. An escalation of killings from mid-1977 was reported from new "death squads" 23/, consisting of organized gangs of soldiers in civilian clothes. Dead bodies are still seen on the streets of Kampala but no one dares to comment or approach them for fear of being killed themselves.

In place of the rule of law, Uganda is ruled by Life-President Amin and his military and security officers. These include the "Defense Council" (whose composition is unclear), and military governors, the intelligence and other security agencies, and the Presidential bodyguard. Neither the civilian members of the cabinet nor the courts have any power to intervene in matters which are classified as "security". The officials dealing with "security" matters all operate above the law.

The structure of repression is spread throughout the country by a network of informers whose confidential reports may lead to

22/ Irish Times, 5 March 1977.

23/ Also called "clearance squads" - cf. London Sunday Times, 1 May 1977.

arrests and killings, despite the equally corrupt system of paying protection money to security officials, which may save people's lives for a time. Very large numbers of people are constantly liable to arrest, either because they belong to a special category of people imagined to be a threat to the regime, because they were associated with such people by some direct or indirect tie, because a rival or enemy had given a false report about them, or because they found themselves in a situation of having to surrender money, property, or even a wife or relative to security officers at the risk of their own life.

Because of this destruction of the rule of law, the most serious human rights problem in Uganda is that of killings committed by or acquiesced in by government or security officials. This has been extremely widespread in Uganda since 1971, and it accounts for the vast number of "disappearances" in Uganda, for which there is no other satisfactory explanation. The estimates of the numbers of people killed since 1971 vary enormously. The lower limits do not go below 50,000 and the upper limits are anywhere around 300,000 or above. AI is unable to verify these estimates.

III. Torture.

Following arrest, victims are usually taken to one of these detention centers where torture is almost routine, especially at the first three: Naguru, the Public Safety Unit barracks; Nakasero, the headquarters of the Bureau of State Research; Makindye, the Military Police barracks; police stations, such as the Kampala Central Police Station; army barracks; or special private houses used for this purpose. Many senior officers have been personally involved in torturing, according to several former torture victims and eyewitnesses. Particularly the following officers' names are frequently cited in this respect: Police Commissioner M. K. Obura; Deputy Police Commissioner Ali Towilli; Colonel Malyamungu; Lieutenant Colonel Francis Itabuka, former commanding officer of the Bureau of State Research and his successor, Major Faruk Minawa; Colonel Taban; Major Nasur (the military governor over Kampala); Major Gala; Colonel Aziz; and many others.

A number of personal testimonies are cited here to show how torture occurs.

A. In March 1976 two Kenyan truck drivers, Kamau Gitau and Mununa Mulinge, were arrested and taken to Naguru barracks. There was no investigation or interrogation before torture began:

" The police boss even without demanding our documents ordered that we be taken into custody and that we be whipped twenty strokes each. In the cells we found a truck wheel rim. We were ordered to kneel down, put our heads through the ring, and stay in that position until the whipping ended. Any movement, we were warned, would be tantamount to demanding more punishment, like being 'sent to the moon', which we later understood to mean we would be shot."
(Kenya Daily Nation, 6 April 1976).

B. Another Naguru victim (known to AI, but whose name is withheld for fear of reprisals) described the same experience of peremptory interrogation, followed by an order to the guard to "give him what he has come here for". The guard told him, "whoever comes in must suffer to the maximum and after that there is only death". After being severely beaten with a rhinoceros whip (kiboko) on his back, buttocks and legs, till his clothes were torn and his wounds bled, he was subject to another form of torture:

"Then I was held down with soldiers treading on my wrists and legs, and pins were stuck under my toenails...The next day we were ordered to crawl over some very sharp stones which cut our knees and hands till they bled. The two in front were ordered to go outside. I heard two shots and then four of us were ordered to go outside too. I thought this was the end but we were just told to load the dead bodies into a land-rover."

He was then suspended from above and beaten with rifle butts on ribs and knees. No medical treatment was given. Torture was carried out daily, as an ordeal of "punishment" which some detainees survived, but others "failed" and were shot. However, the killing appeared to be arbitrary, and no further interrogation took place.

C. A Ugandan, Geoffrey Mugabi, described how he had been arrested on 17 February 1977, and taken to Makindye prison where he heard the noise of prisoners being strangled and their heads smashed. "The floors were littered with loose eyes and teeth", he said, and he had been forced to load the battered bodies into lorries. On 18 February he had seen many lorries full of arrested soldiers who were then taken to the elimination cells, rooms C and D. He managed to escape and told his story to the Kenya Daily Nation (26 February 1977).

D. A West German citizen, Dieter Babeck, was arrested on 1 August 1976 and detained for several days in a private house near the Uganda College of Commerce, where he lectured. He was tortured with whipping and death threats, and threatened with further torture, but he managed to escape and left Uganda.

E. A Ugandan refugee in Kenya, Jacob Mugisha, who worked for Barclays Bank in Kampala, was arrested on 20 April 1975 by the Public Safety Unit and accused of theft. At Naguru barracks he was beaten unconscious and two days later was ordered at gunpoint to use an iron bar to beat to death three other prisoners, who were bound hand and foot. Before he escaped a month later, he had killed more than 20 prisoners in this way. During this time he estimated the total number of prisoners he knew of killed in this way was about 200.^{24/}

^{24/} Times, 4 October 1977.

F. Other common methods of torture in practice at Naguru and elsewhere which have been reported by various victims and reliable witnesses, are:

1. Detainees are forced to undergo various humiliating ordeals which cause extreme muscular pain and exhaustion, such as "hopping like a frog", the victim being beaten until he becomes exhausted or falls down, which is inevitable after a certain length of time.
2. Victims' eyes have been gouged out and left hanging out of their sockets.
3. Further versions of the "wheel torture" are where the wheel-rim is repeatedly struck with iron bars while the victim's head is inside it; and victims are also ordered to stand in the center of the rim and lift it up - this being very difficult, the wheel often drops down injuring the victim's feet.
4. Victims are beaten with wooden mallets, iron bars and hammers - used to kill as well as to break limbs and joints.
5. Electric shock torture is used, the wires of a portable power-unit being attached to the victim's genitals or nipples or other sensitive places.
6. Rape and sexual torture appear to be frequent, especially on women detainees.
7. There have been reports of prisoners slashed with knives and bayonets, or their bodily organs mutilated.

Nearly all these forms of torture have been practised for several years and are still being practised. The methods are well-known and "institutionalized".

In many cases torture is not directly connected with interrogation and can only be regarded as extremely sadistic punishment designed to intimidate the population and particularly any section of the people imagined to be a threat to the regime.

(See also the Appendix I for a summarized description of one victim's testimony.)

IV. Official Ugandan investigations into allegations of killing by security officers.

On occasion, Commissions of Inquiry and Investigation have been appointed by President Amin to examine various allegations against the military regime. In July 1971, Mr. Justice Jeffrey Jones, investigating the disappearance of two Americans, Nicholas

Stroh (a freelance journalist reporting to the Washington Star and other papers) and Robert Siedle (a Makerere University lecturer), released his report from Nairobi, where he had fled in fear of his life. He blamed army officers for their deaths, and strongly criticised the non-cooperation of the military authorities. The Uganda government later implicitly admitted responsibility for the deaths, in paying compensation to their relatives. The army officers named in this investigation included Captain Taban (now chief technical officer of the airforce), Captain Juma Sabuni (later Minister of Transport) and Major Fadur Ali (later Minister of Regional administration).

An internal government commission of inquiry was held in January 1973 into the disappearance of 85 prominent Ugandans. A further judicial commission of inquiry reported in June 1975 on 308 documented cases of disappearances after arrest. Despite the non-cooperation of the State Research Bureau and Public Safety Unit, this commission reportedly collected valuable evidence. However, the reports of these commissions were not published, except in summary form over Uganda Radio. AI is reliably informed that this summary falsified the conclusions of the 1975 commission reports in order to present them as relatively favourable to the military regime. All copies of the reports were suppressed. Following the 1975 report, some senior security officers were tried by military tribunal in connection with 18 cases of disappearance, but all were acquitted.^{25/} They were tried by special military tribunal under Major Juma Ali, who had been named as implicated in the disappearance of the two Americans named above. Many of these "disappearances" were attributed by the government to flight into exile or killing by so-called guerrillas of former President Obote. These attempted explanations do not convince, as for example when President Amin claimed on Uganda Radio, 25 June 1975, that Chief Justice Benedicto Kiwanuka had been killed by Obote's guerrillas, despite reliable eye-witness accounts to the contrary.

Another inquiry investigated the fatal shooting by Public Safety Unit police on 6 March 1976 of a Makerere University student, Paul Sserwanga, just outside the campus. The inquiry also investigated the disappearance on 13 February 1976 of a Kenyan student, Esther Chesire. The inquiry chairman, Professor Bryan Langlands, was expelled from Uganda on 29 July 1976. Under a new chairman, the commission reported on 12 November 1976 (according to Uganda Radio), and concluded that "if university rules had been followed, no one would have been shot". In a statement by Professor Langlands to Amnesty International the commission under his chairmanship had received evidence that Miss Chesire had not been seen since being prevented from boarding the airplane at Entebbe Airport by Ugandan government officials. The commission failed to inquire into the abduction (on 23 March 1976) and subsequent murder of Dr. Teresa Nanziri Musasa-Bukenya, the warden of Africa Hall. She was abducted the day before she was to testify to the commission about Miss Chesire's disappearance. She was shot and her body was found in the Sezibwa River. She was eight months pregnant, and was seized together with her cousin, who also "disappeared". Those

^{25/} Uganda Radio, 25 June 1975.

involved with these events have not been brought to justice.

The government inquiry into the military action of Israel on 4 July 1976 suggested (according to Uganda Radio, 16 November 1976) that Mrs. Dora Bloch, the British-Israeli hostage, had been returned to join the other hostages before the raid. This is contradicted by eye-witness accounts that she was abducted from hospital by plain clothes military officers, strangled and her body burned. A police officer who witnessed this incident was killed. After the raid there were numerous killings, including four or five airport control-tower radar staff (one of whom was recalled from leave and then killed), and many hundreds of Ugandans who knew about or talked about Mrs. Bloch's death. Jimmy Parma, a Ugandan photographer, was killed because he photographed her mutilated corpse ^{26/}, which was probably buried on Paradise Island (see Appendix IV).

An investigation into the alleged killings at Makerere University on 3-4 August 1976 (see Appendix III) reported that no student was killed. This conflicts with the reports of the killing of at least one or two students on the campus, and at least 20 others of the hundreds arrested are still unaccounted for. Very large numbers of students were tortured, both openly on the campus and after arrest.

There is no credibility in the official government accounts of the deaths of Archbishop Luwum and the two cabinet ministers on 16 February 1977.

The circumstances and totally unsatisfactory outcome of these inquiries demonstrate the need for an impartial international investigation into these and other incidents.

V. Other current human rights issues.

Clearly what follows here is minor in comparison with the growth of the massive human rights violations described above. However, the full pattern would be incomplete without a brief mention of the totality of violations of articles of the Universal Declaration of Human Rights. They are summarized briefly here, with examples, by way of illustration.

A. The right to freedom of opinion and association ^{27/} have been completely removed in Uganda. Political parties, trade unions, student organizations, and virtually all free association of people (except for religious assembly), are either prohibited by decree or render persons liable to arbitrary arrest.

B. The right to freedom of religious belief ^{28/} is violated

^{26/} International Herald Tribune, 23 December 1976.

^{27/} Universal Declaration of Human Rights (UDHR) Articles 19, 20, 23(4).

^{28/} UDHR Article 18.

by the ban on certain sects, which by early 1977 included the Ahmediyya Muslim sect, Legio Maria, and Jehovah's Witnesses. Only five religious organizations were permitted to function after the ban on 20 September 1977 of 27 sects including the Salvation Army, Bahai Faith, Seventh Day Adventists, Baptist Gospel Mission and others.

C. The right to freedom of movement 29/ is violated by the prohibition on free exit from the country, the requirement of special permits for movement to different districts inside Uganda, and the harassment of Ugandans returning from abroad.

D. There are arbitrary searches of houses and other property with no legal protection. 30/ The confiscation of the property of "exiles" violates the latter article, especially in respect of the rights of others in the property (such as the wife, children, etc.).

E. There is no freedom of the press. 31/ The press in Uganda is totally government controlled or censored. Many journalists have been arrested or killed, and others forced to flee the country, for expressing opinions or publishing reports critical of the military regime. In many cases the alleged offences are slight, such as the case of the lawyer, Mr. Elizofani Mawagi, detained and killed in 1975 for submitting a letter to the press requesting that Ugandans be permitted to read the international newspapers which were attacked by the President and banned in Uganda. Very few newspapers, magazines or church publications are still permitted to function, (cp. the closure of Munno in 1976).

F. There is frequent discrimination against non-Muslims in public service, commerce, etc. 32/

G. The Farm Settlement Decree (no. 197) of 13 May introduced farm service for all males aged 16-40 without an identification card from an employer and thus declared vagrant or unemployed. 33/ A complaint on this issue was made by the International Commission of Jurists on 8 June 1977 to the Anti-Slavery sub-committee of the United Nations Commission on Human Rights. It is not known to what extent this Decree has been implemented.

H. The Ugandan government has continually refused to compensate Asians expelled in 1972 for loss of confiscated property. 34/

29/ UDHR Article 13.

30/ UDHR Articles 12 and 17(2).

31/ UDHR Article 4.

32/ UDHR Article 21(2).

33/ UDHR Article 22.

34/ UDHR Article 17(2).

Asians with Ugandan citizenship have also been arbitrarily deprived of this citizenship. 35/

I. In December 1973 Uganda obtained the refoulment 36/ of Jolly-Joe Kiwanuka, former parliamentarian, Captain Kenneth Onzika and Captain Sam Aswa from Kenya. They were arrested then handed over to Uganda and killed. Unconfirmed reports allege that a few Ugandans have been subject to involuntary refoulment from the Soviet Union, where they were sent for education or training (by the previous regime). According to an eye-witness one such person tried to hijack a plane and prevent it reaching Entebbe on 5 September 1977 after he had been refused asylum by Egypt and Sudan. The hijack bid failed and he was arrested by State Research officials at Entebbe and undoubtedly murdered (Kenya Daily Nation, 6 September 1977).

AI also opposes the judicial use of the death penalty in Uganda where around 80 convicted murderers were under sentence of death in late 1976. On 25 March 1977 President Amin announced that 37 people were to be executed after their appeals for clemency had been rejected.

Conclusion

The consistent pattern of human rights violations in Uganda has been documented here. Convincing evidence exists to indicate that the Uganda military regime has over several years been responsible for persistent gross human rights violations on a very large scale. Before President Amin came to power in 1971, the human rights situation in Uganda gave cause for concern. There were cases of detention without trial on political grounds, allegations of torture by the police Criminal Investigation Department, and substantial reports of harsh conditions of detention. AI took action on behalf of a number of persons who were detained for political reasons. However, the scale of human rights violations changed dramatically after President Amin came to power. Widespread arbitrary arrest, detention without trial, torture, and large scale killings by the security forces, were not isolated occurrences, but regular and systematic practices, condoned or encouraged by the government. The rule of law was rapidly destroyed.

One of the most disturbing aspects of the situation in Uganda is the fact that the Uganda government has repeatedly ignored expressions of international concern and appeals on behalf of political prisoners. The Uganda government has taken no steps to improve the human rights situation. Internal investigations ordered by the Ugandan government into particular abuses of human rights have been totally ineffective. Uganda is a member of the United Nations Commission on Human Rights but at the same time the Uganda government consistently and with apparent impunity denies the most

35/ UDHR Article 15(2).

36/ Refoulement refers to involuntary repatriation where a person's life or liberty would be threatened on account of his political opinions, religion, race, etc. Refoulement is prohibited by the UN Convention on the Status of Refugees.

basic human rights guaranteed in the Universal Declaration of Human Rights.

In April 1978 President Amin announced that a "Uganda Human Rights Committee" would be set up to "monitor all information in Uganda concerning human rights and coordinate with the UN Human Rights Commission. The Committee would comprise officials of the ministries of Justice, Defense, Internal Affairs and Foreign Affairs, and of security organisations like Police, Special Branch and the State Research Bureau". 37/

37/ Radio Uganda, 3 April 1978. Since the security organizations are accused of responsibility for torture and killings, and since even judges can face reprisal if they conflict with the military regime, such a committee can have no independence or impartiality.

In January 1978 on the 7th anniversary of his regime President Amin declared that 1978 would be a year of "peace and reconciliation". He stated that there were no violations of human rights in Uganda and that such allegations were false propaganda by exiles. Amnesty International is however convinced that this is not the case and that human rights violations continue. Though there have been periods in late 1977 and 1978 when political killing has diminished in intensity, the pattern of arbitrary arrests, disappearances, torture, killings and violations of fundamental human rights persist unaltered. (It is not to be expected that the apparent dismissals and demotions of senior security officers in April-May 1978 will significantly change this situation.) There is good reason to fear that unless international pressure about the human rights situation in Uganda increases, human rights violations of this nature and on this scale could continue in Uganda for a long time to come.

APPENDIX I

Ugandan medical student's testimony (summarised) of arrest, torture, detention, etc.

On 5 January 1976, a Ugandan medical student (whose name is withheld for fear of reprisals), was arrested at Entebbe airport with two fellow-students, who had been due to continue their studies in Canada. They were taken to the State Research Bureau where they were severely tortured with beatings, and cigarette burns. X's companions were taken away, almost dead, on the orders of Colonel Itabuka, and have not been seen since. X was taken to Luzira prison where he saw about 800 detainees, most severely beaten and naked. Three months later, on 2 April 1976, he was taken to a room where State Research officers told him he had been sentenced to 21 months' imprisonment. There was no trial and no right of appeal. He was removed to Murchison Bay Prison, where he was beaten and again stripped. He worked in the prison printing work-shop.

In June with other prisoners he was ordered to bury the bodies of 12 airforce officers. Nine were dead, but three were in a dying condition, badly beaten. Some had their hands chopped off. The prisoners were told they had been killed as "thieves". Two days later other prisoners had to bury a large number of bodies of well-dressed people brought in a lorry.

In July 1976 after the Israeli military action at Entebbe, over 200 bodies of senior military officers and civilians were brought there for burial. X was also told that many prominent people murdered by government soldiers since 1971 had been buried there, including the former Chief Justice. On 20 August, X was sent to Paradise Island, where he helped to bury the bodies of a European woman (probably Dora Bloch), and a police officer, which were brought by Marine Commando officers. On 1 March 1977 he witnessed the arrest of about 50 senior prisons officers, many of whose bodies (some headless) were burned by them on Paradise Island three days later. On the Island on 17 March a large number of senior military personnel arrived for a party, but 200 of them (military police and prisons officers) were arrested by State Research officers on the orders of Major Faruk and Colonel Malyamunga. They buried about half of them the next day.

On 15 June, X was told by Robert Astles on the same Island (where he had seen him earlier) that the President had pardoned him. After his release he fled Uganda and reached Nairobi. 38/

38/ Le Monde, 11 August 1977, and the International Herald Tribune, 19 August 1977.

APPENDIX II

The killing of the Right Reverend Janani Luwum, Archbishop of the Church of Uganda, Rwanda, Burundi and Boga-Zaire.

On 16 February 1977 all the Ugandan bishops were summoned to meet President Amin, after their protests against killings, disappearances, abuse of power, and harassment of church people by government security forces. ^{39/} Three Ugandans were made to read out so-called confessions of having conspired with Archbishop Luwum, President Nyerere of Tanzania, former President Obote, and certain Acholi and Langi, to overthrow President Amin with Chinese weapons. Later that day the Archbishop was taken away from the other bishops by soldiers and never seen again. Two cabinet ministers, Mr. Charles Oboth-Ofumbi and Lieutenant Colonel Wilson Oryema, were also arrested. The next day the Ugandan government announced that they had died with the Archbishop in a car accident, trying to overpower the driver in a bid to escape. According to information which is now well-known and which AI considers reliable, all three were murdered by security officers, and the "car accident" was faked. The bodies were not returned to relatives for burying. Independent police reports state that the accident marks on the vehicles (which had reportedly both been in previous accidents), were not consonant with the official account of the incident. ^{40/}

Following this incident, some thousands of Acholi and Langi were arrested and murdered in many parts of Uganda between February and May. Acholi and Langi civil servants, businessmen, soldiers and police officers, students and teachers, and even whole villages of peasants in the north, were subject to the worst series of massacres since the large-scale killings of Acholi and Langi in 1972-73 (see page 12). Estimates of the numbers killed were in the region of 10,000 according to diplomatic sources. ^{41/} Amnesty International is convinced that the numbers of those killed did run into several thousands.

In a sequel to the Archbishop's murder, 16 of those arrested in February ^{42/} were brought to trial by military tribunal on 5 September 1977, accused of treason and plotting with the Archbishop.

^{39/} See Appendix III for text of their open protest to President Amin.

^{40/} Police Review, London, 8 April 1977.

^{41/} International Herald Tribune, quoting diplomatic sources, 16 May 1977.

^{42/} Many others known to have been arrested at the same time such as former Minister of Culture and Ambassador to the USSR, Y. Engur, and a lawyer, Obol Ochoła, were probably later murdered in detention.

Twelve were sentenced to death after a secret hearing in which legal representation was denied. They included Abdallah Anyuru, retired chairman of Uganda's Public Service Commission, John Olobo, Assistant Commissioner of Labour, Y. Okot, Chief Inspector of Schools, senior police and prisons officers, a businessman and two headmasters. They were publicly executed on 9 September, together with three other men sentenced by an earlier military tribunal on other charges. The executions took place despite appeals for clemency and commutation from a number of African leaders, including President Bongo of Gabon (Chairman of the Organisation of African Unity) and President Tolbert of Liberia, as well as Amnesty International.

APPENDIX III

Open statement by the 18 Ugandan Anglican Bishops, 15 February 1978

The gun whose muzzle has been pressed against the Archbishop's stomach ^{43/}, the gun which has been used to search the Bishop of Bukedi's house, is the gun which is being pointed at every Christian in the Church. We have buried many who have died as a result of being shot and there are many more whose bodies have not been found. Their disappearance is connected with the activities of some members of the security forces. This brain drain from our country, the fear and mistrust, make development, progress and stability impossible. The gun which was meant to protect Uganda as a nation, the Ugandan as a citizen, and property, is increasingly being used against the Ugandan to take away his life and property.

^{43/} This refers to an earlier incident when soldiers searched Archbishop Luwum's house at gunpoint.

APPENDIX IV

The Makerere University incident of August 1976

On 3 and 4 August 1976, troops led by the Minister of Education, Brigadier Kili, entered the campus and attacked students who were boycotting lectures. Students were rounded up and ordered to perform various ordeals of punishment and torture for one to two hours - crawling, hopping, dancing, doing other "exercises" and lying on the ground motionless while soldiers kicked them. About 200 students were then taken away, piled into army jeeps, to various detention centers, where further punishment and torture of a similar kind took place. Some were forced to roll in garbage, others were placed in flooded cells. According to one testimony, a girl was raped and another who resisted was raped with a rifle inserted into her. All students were sent back to campus that day or the next. A second attack on the campus took place that night, when similar tortures and the looting of students' rooms took place. The following day the Minister threatened that next time there was any student protest the troops would shoot. University life quickly returned to normal, but about 20 students were unaccounted for. It is probable that most fled but there may have been one or two deaths. Some students suffered severe injuries during this cruel and degrading treatment.

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This report was presented by Amnesty International, USA as a submission to a hearing on Human Rights in Uganda before the subcommittee on Foreign Economic Policy of the Foreign Relations Committee of the United States Senate on 15 June 1978.