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UGANDA: Call for fair, prompt and public trial of arrested opposition leader and co-accused

Amnesty International calls for a fair, prompt and public trial, and release on bail pending trial in the case of retired Colonel Kizza Besigye, leader of the opposition party Forum for Democratic Change (FDC).

Besigye, arrested on 14 November 2005, was committed to the High Court on 15 November, charged together with 21 others accused with treason under Section 23 of the Penal Code Act. If found guilty, they face the death penalty. Dr. Besigye is also facing one count of rape under Section 123 and 124 of the Penal Code.

The High Court today granted bail to 14 of the co-accused who are also facing charges of treason in relation to their involvement with the People's Redemption Army (PRA), an armed group reportedly operating in the eastern part of the Democratic Republic of Congo. Unidentified men in military attire were stationed outside the High Court premises reportedly to rearrest the 14 when they emerged from the court. Dr. Besigye did not appear in court today. Amnesty International calls on the Uganda authorities to respect the High Court's ruling granting bail to the 14 co-accused.

The 1995 Constitution of Uganda provides for fair, speedy and public hearing before an independent and impartial court. Amnesty International is calling for Kizza Besigye and the others to be able to exercise their constitutionally guaranteed right to a fair trial.

International standards require that people in detention are brought to trial within a reasonable time or released. The presumption of innocence and the right to personal liberty requires that anyone held in pre-trial detention has their case given priority and the proceedings conducted expeditiously.

Amnesty International is further concerned by the levels of violence that have erupted, triggered by Kizza Besigye's arrest. The organization is calling for restraint from all sides, including the police and the military, to ensure that the situation does not deteriorate any further.

BACKGROUND

Retired army colonel Dr. Bizza Besigye, leader of the opposition party Forum for Democratic Change (FDC), was arrested on 14 November 2005 in Kampala as he returned from a campaigning tour in preparation for the March 2006 elections.

Dr. Besigye, who contested against President Museveni in the Presidential elections of 2001 returned back to Uganda at the end of October 2005. He was in exile in South Africa since August 2001, when he fled the country, asserting he felt unsafe in Uganda.

After losing the 2001 presidential elections he challenged the results in court, saying that the state used force, intimidation and violence to influence the outcome of the elections. The court ruled against him.

On 9 December 2004, 8 suspects from the PRA were charged with plotting to overthrow the government. The previous day, the Constitutional Court had ordered 25 suspects from the same organization to be released on bail immediately.

Dr. Bessigye's arrest caused thousands of demonstrators to take to the streets in Kampala city centre on 14 November. Demonstrations also took place in Rukungiri Town, his home town, Soroti and Masaka, among others. Riot police used live ammunition, tear gas and water cannons against demonstrators in Kampala. During the two days of riots, at least one person has been killed and dozens arrested.