

PUBLIC

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UA 111/09 Incommunicado detention/ Torture and other ill-treatment

UGANDA Nganizi Jean-Baptist (m) – refugee from the Democratic Republic of Congo (DRC)

Congolese refugee Nganizi Jean-Baptist has been held in Uganda without charge or trial since his arrest on 24 April 2008. Over the course of the year, he has been reportedly tortured and ill-treated, denied access to a lawyer and subjected to incommunicado detention. He is currently held at Mbuya Barracks Quarter Guard, in the capital Kampala, where he is at risk of further torture and other ill-treatment.

Nganizi Jean-Baptist was arrested in the town of Mbarara, 266km from Kampala, reportedly by agents from Uganda's Chieftaincy of Military Intelligence (CMI). He was first taken to Mbarara military barracks where he was held incommunicado detention. Eight months later, on 16 February 2009 he was transferred to Mbuya Barracks Quarter Guard, in Kampala.

While in detention at both locations, he has reportedly been severely beaten with a rubber cable, kicked and stomped on and forced to admit that he is a military officer from DRC. Currently, the CMI are claiming he is member of the National Council for the Defence of the People, an armed group that until recently was fighting the Congolese government in the eastern part of the Democratic Republic of Congo (DRC).

Nganizi Jean-Baptist has been granted refugee status in Uganda and prior to his arrest had been living in Nakivale refugee settlement, which has thousands of refugees, mainly from the Democratic Republic of Congo, Rwanda, Somalia, Burundi, Ethiopia and Eritrea. Since 2007 he had worked as a night guard at German Technical Cooperation premises.

BACKGROUND INFORMATION

Amnesty International, the Uganda Human Rights Commission and other human rights organizations have, in the past, documented widespread use of torture, cruel, inhuman and other degrading treatment in detention facilities in Uganda, including secret detention centres.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English:

- expressing concern at the continued incommunicado detention without charge or trial of Nganizi Jean-Baptist who was arrested on 24 April 2008;
- calling on the authorities to either release Nganizi Jean-Baptist or charge him with a recognizable criminal offence;
- if charged, calling for Nganizi Jean-Baptist to be surrendered by the CMI into Ugandan police custody, detained in a legally authorized detention location and brought to trial in accordance with international fair trial standards;
- calling for Nganizi Jean-Baptist to be granted regular and unhindered access to a lawyer, his family and the Office of the UN High Commissioner for Refugees (UNHCR) as well as any medical care that he might require;
- urging the authorities to guarantee that Nganizi Jean-Baptist is not subject to torture or otherwise ill-treated while in custody;
- calling for a independent investigation of allegations of torture by CMI agents, and for any individuals found to be responsible to be tried in accordance with international fair trial standards;
- urging the Ugandan authorities to respect their international obligations under the Refugee Convention and the UN Convention against Torture and other cruel, inhumane or degrading treatment.

APPEALS TO:

President

Yoweri Museveni
Parliament Building
PO Box 7168
Kampala, Uganda

Fax: + 256 414 346 102
Email: info@gouexecutive.net
Salutation: Your Excellency

Minister for Security

Amama Mbabazi
Ministry of Security
Office of the President
P.O. Box 7168
Kampala, Uganda

Fax: +256 414 344012
Salutation: Dear Minister

Minister of Defence

Dr. Crispus Kiyonga
Ministry of Defence
Bombo Military Barracks
P.O. Box 7069
Kampala, Uganda

Fax: +256 414 254829
Salutation: Dear Minister

COPIES TO:

Commissioner for Disaster Preparedness and Refugees

Mr. Carlos Twesigomwe
Office of the Prime Minister (OPM)
Post Office Building
Yusuf Lule Road
P.O. Box 341
Kampala, Uganda

Fax: +256 414 258 735

COPIES 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 8 June 2009.