

PUBLIC

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Further Information on UA 213/07 (AFR 59/003/2007, 21 August 2007) Incommunicado detention/ fear of torture

UGANDA	Titi Masudi (m), human rights activist]
	Bikay Kusimuweri (m)] Congolese refugees/asylum seekers
	Kahindo Balilie (m) (note amended name)]
	Patrick Kabula (m)]
	Ngunda Bawula (m)	
	Fabrice Buregeya (m), aged 13	
	Emmanuel Tumukende	
	And 35 others, including seven women	

The 41 people who were detained incommunicado from 13 to 17 August have been released on bail, after appearing before the Magistrates' Court in the capital, Kampala, on 23 August. All the detainees have been charged with "conspiracy to commit a felony" and are scheduled to appear before court on 11 September. They were transferred to the custody of the Magistrates' Court on 17 August, before being remanded to Luzira Prison in Kampala until their hearing.

At least five of the detainees were tortured or experienced police brutality during their arrest and detention at the hands of the police Rapid Response Unit (RRU). Emmanuel Tumukende suffered a broken arm and serious bruising after being hit on the arm and head with gun butts during his arrest. Titi Masudi was also beaten with batons and kicked in the groin during the arrest. Kahindo Balilie, Patrick Kabula and Bakay Kusimuweri were all repeatedly beaten and kicked while in detention, suffered bruising and injuries to their backs. Kahindo Balilie suffered internal bleeding after being beaten kicked, and jumped on, and was repeatedly kicked in the groin. All three are Congolese refugees or asylum seekers, and were reportedly targeted by members of the RRU because they attempted to protest at the theft of their personal effects. In addition, their arrest and ill-treatment may have been a consequence of increased tensions in recent weeks between the Democratic Republic of Congo and Uganda, due to after a number of incidents along the countries' border, including the shooting of a British oil worker, and the capture of Ugandan soldiers.

The medical officer for the non-governmental organization, the African Centre for Treatment and Rehabilitation of Torture Victims, has examined Patrick Kabula, Bikay Kusimuweri and Kahindo Balilie, and confirmed that they have been tortured.

All 41 of the detainees were held in harsh conditions at the headquarters of the RRU in Kireka, Kampala, squeezed into small rooms, meaning detainees were forced to sleep in turns on cement floors covered in water, and were only fed three times in five days. Many of the detainees reported being beaten, either by police or by military personnel who were also detained in the cells. Many also had money and other items including mobile phones, cameras seized by the police. These have not been returned.

BACKGROUND INFORMATION

Since the beginning of July 2007, Ugandan police have been arresting and harassing people supposedly engaged in criminal activities in Kampala, in an apparent attempt to clear the city of illegal immigrants, beggars, the mentally ill and other "undesirables" before the Commonwealth Heads of Government Meeting, due to be held in Kampala in November 25-27. Similar arrests by the RRU have involved torture of detainees. In mid-July 2007 police from the RRU arrested a refugee in central Kampala and accused him of stealing cars. The refugee was detained at the RRU headquarters in Kireka where he was severely beaten.

When the police learned that Amnesty International was following developments in this case they took the refugee to a court in the outskirts of Kampala and charged him with being "idle" and "disorderly". The judge dismissed the case.

The RRU, known until recently as the Violent Crimes Crack Unit, reports directly to the Inspector General of Police. It has been condemned by Amnesty International and the Uganda Human Rights Commission for numerous incidents of torture and prolonged and arbitrary detention of suspects.

RECOMMENDED ACTION: Please send appeals to arrive as quickly as possible, in English or your own language:

- expressing concern that the 41 were detained incommunicado between 13 and 17 August, during which time at least four of the detainees were tortured and ill-treated;
- demanding an independent and impartial investigation into the incidents of torture, the publication of the findings and prosecution of anyone responsible for committing torture;
- urging the immediate suspension of all officers of the Rapid Response Unit involved in the arrests until the investigation has been completed.

APPEALS TO:

President

Kaguta Yoweri Museveni
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Salutation: Your Excellency

COPIES TO:

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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 19 October 2007.