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COMMISSION ON HUMAN RIGHTS  
Thirty-third session  
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QUESTION OF THE VIOLATION OF HUMAN RIGHTS AND FUNDAMENTAL FREEDOMS,  
INCLUDING POLICIES OF RACIAL DISCRIMINATION AND SEGREGATION AND OF  
APARTHEID, IN ALL COUNTRIES, WITH PARTICULAR REFERENCE TO COLONIAL  
AND OTHER DEPENDENT COUNTRIES AND TERRITORIES

REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND  
PROTECTION OF MINORITIES AT ITS TWENTY-NINTH SESSION

Written statement submitted by Amnesty International, a non-governmental  
organization in category II consultative status

The Secretary-General has received the following communication, which is circulated  
in accordance with Economic and Social Council resolution 1296 (XLIV):

[19 January 1977]

THE HUMAN RIGHTS SITUATION IN UGANDA

Amnesty International strongly endorses the recommendation of the Sub-Commission on Prevention of Discrimination and Protection of Minorities that the Commission on Human Rights undertake a thorough study into human rights violations in Uganda. Amnesty International which has already expressed its willingness to undertake a fact-finding mission to Uganda, 1/ pledges itself to co-operate with any such study.

Amnesty International here outlines the main types of human rights violations in Uganda from 1971 to 1976 with some recent examples. 2/

1/ An Amnesty International mission was invited by President Amin at a press conference at the United Nations on 2 October 1975, but Amnesty International was subsequently informed that it was not a suitable time for a mission.

2/ No mention is made here of the expulsion of Asians or many other incidents documented in the International Commission of Jurists' study of "Violations of Human Rights and the Rule of Law in Uganda" (1974) which was submitted to the United Nations Commission on Human Rights.

## 1. REMOVAL OF CONSTITUTIONAL AND LEGAL RIGHTS

Shortly after the military coup d'état of 25 January 1971 by General Idi Amin, Parliament was abolished, political activities were suspended and presidential rule by decree was enacted. Security forces were given wide powers of arrest and detention (May 1971) and retroactive immunity from court prosecution (May 1972).

From 24 January 1973 military tribunals tried civilians accused of capital offences including sedition, subversion or treason. In June 1973 the President was empowered to order trial by military tribunal for "acts calculated to intimidate or alarm members of the public or bring the military under contempt or into disrepute". On 25 March 1975 "economic crimes" (overcharging, hoarding, smuggling, corruption, fraud, embezzlement, illegal currency sales) were made capital offences to be tried by military tribunals. The members of the military tribunals have no legal training, defendants are denied their chosen legal representation and due judicial process is not maintained. There is no appeal to any non-military authorities. In February 1973 there were 12 public executions by firing squads following conviction before military tribunals, but the number of legal executions since 1971 is not known.

On 21 September 1972 the Chief Justice, Benedicto Kiwanuka, was dragged from court chambers, taken away in an army vehicle and murdered. This was apparently in retaliation for his demands in favour of the independence of the judiciary. In 1973 a businessman, Samson Ddungu, acquitted against the wishes of the police Public Safety Unit, was shot to death in the street. His lawyer, Enos Ssebunnya, was arrested and severely tortured. Defendants in political trials or cases involving security forces members cannot expect fair trial.

Most persons arrested for alleged political offences simply "disappear". A few are later released but there is rarely genuine judicial investigation. There are alleged to be hundreds of uncharged detainees awaiting trial, some for several years.

## 2. COMMISSIONS OF INQUIRY

Several Commissions of Inquiry have been appointed by President Amin. In July 1971 Mr. Justice Jeffrey Jones, investigating the disappearance of two Americans, Nicholas Stroh and David Siedle, released his report from Nairobi, where he had fled in fear of his life. He blamed army officers for their deaths and strongly criticized the non-co-operation of the military authorities.

Amnesty International rejects as unsatisfactory the reports of two internal government Commissions of Inquiry <sup>3/</sup> - the January 1973 report on the disappearance of 85 prominent Ugandans, and the June 1975 report that 308 Ugandans had disappeared since 1971. Following the latter report, some senior security officers were tried by military tribunal <sup>4/</sup> in connexion with 18 cases of disappearance, but all were acquitted. It is government practice to blame "disappearances" on flight into exile

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<sup>3/</sup> Neither of these or subsequent Inquiry reports have been published, except in brief summary form over the radio.

<sup>4/</sup> Under Major Juma Ali who had been named as implicated in the disappearance of the two Americans (see above).

or killing by former President Obote's guerrillas. These attempted explanations are rarely convincing, as when President Amin claimed 5/ that Chief Justice Kiwuka had been killed by Obote's guerrillas, despite reliable eyewitness accounts to the contrary.

Another Inquiry investigated the fatal shooting by police on 6 March 1976 of a Makerere University student, Paul Sserwanga, and 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 that Miss Chesire had left for Kenya (which the Kenyan authorities deny), and claimed 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 joining the airplane at Entebbe airport by Uganda Government officials. The Commission failed to inquire into the abduction (on 23 March 1976) and murder of Dr. Teresa Mukasa-Bukenya, the Warden of Africa Hall, the day before she was to testify to the Commission about Miss Chesire's disappearance. Those involved with these events have not been brought to justice.

The government Inquiry into the military action of Israel on 4 July 1976 suggested that Mrs. Dora Bloch, the British-Israeli hostage, had been returned to join the other hostages before the raid. 6/ This is contradicted by eyewitness accounts that she was taken from hospital by security officers, strangled, and her body burned. After the raid there were numerous killings, of airport staff and Ugandans who knew or talked about Mrs. Bloch's death, including Jimmy Parma, a Ugandan photographer who reportedly photographed her dead body. 7/

An Inquiry into the alleged killings at Makerere University on 3-5 August 1976 reported that no student was killed. This conflicts with 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.

The results of these Commissions of Inquiry demonstrate the need for an impartial international investigation into these incidents.

### 3. ARRESTS AND KILLINGS BY THE SECURITY FORCES

Arrests by the security forces explain the majority of "disappearances". Victims are usually bundled at gunpoint into the back or boot (trunk) of a security forces vehicle by police, military police, Public Safety Unit 8/ or State Research 9/ agents. Many people have been killed allegedly "resisting arrest". Those arrested

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5/ Uganda radio, 25 June 1975.

6/ Uganda radio 16 November 1976.

7/ International Herald Tribune 23 December 1976.

8/ The Public Safety Unit (PSU), a police unit with barracks at Naguru, (Kampala), was established in 1972 to combat "kondoism" (armed robbery) and given orders to shoot on sight in suspected cases.

9/ The Bureau of State Research is the much-feared state intelligence agency.

by State Research agents are often taken to isolated places in the bush and killed with considerable brutality. Hmanve forest is reportedly a frequent scene of these atrocities.

Mass killings have taken place within the army, numbering thousands of deaths in 1971-1972 and 1974. Large numbers of prominent civilians (lawyers, academics, religious leaders, civil servants, doctors, former politicians, journalists, sportsmen, etc.) have been arrested and subsequently "disappeared". Some recent well-known cases are:

- Father Clement Musoke was arrested by soldiers while saying mass in Masaka cathedral in June 1976 and later found murdered;
- John Serwaniko, editor of the Roman Catholic newspaper Munno, was arrested in August 1976 and later found dead in police custody. 10/

Indiscriminate arrests and "disappearances" follow any incident appearing to threaten the regime. 11/

Citizens of other African states have also been killed. Tanzania has denounced Uganda's military regime as "one of the most murderous administrations in Africa". 12/ Following reports of 245 Kenyans killed after the Israeli raid, Kenya's Foreign Minister wrote to the United Nations Security Council charging that hundreds of Kenyans living in Uganda died in "systematic and indiscriminate massacre" by Ugandan military authorities. 13/

Amnesty International is unable to verify the various estimates of killings since 1971, which range from 50,000 to 300,000.

#### 4. TORTURE

Following arrest, victims are taken to various prisons where torture is almost routine, especially at Naguru (PSU), Makindye (Military Police) and army barracks. Many senior officers such as (1) Police Commissioner M.K. Obura, (2) Deputy Police Commissioner Ali Towilli and (3) Colonel Isaac "Malyamungu" Lugonzo, have allegedly been implicated in torture. This testimony by two Kenyans, Kamau Gitau and Mununa Mulinge, arrested and taken to Naguru prison in March 1976 14/ is similar to other accounts:

"The police boss even without demanding our documents ordered that we be taken into custody and that we be whipped 20 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."

10/ Two previous Munno editors, Father Clement Kiggundu and Samuel Mwebe, were also killed.

11/ E.g. in 1976 - assassination attempts, sabotage and bombings, circulating of illegal leaflets, demonstrations by Catholics and students etc.

12/ Africa Research Bulletin July 1975, p. 3684.

13/ Daily Nation, Kenya, 12 July 1976 and 14 July 1976.

14/ Daily Nation, Kenya, 6 April 1976.

Another victim described the same experience of peremptory interrogation, followed by an order to the guard to "give him what he has come here for" - 40 lashes.

"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 bodies into a landrover".

Other common methods of torture are:

- (i) two prisoners are each ordered to beat the other to death with a hammer - but the survivor is then shot;
- (ii) prisoners are forced to crawl over upturned nails embedded in concrete;
- (iii) prisoners are given car axles to kill one another with.

There are also allegations of mutilation, rape, sexual torture and other atrocities against prisoners. Recent reports of more "sophisticated" methods of torture (including electric shock) being practised by State Research units require further investigation.

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