

AIRFORCE ENTebbe.

- 339. Subject No. 178 - UA 6965 PRIVATE KEN ODEFE.
- 340. Subject No. 179 - S/Sgt. WILLIAM OMARA.
- 341. Subject No. 180 - U. 2079 PRIVATE CHRISTIAN OBONG.
- 342. Subject No. 207 - 6945 L/Cpl. CANNON OBOMYO.
- 343. Subject No. 235 - UA 4617 Cpl. ALFRED OYO.
- 344. Subject No. 242 - UA 5357 Sgt. ALFRED OGEN.
- 345. Subject No. 243 - UA 5324 L/Cpl. MARTIN OKETTA.
- 346. Subject No. 244 - UA 5390 L/Cpl. LUK OKELLO.

- Witnesses:
- 296 Lucy Ikidi Odeke - Part 3, p. 2911 - 2915.
 - 298 Am. Okello - Part 3, p. 2923 - 2926.
 - 299 James Eboru Awyi - Part 3, p. 2926 - 2932.
 - 329 Alex Obweya - Part 4, p. 3293 - 3299.
 - 349 Tom Ogen - Part 4, p. 3590 - 3593.
 - 357 Rose Akulu Ochieng - Part 4, p. 3653 - 3659.
 - 478 No. 2951 Col/Mr. Michael Ekwang - Part 4, p. 5318 - 5343.

The subjects were Airforce officers stationed at Entebbe.

Subject 178, Private Ken Odefe, was married to Lucy Ikidi (No. 296) and they have children four.

Subject 179, S/Sgt. William Omara, was married and, according to his brothers (i. 298 and 299), he had four children between the ages of eight and two. T. 298 said that he is educating one of the children, while the other three are with their mother.

There is no direct evidence with regard to Subject 180, Private Christian Obong, who was a ground technician. No witness came forward to tell us where he came from or about his family.

Subject 235, Cpl. Alfred Ayo, was aged about twenty eight and was married to one called Aber and they have two sons, aged five and three; neither goes to school. W.349 said that Aber has remarried.

Subject 242, Sgt. Alfred Ocen, is married to W.357 and they have four children between the ages of thirteen and three and a half, only the eldest goes to school and Mrs Ocen is unable to send the others due to lack of money.

We did not hear any evidence with regard to the marital status and families of subjects, 243 and 244, L/Cpls. Oketta and Okello.

James Eboga Awayi (.299), who is a brother of subject 179, said that he used to work for Shell and B.P. and used to live in Entebbe, opposite the quarter guard of the Army barracks. He stated that on 25th January, 1971 the Entebbe barracks were captured by the Army from Kampala and some soldiers and civilians living nearby ran away.

Subject 178 went on duty on 25th January, 1971 at 7 a.m. and never came back. Later the same evening his wife met a woman coming out of the barracks wailing that their husbands were no longer alive. This woman told Mrs. Odepe that only Langi soldiers had been affected and she advised Mrs. Odepe not to bother to go to the barracks to look for her husband as "we Langi women our husbands are no longer living" (p.2912). .299 stated that on 25th January, 1971 after the take-over of the barracks he went to the home of Ite. Christian Obong (sub.207) where he met his brother Omera (sub.179). They spent the whole day and night there but Obong did not come here. Next day, Omera and his brother (.299) decided to go to the barracks. His brother saw him in the quarter guard where he was being 'teased and kicked'

by the soldiers and James ran home. He picked up a bed-sheet and ran back to Obong's home. N.329 is the younger brother of I/Cpl Cannon Obongo and on receiving news of his arrest from the subject's wife he came to Entebbe. He learnt that his brother had been arrested on 25th January at about 4 a.m. and was locked up in the quarter guard where his wife had twice taken him tea.

With regard to Cpl. Alfred Aye, his brother, Tom Agona (N.349) said that he last saw him when the subject came home on leave in 1970. In 1971 the subject's wife Aber returned home and reported that when fighting broke out some people came and arrested her husband from home and took him to the barracks where he was detained. N.349 decided to do nothing as the account given by Aber about the fighting in Kampala frightened him and he thought that he might be harassed if he went to Kampala to make enquiries about his brother.

Rose Akuli (N.357), who is the wife of Alfred Ocen, said that her husband sent her home to their village to take school fees for their child, who was schooling in Acholi, a few days before the Army take-over. It was there that she later met some women returning from Entebbe who told her that their husbands had been arrested on 25th January, and taken to Kampala in a bus. Amongst the names mentioned by them were those of Sgt. Ocen and I/Cpl. Martin Oculu and I/Cpl. Oluo.

There is evidence to suggest that the wives of the soldiers who were arrested were later given bus warrants

to travel to their homes. In all cases no official communications were sent to the families as to the whereabouts of these soldiers or what happened to them. It seems that Mrs. Lucy Odepe did nothing to try to trace her husband after what she was told by the woman who met her coming out of the barracks. With regard to Omara. W.299 said that on 28th January, 1971 he met a man called Egiri who told him that he too had been arrested and taken to Malire where he had seen William Omara. James went home on 30th January, 1971 and reported his brother's arrest. About a month later, James went to Luzira and saw a prison warden, Michael Ekwang (7.473), who confirmed that his brother was there and that the prisoners were being treated well. James alleged that Ekwang handed him a receipt for a radio which his brother had given him for collection of the radio. 7.473 denied all this evidence and stated that at the relevant time he was not working in the Murchison Bay Prison but was at the Headquarters. He admitted that he assisted James to collect the radio from the Nile Radio Shop. James continued hearing news about his brother from the prison and in August, 1971 he read in the 'Uganda Argus' that the "prisoners of war" were to be court-martialled. He attended hearing of his brother in December, 1971. Obonyo's brother Alex Obwoya (9.329) said that he tried to look for his brother at Makindye and Luzira, visiting the former four times and the latter five times. He said that it was no good at all and once he was chased away from Makindye by soldiers in 'spotted uniform' who threatened to open fire. At no time was he permitted to enter these prisons. Mentions, his brother's clothes and

furniture/...../560.

furniture worth about Shs.260/- was stolen from his house. He made a last attempt in June 1971 when he returned to Luzira but was again refused entry. He said that his brother was not amongst those prisoners who were subsequently released from Luzira.

Ocen's wife, Rose Akulu (V.550), said that she had no money to come to Kampala to look for her husband when she heard news about his arrest. Two months later she heard that her husband had been transferred to Luzira and in October, 1971, she and Mrs. Oketta went to Luzira with a letter from the District Commissioner. She was able to see him in the prison. He told her that he had been badly beaten on the day of the arrest but had been treated well thereafter. She said that she returned to Luzira in 1972 and was told that all detainees, including her husband, had been transferred to Mutakula and she has not heard of her husband since. She said that L/Cpls. Okello and Oketta also were not released. Mrs Ocen alleged that her husband's property worth about Shs.3000/- was taken away from his home after his arrest.

Ex.124 is a list prepared by Luzira Prison Authorities in respect of the detainees who were kept there. Seven of these eight soldiers, with the exception of Sgt. Alfred Ocen, are included in this list of detainees of the prison. Of the seven detained there, L/Cpl. Luk. Okello and Pte. Christian Obony were admitted on 27th January, 1971 while the others two days later; and all of them are indicated to have been transferred to Mutakula on 28th December, 1971. It is difficult to say why the name of Sgt. Ocen is not included in this list because his wife was certain that she

saw him in Luzira in October, 1971 and was later told that he too had been taken to Mutukula with other prisoners. It may well be that his name was omitted through oversight and we are not inclined to believe that Mrs. Ocen was telling lies about seeing her husband at the prison.

In the circumstances, we find that all these eight Airforce officers were arrested on the day of the takeover, and later detained in Luzira Prison till 28th December, 1971 when they were transferred to Mutukula. We have heard evidence from Lt. Col. Mondo and Lt. Col. Drajua about the mass break-out from Mutukula resulting in some deaths and some escapes. We were not given the details of the prisoners who were killed during this break-out but we believe that had any of these eight been amongst the escapees they would have contacted their families from wherever they were. As they have not done this, we feel that the probability is that they are all dead, probably killed during the mass break-out.

SOLDIERS - ARMY HEADQUARTERS

347. Subject No. 249 - PO CAPTAIN JOHN MUKUSANGA.

Witness: 369 Lt. Colonel Obonyo - Part 4, p.3773-3778.

One curious aspect of this disappearance is that, like the case of Lt. Col. Obuga (subject 142, see p.308), the only information made available to us was from the police file No. CRB/1071/73 of the Central Police Station, Kampala.

This file was handed to W/O Obonyo (No. 569) on 3rd April, 1974 to investigate this disappearance which, according to the first information on the file, was reported on 30th March, 1973 by one called Abel Kabugube claiming to be the Captain's driver. Minute No. 2 on the file which was addressed to the W/O as read:- (p. 3776)

"A new case for an alleged kidnapping, PSB and the Military Police are aware of the matter. It may be possible that the officer was arrested, however, just in-
vestigate as kidnappers, submit MT and
LE 16 for normal information of and check
with the Family."

According to this driver's statement, the Captain was driving his Audi and was stopped near the Kampala City Car Park, next to the P.F.S., by people in a Peugeot 404 car, the registration number of which was given as UUI 230. In his statement the driver said that some people from the Peugeot drove the Captain out of his car, put him in their Peugeot and drove away to an unknown destination, taking the Audi with them also. On getting the file the PSI immediately went to the Central Registry of Motor Vehicles to check on the records of UUI 230. He found that this number belonged to a BMW which was registered in the name of the Uganda Army Headquarters, P.O. Box 7069. The same information is repeated in Ex. 152, which is a list of motor vehicles showing the official records of ownership of these vehicles. He reported to his superior officer, wacha who is the C/O CID, who went to Defence Headquarters at Mulago to investigate on this vehicle. On his return, he told the PSI that the Army Headquarters had no record of UUI 230.

Obonyo continued to look for such a vehicle but failed to find it. He sent his informant called Nyirama to the

Captain's home in Busoga to check if the Captain was at home but he came back with a negative reply. The ASP said that he was unable to interview the Captain's wife because he failed to trace her as well.

The witness' attention was drawn to another minute, dated 4th December, 1973, which he addressed to the Detective DSP(C) Kanyala, which reads: - (p.3775)

"This file had been misplaced in my drawer and I have just come across it, that is, after six months when you reminded me about it. There is, however, no useful information available and I suggest that the file be put away marked "not detected."

The witness said that his superior officer put the file away as he had suggested.

The subject appears in Ex. 136, and the entry indicates the date of his disappearance as 30th March, 1973.

We should first of all resolve the confusion concerning dates. The first information on the police file is dated 30th March, 1973 which corresponds with the entry in Ex.136. Then the witness said that he was handed this file on 3rd April, 1974 for investigation. Yet, his minute which he made after discovery of the misplaced file is dated 4th December, 1973. We think that this discrepancy is more apparent than real and the witness must have mentioned 1974 through oversight or force of habit as he gave evidence during 1974. We accept that the Captain disappeared on 30th March, 1973, and that ASP Obonyo was instructed to carry out investigations on 3rd April, 1973.

We regret to say that, except for making his search at the Central Registry of Motor Vehicles, the ASP seems to

have/...../564.

have done nothing else whatsoever. He reported to his superior officer about what he found at the Registry and it seems that the Superior officer was quite content with the denial he had received from the Defence Headquarters about the vehicle, UUI 230, belonging to them.

We find this piece of evidence not dis-similar to a similar denial of ownership of the Volkswagen No. UUU 171, the number plate of which was used on a Peugeot 504 for the kidnapping of the former Chief Justice of Uganda, (subject B.34 - see p.112). We must apply the same reasoning here and we are of the considered opinion that, as in the case of the former Chief Justice, here also this denial of ownership was made deliberately with the sole intention of avoiding the various embarrassing questions which might otherwise be asked. Furthermore, we have no evidence whatsoever that the records maintained by the Central Registry of Motor Vehicles were not correct. We say this notwithstanding the evidence which we heard about the confusion in the registry and with which we had occasion to deal in the case of the former Chief Justice. For the same reasons we say that the number UUI 230, which the Peugeot 404 car in which this Captain was whisked away was displaying, in fact belonged to a BND which, according to records, is registered on the property of the Uganda Army Headquarters. This finding would lead us to the conclusion, again for the reasons which we give when considering the case of the former Chief Justice, that the persons responsible for the kidnapping of Captain Belkwasonga were most probably soldiers, whose identity must be known to the authorities in whose custody the car of this number plate was being kept.

Before leaving this subject we should like to comment also on the apparent lack of interest shown by the police officer in investigating this disappearance. It is obvious that having been to the Central Registry of Motor Vehicles and having informed his O/C CID about the information he gathered there, the ASP forgot about the file which he 'misplaced' in the drawer of his table for six months and over. This excuse is as incredible as it is ridiculous. It discloses callous disregard to the fundamental purpose for which the police exists in any country which, in our opinion, not only is to maintain law and order but also to do everything possible to see that the sanctity of life is preserved at all cost, unless otherwise decreed by law. In sitting on the file for these six months we see another example where the police investigations came to an abrupt end, even before they had started and the moment it was found that the case might involve Army personnel.

ARMY HEADQUARTERS, MBUYA SOLDIERS

- 348. Subject No. 97 - UA 6137 PRIVATE KOSMATINO OJOK.
- 349. Subject No. 125 - UO 229 LT. WILSON GIBSON OGWAL.
- 350. Subject No. 126 - UO 139 LT. LIYA OTIM.
- 351. Subject No. 181 - UA 4614 L/Cpl. GEORGE BROWN OGWAL.
- 352. Subject No. 204 - UA 5506 L/Cpl. KCSEA OTTO.
- 353. Subject No. 232 - SGT. MATAYO OPOKA.

Witnesses: 207 Nuwa Okeng - Part 2, p. 2064 - 2077
226 Kitty Akelle Ogwal - Part 3, p. 2240 - 2258
227 Juliet Anne Otim - Part 3, p. 2258 - 2265
300 Juspanti Auma - Part 3, p. 2932 - 2938
326 Samali Lakop - Part 4, p. 3273 - 3278
353 Venturina Lemono - Part 4, p. 3628 - 3625
377 Lt. Col. Emilio Mondo - Part 4, p. 3861 - 3885

Commentary on Police
Disregard for lives of soldiers...

These six soldiers were stationed at the Uganda Army Headquarters, Mbaya at the time of the Army takeover in January, 1971.

• Subject No. 97 - UA 6147 PRIVATE KOSMATING OJOK

Private Ojok was the son of Muro Okeng (%.207). He said that he saw his father in 1970 when his son came home on 18 days' leave, after which he returned to Mbaya. He said that his son used to write to him but after his return stopped writing and, in January, 1971, he met some women returning from Kampala at Lira Bus Park. He heard them narrate to their relatives about what had happened at Mbaya and they told the witness also that his son Ojok had been arrested. In February, 1971, the witness sent his daughter called Achol to Kampala to find out about his son. She returned with some of his property, that is, a cupboard with some plates in it. She informed her father that she had learnt from one called Okello working at Mbaya that Ojok had in fact been arrested.

The witness did not make any enquiries from the Army authorities. He said that the country was 'not very peaceful' at that time and feared retaliation if he enquired. All this time he has been under the impression that his son was detained somewhere and he was willing to go to see him if the government would tell him where he was.

Private Kosmating Ojok appears in Ex.136 which gives the date of his disappearance as 25th January, 1971.

• Subject No. 15 - UC 120 LT. WILSON GIBSON OYAL.

Lt. Oyal was assigned to Betty Akello (U.206) who

is a teacher in Lira. They have five children between the ages of fourteen and three, all of whom are at school.

In February, 1971 the Lieutenant's houseboy went to Lango and told her that her husband had been assaulted. She came to Kampala and saw him in Kampala International Hotel. He had been coaching players and was not staying in the barracks. He told her that a duty truck came one night and asked him to go on duty. The truck stopped on the way and when asked who had sent them for him, the name of Capt. Arube was mentioned. He was taken to Mbuya and assaulted. In the morning some officers took him out of Mbuya and brought him to the Kampala International Hotel where he was treated. He told her that during the assault some of the soldiers alleged that as he was a Lango, the President was favouring him! The Lieutenant recovered and continued with his training of those who were going to West Germany. A.226 returned to Lira.

Towards the end of July, 1971 she received news that, when the players were going to West Germany, he was stopped from accompanying them. He was collected from the hotel at night and never came back. She saw the Hotel Manager who confirmed the story, and said that a Landrover came to collect him for duty at around 10 p.m. She said that she saw Capt. Arube drinking in the hotel and although she approached him thinking that he might greet her he did not. The Manager gave her the key to room 22 where her husband used to stay. She collected all his clothes and belongings and then went to Mbuya to

check/...../568.

check on their property in their quarters. She found that the T.V. and the radio-gram had been taken and the houseboy told her that some soldiers had chased him out of the house and stolen the property. She found all the rooms empty.

She went to Bulange and saw Col. Odur Alele who knew about her husband's disappearance and told her that he was looking for him. He advised her not to panic and she then returned to Lango. Later on in the month she came back to Kampala to try to ascertain what had happened to her husband. Col. Odur Alele told her that he had heard that her husband had been taken to Makindye and that he was still looking for him. She returned to Lango hoping that they might find him. After waiting for long and running into financial difficulties, she went to Bulange again, and this time saw Col. Ogwang. She asked him if he could arrange to hand-over her husband's car to her. He told her: "I must not try to be brave," - (p.2249). This remark brought tears to her eyes and she guessed that her husband was dead. Col. Ogwang wrote a letter and sent her to Makindye with a captain. At Makindye she was handed her husband's car, from which the spare tire was missing. Later she sold it to raise money.

She said that she is supporting her children on her salary and gets extra by brewing beer. Her husband left some money in the bank and she has not yet applied for court order to recover his property.

The Lieutenant's name appears in Ex.136 and the date of his disappearance is identified as July, 1971.

It seems that the Lieutenant had some trouble first in February, 1971 when he was beaten up and later allowed to continue with his work till July, 1971. Although there is no direct evidence about what happened to him, we have no reason to doubt W.226 in that her husband was collected from the hotel by an Army Landrover at around 10 p.m. to go on duty. Likewise we have no reason to doubt her when she said that Col. Odur Alele told her that her husband had been taken to Makindye. He must have known this for that is the place where he sent her to collect their car. Col. Ogwang's remark to her "you must not be brave" looks strange but it gave Mrs Ogwai the impression that her husband was dead. We draw the inference from this remark that Col. Ogwang did not want Mr. Ogwai to go around making enquiries about her husband. And for this reason we share Mrs Ogwai's conclusion that her husband had been killed. We are of the opinion that he was picked up from the hotel by an Army Landrover and taken to Makindye.

Subject No. 126 - UO 139 Lt. LIYA OTIM.

Lt. Otim was married to Juliet Aroma (W.227) who said that she last saw her husband on 30th January, 1971 at Mbuys when he went to the office and never came back. She said that she was later told by Lt. Moyo of the Military Police that he had been arrested from his office and taken to Malire. She went to Malire but was turned back from the gate. In the evening she went to see Captain (now Lieutenant Colonel) Mondo (W.377). Mrs. Otim said that the Captain confirmed that her husband had been

arrested/...../570.

arrested and detained at Malire. He asked her to be patient. W.377 admitted that Mrs Otin saw her but denied telling her about his arrest and detention. He said that she knew that he was in Luzira and wanted his assistance to arrange for her to see him. He promised to help her. Two days later Mrs Otin saw him again and Captain Mondo told her that her husband was detained at Luzira Prison. She went to Luzira but was refused entry and she saw the Captain again when he advised her to take the children home. She gave him a cheque to get it signed by her husband so that she could get some money. Although .377 did not remember how the matter of the cheque ended, Mrs Otin said that Captain Mondo later returned the cheque to her duly signed and she was able to get some money and returned home. She never came back to Kampala as she had been told to wait for her husband's case. She said that she was still waiting for the date of the case and added - (p.2262):

"His case cannot be heard at Luzira,
it can be heard in the court and
that is what I have been waiting."

She said that she honestly believed that he was still detained at Luzira and explained the reason for coming to give evidence: (p.2263)

"Because I have waited for the case
for a long time that is why I came
I want them to tell me the truth if
he is still there or not."

Later on she said that she thought he was dead because
"if you don't talk to him it means that somebody is dead."

She said that she has four children between the ages of eleven and four, all of whom go to school. The subject left some money in the Grindlays bank but she alleged that

she was told by the bank that his account had been closed by the Army people.

The subject appears in Ex.124 which is a list of the detainees at Luzira Prison and, according to the entry, he was admitted to the prison on 2nd February, 1971 and was transferred with many others to Mutukula Army Camp on 28th December, 1971.

We heard evidence of the mass break-out from this Army Camp in which some prisoners escaped and some died. We were not given details of the prisoners who were killed during the escape. Had he escaped we are sure he would have contacted his family from wherever he was. In the circumstances the probability is that he was one of those who died in the bid to escape.

Subject No. 181 - UA 4614 L/Cpl. GEORGE BROWN OGVAL.

The subject was married to Juspanti Auma (W.300). They have three children between the ages of six and four, of whom only one goes to school.

W.300 said that on 5th March, 1971 a Peugeot car being driven by an Army driver called Hussein, who used to work at Bulenge, came to their home with two men. They told her husband, "The big man wants you for duty" (p.2933). Her husband put on his uniform and went away with them and never came back.

After a week she was asked to quit the barracks and was given a bus warrant to go home. She was also told that the Army was looking for her husband. She said that many other women, about twenty, were given bus warrants like her.

The subject's name appears in Ex.136 which gives the date of his disappearance as 25th January, 1971.

The witness said that she and the children are being looked after by her husband's younger brother. She has not tried to get the money which the subject left in the bank as nobody has so far applied for a court order.

We appreciate the discrepancy in the date of the alleged disappearance of the subject but we prefer the evidence of W.300 rather than the information mentioned in Ex.136, the source of which is unknown. We see no reason to doubt her evidence that her husband was collected by the Army driver Hussein on the pretext that he was wanted for duty in the Bulange by a 'Big' man. We find that he was taken to Bulange and has been missing since then.

Subject No. 204 - WA 5506 L/Cpl. KCSEA OTTO

The subject was married to Samal Lakop (W.326). They have seven children between the ages of fourteen and three and a half, of whom the youngest two go to school. The subject had a second wife from whom he had one child who is staying with his mother's relatives.

W.326 said that her husband went to their home in Opatte village, Kitgum in February, 1971, as a deserter. He told her that he deserted after his house had been encircled and he managed to escape through the window.

According to this witness Your Excellency went to Kitgum some four months later and asked the deserters to go back to duty. Her husband reported to the Parish Chief

and in the end he was taken to the police. Later he was collected by some soldiers from the police station.

W.326 said that she enquired from the D.C., who was then Mr. Mugoye, who told her that he had been told by Makindye that her husband was detained there. She went to Makindye but was not allowed to enter. Nobody seemed to know her husband. She went to Nbuya and nobody knew about him. She returned home and later the subject's father also went to Makindye and Luzira to look for him but failed to find him. She said that she has not received any information about what might have happened to him.

She said that her husband left some money in the bank which she has not been able to use as she does not know the bank.

The subject's name appears in Ex.136 which gives the date of his disappearance as 25th January, 1971.

Here again we see this discrepancy in the dates of his disappearance and, for the reasons which we have given in respect of the previous subject, we are inclined to accept the evidence of the witness that her husband went home as a deserter in February, 1971. We also accept her testimony that four months later he gave himself up in consequence of Your Excellency's call to the deserters to return to duty. We accept the fact that some soldiers picked him up from Kitgum Police Station and he disappeared after that day. We see no reason why the witness should fabricate evidence with regard to what the D.C. is alleged to have told her and we find that the subject was taken to Makindye where he was detained, although his name does not appear in Ex.124.

Subject 759 - SGT. MATIYO OPOKA

The subject was married to Venturina Lamano (W.353). They have five children between the ages of ten and three. She said that all of them used to go to school but she can now no longer afford their fees.

She said that she last saw her husband on 4th April, 1971 when she left him at home in Mbuya barracks and went to the market. The subject was sick. On her return she found the children crying and they told her that the subject had been dragged from bed, beaten up, kicked, thrown in the car and taken away. The children told her that the assailants were Army soldiers whom they did not know. She saw her husband's superior officer who searched for him around Mbuya and also rang up Malingo, but failed to get any clues. After two weeks she was told that they had failed to trace her husband and she was given a bus warrant to go home to Gulu. She went to Luzira to look for him in 1972 and was told that the period for seeing the prisoners had expired and no visitors were allowed into the prison. Later she heard that some prisoners had been transferred to Mutukula.

She said that her husband had a bank account but she does not know which bank it was and she has not applied for a court order to manage his property.

Ex.136 merely stated that there was no record in the Army records office of any Sergeant called Matiyo Opoqa.

Notwithstanding the information given in Ex.136, we see no reason why it should be in that her husband was a Sergeant in the Uganda Army stationed at Mbuya. The

accept her evidence and also the testimony that he was arrested on 4th April, 1971 by some soldiers. His name does not appear in Ex.124 as a detainee at Luzira.

BIBIYA BORDER GUARD

354. Subject No.156 - W. 5868 PRIV TEYOVASI OKULU.

Witness: 269 Nicholas Ogwal - Part 3, p. 2682 - 2688.

The subject was stationed with the Border Guard Unit, Bibiya, near Mimule. His son, Nicholas Ogwal (No.269), used to live with him. He said that his father had twelve children, the youngest of whom being twelve.

According to the witness, there was no trouble within the barracks at the time of the take-over of the Government by the Army. He said that he last saw his father in August, 1971 when the subject went on duty at about 1 p.m. Soon he was brought home again by four people, two in civilian dress and other two in Army uniform, who took away his gun. They asked him how long he had been in the Army and the subject told them that he had been in the Army during the colonial times and rejoined later. The witness said that his father appeared to be under arrest and they took him away in a Landrover. One of them asked the witness to stay there till they found him means to go home.

The witness stayed in the barracks about four days and then travelled home to Lira by bus. He left all

their/...../576.

their property behind and, on the advice of his uncle, Opulo Edit, did not go back to collect the property. He said that the family gave up the subject and he was of the opinion that he must have been killed as he was arrested in his presence but, at the same time, did not know if he would have been driven across the border into the Sudan. He said that he met some Acholi and Langi women returning from Bibiya at Lira Railway Station and they told him that over twenty soldiers of these two tribes, who happened to be his father's friends, had been collected and killed.

His uncle is now responsible for the education of the six children who go to school. He said that his father left some money in the Commercial Bank at Kampala and Gulu but nobody had applied for a court order to manage his property.

Appearing in Ex.136 is the subject's name and, according to it, he was reported missing on 19th July, 1971.

We are satisfied that the subject disappeared from the Border Guard Unit, Bibiya and we are inclined to accept the date of his disappearance as mentioned in Ex.136. We see no reason to doubt the evidence of the only witness in whose presence the subject was arrested and taken away in a landrover by four people, two of whom were in Army uniform. We appreciate the fact that this Unit, as the name suggests, was stationed very close to the Sudan border but the details of the arrest as given by the witness is in accordance with his father could not have been taken across the border into the Sudan. It is that

been the case, we see no reason for disarming him. We are of the opinion therefore that he was arrested from the Unit by other soldiers and taken away in a Landrover to an unknown place, and has been missing since.

GULU AIRB. SE.

355. Subject No. 245 - UA 2287 Cpl. RUFUS ODWONG

Witness: 358 Santa Ajulu - Part 4, p. 3660 - 3672.

The subject was a mechanic at the Gulu Airbase and was living in the barracks with his wife, Santa Ajulu (W.358). She mentioned his force number as UA 2277. They have four children between the ages of twelve and four; none of whom goes to school due to financial difficulties.

Mrs Odwong said that some soldiers, whom she described as 'visitors', arrived in five tanks and one jeep on 27th January, 1971 at about 3 a.m. This evidence is corroborated by an Ex. Major Alai Mukili (W.526), then a sergeant, who stated that, on being recalled from leave at the time of the take-over, he was sent to Gulu with certain other officers on special assignment to guard the airstrip and the barracks. He said that some of the men of Gulu barracks had deserted and his assignment included the task of arresting such deserters. He denied going to Gulu with tanks but said they had APCs and small vehicles and arrived at the Gulu Airbase in the morning of 27th January, 1971.

Mrs Odwong stated that these 'visitors' were in uniform. They started looking for the resident soldiers from home to home and about twelve of them also called at their

quarters/.....578.

quarters and asked for her husband who had gone on duty. Later the same day she saw many resident soldiers being beaten up by groups of these visiting soldiers and her husband received a big swelling on the head and on the ribs; she said that he was in great pain. She said that the beating was with rifle butts and the victims were being told in Swahili, "Run quickly, run quickly and they were telling them to say their last word," (p.3670). She said that all the resident soldiers were disarmed and the visiting soldiers started firing and took-over the entire Gulu Airbase. According to Alai Makili, they met some resistance when they arrived at the barracks. He said that the soldiers within the barracks refused them entry and started shooting at them. This made them fire back, aiming in the air, from one of the AECs and the barracks surrendered.

Mrs Odwang said that after the assault on her husband, he and some other friends of his started sleeping nights out and her husband came home only for his meals. She said that her husband last came for lunch on 30th January 1971 and never came back. The same day, two of his friends came crying and told her that a lot of them had been ordered to go to Entebbe. One of them called James Okello said that he had seen her husband in the workshop when he was going to the Airfield but on his way back found him gone. She tried to find out about her husband from the soldiers but was asked to be patient. On 2nd February, 1971 she spoke to one of the officers who told her bluntly, "We do not need women in our office but we need men," (p.3667). She was then given a bus warrant and she moved to the home of her husband's uncle the following day.

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quarters and asked for her husband who had gone on duty. Later the same day she saw many resident soldiers being beaten up by groups of these visiting soldiers and her husband received a big swelling on the head and on the ribs; she said that he was in great pain. She said that the beating was with rifle butts and the victims were being told in Swahili, "Run quickly, run quickly and they were telling them to say their last word," (p.3670). She said that all the resident soldiers were disarmed and the visiting soldiers started firing and took-over the entire Gulu Airbase. According to Alai Nakili, they met some resistance when they arrived at the barracks. He said that the soldiers within the barracks refused them entry and started shooting at them. This made them fire back, aiming in the air, from one of the APCs and the barracks surrendered.

Mrs Odwang said that after the assault on her husband, he and some other friends of his started sleeping nights out and her husband came home only for his meals. She said that her husband last came for lunch on 30th January 1971 and never came back. The same day, two of his friends came crying and told her that a lot of them had been ordered to go to Entebbe. One of them called James Okello said that he had seen her husband in the workshop when he was going to the Airfield but on his way back found him gone. She tried to find out about her husband from the soldiers but was asked to be patient. On 2nd February, 1971 she spoke to one of the officers who told her bluntly, "We do not need women in our office but we need men," (p.3667). She was then given a bus warrant and she moved to the home of her husband's uncle the following day.

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She complained that she was having difficulty in looking after the children and said that when she went to the bank to get her husband's money she was told that the Army had instructed the bank not to pay any soldier. She has not applied to court for an order to manage her husband's property.

Appearing in Ex.124, which is the list of detainees at Luzira Upper Prison, is an entry in respect of UA 2287 Cpl. Rafasi Odwong of UAF, Gulu, which indicates that this Corporal was admitted into the prison on 2nd February, 1971 and transferred to Mutukula Army Camp with many other soldier detainees on 28th December, 1971.

Although Mrs Odwong mentioned her husband's force number as 2277 we are inclined to accept the number given in Ex.124 as the correct one. We are of the opinion that No. 2287 Cpl. Rafasi Odwong is in fact the same soldier as the subject. We have no doubt that Mrs Odwong's evidence was true, corroborated as it was by the evidence of W.526 who went on the special mission of taking over Gulu Airbase. We accept that the subject was arrested on 30th January, 1971 from his workshop within the barracks and on 2nd February, 1971 detained at Luzira Prison. It is also clear that he was transferred to Mutukula Army Camp on 28th December. We have heard evidence about the mass break-out from Mutukula, during which some people died and others escaped. We do not think that the subject was one of the escapees, otherwise he would have contacted his family from wherever he was. We find therefore that he died at Mutukula.

JINJA SOLDIERS.

356. Subject No. 118 - UA 5289 JOHNSON OKELLO.
357. Subject No. 119 - DRIVER OTIN.
358. Subject No. 123 - UA 4982 L/Cpl. CHRISTOPHER OKELLO.
359. Subject No. 134 - UA 4993 PRIVATE CEFENESINO OTIO.
360. Subject No. 137 - PRIVATE MUSTALIE OTIO.
361. Subject No. 138 - UA 3904 PRIVATE JOHN OTIN.
362. Subject No. 168 - UA 5331 L/Cpl. STANLEY OTIO.
363. Subject No. 185 - PRIVATE FRANCIS OTOM.
364. Subject No. 199 - UA 5011 PRIVATE ALFRED BAIYI.
365. Subject No. 205 - UA 18114372 SGT/M. J. P. ROBERTO CECE.
366. Subject No. 308 - PO 116 LT. H. I. CASE
(mentioned in Subject 1.2 supra).

- Witnesses: 219 Margaret Ocilo - Part 2, p. 2193 - 2198
224 Rose Numa - Part 3, p. 2230 - 2236
234 Tadeo Ejamu - Part 3, p. 2310 - 2316
239 Festo Echom - Part 3, p. 2387 - 2389
240 Nickolo Abun - Part 3, p. 2390 - 2393
284 Joyce Mlinga - Part 3, p. 2813 - 2820
309 Robert Echot - Part 3, p. 3031 - 3043
320 Antonio Opoya - Part 4, p. 3213 - 3233
327 Nakalie Okello - Part 4, p. 3278 - 3284

Subject No. 118 - UA 5289 PRIVATE JOHNSON OKELLO

Subject No. 119 - DRIVER OTIN.

Private Okello was married to Margaret Ocilo (W. 219), who used to live with him at Jinja barracks. She said that he belonged to 101 Coy. and gave his force number as 5289. She dated her marriage 10th July, 1974.

At 9 p.m. that evening Margaret was bathing her baby outside her quarters when she heard three shots. Immediately she went inside. At about 10 p.m. there was a knock at the door. When she opened she saw a soldier with a gun. He asked for her husband and, when he was told that he was asleep, the soldier went away. She said that her husband had consumed some drinks that evening. At 2 a.m. there was another knock at the door and this time her husband also woke up. There was a soldier in Army uniform with a gun at the door, who told her husband to dress up and go with him to work. Private Okello dressed up in his uniform, took his kit and went away with the soldier. He never came back.

The following day someone took her husband's motorcycle to the office of the 'C' Company. She did not know if he had bought it on Government loan.

On 12th July, 1971 she went to the Company's office and reported how her husband had been taken away. She was asked to wait in the barracks. On 13th July, a sergeant asked her to pack up to go home and was given a warrant. She said that as she was leaving for the railway station she was stopped at the quarter guard and, when she told the soldier that she had been given a warrant to go home, she was sent back to her quarters. She heard some firing on 13th July, 1971 and, at about 2 p.m., heard a 'big bang'. She stayed in the barracks till the 15th July, when she was given another warrant and also Shs. 60/-. This was the amount which was given to about fifty other women who were also sent home. When she left the barracks she saw that the double storey building housing the quarter guard had

collapsed completely. She said that ammunition also was kept in the same building. Margaret said that there had not been any firing in the barracks before, except people were being arrested and taken to the quarter guard. Amongst those arrested on the same night as her husband was a driver called Otir who used to live with them in the same block; he too has not been seen since this incident.

Margaret has four children and her co-wife also four. The co-wife's children are living with the husband's mother but three of Margaret's children live with her; the last one who goes to school stays with her brother. She said that her husband left some money in the bank which she has not been able to collect, and no application has been made for an order to manage his property.

Appearing in Ex.136 is an entry in respect of UA 5298 Private Johnston Okello of U. Jinja, whose date of disappearance is given as 11th July, 1971. This list was prepared by the Army Records Office and para.1 states that certain names, numbers, units and dates of disappearance as stated in a list submitted to the Records Office for clarification, had been corrected. We are of the opinion that Ex.136 sets out the subject's correct number and name.

Subject No. 123 - U. 4082 1/Cpl. CHRISTOPHER OKELLO

The subject was married to Rose Lusa (W.2.4) and they have two children, aged five and three. The older used to go to school but stopped in February, 1971 due to non-payment of school fees.

W. 2.4 said that her husband was on a course in Kampala but in July, 1971 he came back to Jinja, where he was/...../183.

was stationed, for the week-end. She said that at around midnight, four soldiers came to their house in the barracks and called out for him saying that he was wanted on-duty. Her husband told them that he was on a course and they replied that they had received a telephone from Kampala that he was wanted back. When her husband went out he was ordered to raise up his hands and warned that if he tried to run, they would shoot him. She said that these four were in army uniform and two had pistols, while the other two guns. She saw her husband being taken into the M.T. office. He never came back.

In the morning she went to the Company office to get some food-stuff. She found many other women and they were all told that those whose husbands had been arrested would not be given any food. They were then told to get bus warrants from the Company to return home.

She said that another man who was arrested and disappeared was someone called Justine.

On the fourth day of her husband's arrest she heard a big bang at the quarter guard and the building collapsed; she had heard that many people were being detained at the quarter guard and she was of the opinion that, had her husband been in it, he should be dead because of the explosion and she had no reason to think that he was not in the quarter guard.

She said that her husband had left a pass-book but did not know if there was any money in the bank. She has not yet applied to court to manage his property.

Ex.136 gives the date of his disappearance as 11th July, 1971.

Subject No. 134 - U.S. 4993 PRIVATE CELESTINO OPIO

Private Opio was married to Kelekensia Ajumu who used to live with him in the Army barracks in Jinja. Since the disappearance of the subject she married somebody else and did not come forward to give evidence.

The subject's brother, Tadeo Ajumu (U.234), said that Kelekensia went home on 14th July, 1971 and reported that her husband was arrested in the night of 11th July, 1971 by some soldiers who assaulted her and took him to another building within the barracks.

The witness said that he did not do anything because Kelekensia had told him that the building into which his brother was taken was 'bombed' and the witness thought that his brother was blown up in the same building.

The subject left three children aged six and a half, four and three years and the witness looks after them, besides four of his own children. Whereas his children go to school, none of his nephew goes because he cannot afford the school fees for all of them.

Ex. 136 states the date of his disappearance as 11th July, 1971.

Subject No. 132 - PRIVATE EUSTACHIO KOCK.

The subject was married to Florence Anene and they have two children aged eighteen and fourteen. The subject's father, Eusto Kock (U.299), testified that the subject went home on short leave in June 1971 and returned to Jinja barracks after his leave. He did not write to his father

as he used to do in the past and the witness sent Florence to Jinja in July, 1971 to check on the subject. She returned with his property like beds, sofa-sets etc. and told the old man that she did not find him in the barracks. Florence has since remarried and is somewhere in Kangai.

The old man said that he has no idea of what happened to his son.

He said that neither of his grand-children goes to school due to lack of school fees; his son did not leave any money.

Ex. 136 contains an entry in respect of UA 4624 Cpl. Gusabio Epwo of the Ordinance Depot whose date of disappearance is given as 12th July, 1971. As already stated this exhibit contains the correct names and numbers of the soldiers and we accept the information stated in this exhibit regarding this subject.

Subject 138 - UA 8904 PRIVATE JOHN AWANY

According to the evidence of the subject's brother, Nikola Abua (U.240), the subject had two wives, Abulane Opinya and Filda Adyango. The subject was a private attached to the Army Band, Jinja. His brother testified that on 14th July, 1971 Filda Adyango came home to Dokolo with all their property and reported that the subject had been arrested, assaulted and put in the cells on 11th July, 1971. The witness said that Filda told him that the Langi and Acholi soldiers had been arrested and they were not allowed to see them until preparations had been completed for 'hearing of their cases'. The witness said that he is still waiting for his brother's case to come up. Filda told the

witness/..../586.

witness that the cell in the barracks in which the prisoners were kept had been 'bombed' and the roof destroyed. She told him that she doubted if her husband was alive.

The witness said that Filda has remarried and he did not know her whereabouts. He is keeping his brother's nine children, who are between the ages of nineteen and four, of whom he can afford to send only two to school, whereas all of them were at school before his brother's disappearance. He did not know if his brother left any money in the bank, nor does he know of any other property. Ex. 136 indicates that the subject disappeared on 11th July, 1971.

Subject 168 - U. 5331 I/Spl. STANLEY OTTO.

The subject was married to Joyce Mlinga (7.284). He was an army driver. They have eight children between the ages of fifteen and three and a half, of whom only three go to school.

Joyce said that one day, within three weeks of the Army take-over, when she was at the brigade grocery shop, she saw seven people including her husband - all Langi and Acholi being arrested from a parade in the afternoon. She said that they were all being taken away crying saying that they were arrested for nothing and were being taken for nothing. The witness said that their lands were bound with a rope and then were all thrown into an Army landrover and driven to the quarter guard. The witness went to the quarter guard with her other women and asked why these people had been arrested. They were simply told to go away. She

returned to the quarter guard at 4 p.m. and asked where the prisoners were being kept. The Army officer told her that the prisoners had been taken to Kampala and advised her to go back the following day if she wanted to see them. Next day she saw another officer who told her that her husband's case might finish soon and asked her to wait. She waited and kept on making enquiries, always getting the same answer. Eventually she was given a warrant to go home and she went to Lango.

Later on when she heard that some soldiers were detained at Luzira Prison she went there to try to see her husband but was told that the detainees were not allowed to receive visitors. She did not have any opportunity to see her husband and has not had any communication about him from any source.

Ex. 136 gives the date of his disappearance as 25th January, 1971. The subject is also included in Ex. 124, according to which he was admitted into the prison on 1st May, 1971 and was one of the many detainees who were transferred to Mutukula Army Camp on 28th December, 1971.

The witness said that her husband left some money in the bank but she has not been able to collect it.

Subject No. 124 - FRANCIS OTOM,

The subject was the younger brother of Robert Achot (1309), whose other brother was Sgt. Joseph Otim of Mubende (subject 184, p.). The witness said that he last saw the subject in April, 1971 when he visited him at the Institute of Public Administrations, Kampala. He said that Otom had advised him never to approach Army

Barracks because, during those days, "things were not alright." He said that in June, or July, 1971, Otom's wife, Margaret Otin, returned home with her husband's two chairs and three children. She told him that Otom went on duty one night and did not return. She said that about fifty women had been given warrants to return to their homes in Lira, Gulu and Kitgum. He was also told that Lt. Oree of Jinja barracks had been shot and killed.

The witness did not try to make any inquiries about both his brothers on account of the opinion that the Acholi and Langi soldiers might have rebelled against the new Government.

The subject's three children are now between five and four, and Otin's three children aged seven, four and two and a half; two are with the witness of whom one is at school; two with his father and the youngest two are with their respective mothers.

According to Ex. 136 there does not seem to be any record about Private Francis Otom but the exhibit does mention HQ 116 Private E. L. Oree who is said to have disappeared on 25th January, 1971. From the evidence of W.309 we are certain that he had such a brother as Private Francis Otom who was attached to Jinja barracks and who disappeared during the incident of July, 1971 about which the previous witness has spoken.

Although Ex. 140 mentions the disappearance of Lt. Oree on 25th January, 1971 we are of the opinion that he too must have disappeared during the same incident in July, 1971.

Subject No. 199 - UA 5011 ALFRED BAIYI

The subject was married but his wife remarried after the death of the subject. They have five children between the ages of five and two and a half years and are now being maintained by the subject's father. The subject and his wife were living in Jinja barracks and staying with them was the subject's younger brother, Antonio Opoya (P.320). At the time of hearing, Opoya gave his age as eighteen and, as this incident occurred three years ago, he must have been between fifteen and sixteen then.

According to this young man there had been no trouble whatsoever in the barracks before 13th July, 1971. On that morning he left for school in the barracks as usual but at about 9.30 a.m., when he was in class-room, they heard firing. The teachers were afraid and the children were sent home. The witness said that he saw some armed soldiers, whom he had never seen before in the barracks, chasing soldiers who were unarmed, shooting at them and killing them. He said that there was no question of arresting or capturing anybody and he saw many bodies lying about.

At about 10 a.m. some soldiers went to their home and asked for his brother who was hiding inside. The witness and the subject's wife were beaten, slapped and hit with butts of guns to force them to tell those soldiers where his brother was. His brother's wife revealed where her husband was and following is his account of what happened to the subject, (p.3222):

When he was captured in the house he was tortured.....they stepped on him with their feet.....they were only stepping on

him. After they had done that they shot him just in front of his house there..... he was already on the ground, his waist had already been broken.....he could not get up.....he was shot on the head..... twice.....he was left there dead at about 2 p.m. A lorry came and his body was thrown on it with several other bodies but where these other bodies were taken I cannot know."

He said that he was frightened to take his brother's body inside the house and let it lie outside from 10 a.m. till 2 p.m. He was asked if he was sure that his brother was dead; he said that his head was 'torn out', adding that it was 'scorched'.

On the same day, that is, 13th July, 1971, the quarter guard was destroyed. He said that its walls fell down and the roof caved in.

The confusion lasted the whole day and shooting went on even during the night. The killings by armed soldiers of unarmed men continued on the 14th and conditions cooled down on the 15th. On the 14th the armed soldiers were mopping up, that is, tracing those in hiding within the barracks and they were searching houses. He said that four came to their home also, but only to tell the subject's wife to get a bus warrant to go home. He said that on the 15th these people destroyed his brother's property.

The witness said that these armed soldiers were in uniform but he could not tell where they had come from. He thought that they might have come from Kampala. Some were sergeants, others were wearing a bracelet with crown bird on it, others were privates. He said that they all spoke English which he did not understand.

On the 14th July, 1971 the witness and his sister-in-

law went home to Lamit village, Labongo. He said that his late brother left some money in the bank but nobody has so far applied for court order to manage his property.

The subject's name appears in Ex.136 which gives the date of his disappearance as 11th July, 1971.

We appreciate that the witness was a young lad of about sixteen at the time of that incident. At the same time we are of the opinion that the severity of the occurrence and the gangster-like shooting of people who were unable to defend themselves and the killing of his own brother in front of him must have left a lasting impression on his young mind which he will remember to his last day. We should like to compare his experience with that of the other young lad, Valentino Ocen (U.323) who gave evidence about his father, Private Donato Odur (Subject 201, p.671) of the Border Guard Unit, Moyo. We accept the evidence of U.320 and find that his brother JA 5011 Private Alfred Baiyi was shot by some unidentified soldiers at Jinja barracks on 13th July, 1971.

Subject No. 205 - U. 12114377 SGT/MAJOR MODESTO ODOCH.

He was married to Makaliya Akello (U.337) who said that she was living with him at the time of his disappearance. They have seven children between the ages of nineteen and seven, of whom six are at school. She said that he had two more from two other women who keep them.

U.237 said that she had gone home to bury a child. In January, 1971 she went to Jinja but did not find him. RSM Philo Euga informed her that her husband had been arrested towards the end of January, 1971 and taken to

Luzira. She was not told the reason why he was arrested. She returned home and it was not till July, 1971 that she went to Luzira but the warden would not let her in to see her husband. She has no information of what happened to him. She said that all their property, worth Shs. 1,000/=, was left in their quarters at Jinja barracks and she was not compensated. She looks after the children by farming. She said that her husband left money in the bank and was insured but she has not applied for court order to manage his property as she did not know the procedure.

The subject appears in Ex. 136 as W02 of SIG/SCN and the date of his disappearance is given as 25th July, 1971. He also appears in Ex. 124 where his number is given as E.A. 18114397 and, according to this entry, he was admitted into Luzira Prison on 8th February, 1971 and was one of the many others who were transferred to Mutukula Army Camp on 28th December, 1971.

It seems to us that the information given to the witness by RCM Buga that her husband was arrested towards the end of January, 1971 was correct and this would seem to be borne out by Ex. 124 which gives his date of admission into the prison as 8th February, 1971. We do not believe the information about his disappearance in Ex. 136 which does not correspond at all with Ex. 124. We have heard evidence of the mass break-out from Mutukula Army Camp during which some soldiers died and others made good their escape. We were not given details of those who were killed during this escape and we feel that the probability clearly is that the subject must have died during the break-out from Mutukula.

It will be seen that these arrests came around 10th - 13th July, 1971 with the exception of Subject 205. A number of witnesses spoke about the explosion at the quarter guard which occurred on 13th July, 1971. As we have seen there was evidence that all the soldiers who were arrested around that time were in fact detained at the quarter guard. Lt. Col. Nondo (U.377) was asked about the blowing up of the quarter guard. He said that although in July, 1971 he was away from the country in England, he heard of it and said, (p.3884):

"I won't be able to say whether any investigation was carried out, but what I do know is that this happened during the same period in July, when trouble had started and certain people had taken arms again, wanting to fight and the people who were involved in the whole incident were those who had been arrested. I won't know whether there was any investigation."

We should also mention that the Lieutenant Colonel had talked of the confusion in Moroto barracks in July, 1971 which he described as an 'attack' on the barracks but, as we have seen and the Commanding Officer of the time confirmed that, there was no attack as such on the barracks in July, 1971. However, the Lieutenant Colonel went on to give his opinion about the blowing up of the quarter guard in Jinja which he thought "could be accidental because here you have some people arrested by some officers and of people who had decided to fight and therefore any kind of force could have caused the explosion." - (p.3884). He added,

"As I said there was a resistance; so there was a fight in that place trying to contain a certain group of dissidents within Jinja barracks and the process of trying to contain it could have caused the whole building to collapse and there would be no reason to believe that it was done intentionally to warrant the investigation of this kind."

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While appreciating that the Lieutenant Colonel was not a witness to the incident and also appreciating that he was out of the country in July, 1971, we would, with respect, say that his opinion is not borne out by the evidence which we have heard. The evidence clearly is that there was no trouble within the barracks till some soldiers from outside came and they started shooting the resident soldiers, mostly Acholi and Langi, who were unarmed. According to one eye witness, there was in fact no question of taking any prisoners; it was killing and nothing else. We did not get any evidence of any resistance being put up and the probability therefore is that the quarter guard could not have been blown up either accidentally or in the cross-fire.

MAGAMAGA SOLDIERS

- 367 Subject No. 127 - UA 4846 L/Cpl. PETER OCEN
- 368. Subject No. 163 - UA 6557 PRIVATE FRANCIS OPTO.
- 369 Subject No. 164 - UA 7693 PRIVATE JOHN OCEN.
- 370 Subject No. 187 - UA 2280 SGT. DAVID LOUM.

Witnesses: 228 Eseri Akulu - Part 3, p. 2265 - 2273
278 Barnabas Ochom - Part 3, p. 2773 - 2776
279 Erifasi Ogwang - Part 3, p. 2778 - 2780
310 Valente Otto - Part 3, p. 3043 - 3045

Subject No. 127 - UA 4846 L/Cpl. PETER OCEN.

L/Cpl. Ocen was married to Eseri Akulu (W. 228). They have six children between the ages of sixteen and one, all of whom go to school.

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She said that one evening in July, 1972 when they were asleep, some people knocked at the door at about 11 p.m. and said that her husband was wanted on duty. The subject dressed in his uniform and went away with those people and never came back. She said that there was nothing unusual in the subject being called out on duty in this manner. She heard the sound of a vehicle leaving her home as soon as her husband went out.

She waited for his return for three days thinking that he might have gone on safari. She was then called into an office where she was given a bus warrant to go home with five other women, all of whom were Langi. Those women said that their husbands had been arrested and detained at the quarter guard of Magamaga barracks. The witness went home and later came back to Magamaga to ascertain about her husband. She saw RSM Juma, who denied knowing anything about him.

She said that there had not been any trouble before her husband's arrest and had heard that some soldiers had run away during 1971 and 1972. She did not think that her husband would have left the country.

The subject appears in Ex. 136 which gives the date of his disappearance as 12th July, 1972.

We are satisfied that L/Cpl. Ocen has been missing since July, 1972 when he was called out at night by some men for duty. Relying on the evidence that other five Langi women, who were also issued bus warrants together with the witness, who told her that their husbands were detained at the quarter guard, we think that the probability

is/...../596.

is that he never reached Luzira.

Subject No. 163 - UA 6557 PRIVATE FRANCIS OPIO.

The subject's father, Barnabas Ochom (W.278) said that on 18th July, 1971 Opio's wife, Janet Ejang, returned home from Magamaga barracks and reported to him that when her husband went on duty to the quarter guard on 11th July, 1971 trouble broke out and he never came back. She told him that many people had been arrested that night and taken to the quarter guard and their wives were given bus warrants to go home. She told the old man that they were informed that their husbands had been killed by the soldiers who arrested them.

The witness went to Magamaga after about a month and some of his son's friends confirmed that his son was dead.

Janet Ejang no longer lives at the home of her husband and her whereabouts in Soroti are unknown. She took her husband's son, aged five, with her but W.278 said that he had asked her to bring him back to him when he became of school age.

The witness wanted us to help him bring up that boy.

The subject appears in Ex.136 which gives the date of his disappearance as 11th July, 1971. We are in no doubt that UA 6557 Private Francis Opio was arrested on 11th July, 1971 as reported by his wife to W.278, since when he has been missing. He does not appear in Ex.124 which indicates that he never reached Luzira Prison. This would seem to lend support to the information collected by W.278 that his son was killed during his detention at Magamaga.

Subject /...../597.

Subject No. 164 - UA PRIVATE JOHN OCEN.

Private Ocen's father, Erifasi Ogwang (W. 279), testified that his son came home at Ogenge Primary School, Aloi, where the witness was a teacher, on 14 days' leave in November, 1971. He said that on 30th November, 1971 at about 7 p.m. two Army officers came in a white Volkswagen vehicle and asked for his son. Both of them had pistols. His son came out and they greeted each other. The two soldiers told the subject that he was wanted in the barracks and they were going to take him. His son collected all the property and went away with the two soldiers in the vehicle.

The witness did not hear from his son. He wrote to him on 6th January, 1972 and again on 15th March, 1972 without getting any reply. On 25th April, 1972 he went to Magamaga barracks but he was refused permission to enter. The witness was able to collect his son's chairs from the house he was renting outside the barracks.

The subject appears in Ex.136 which also sets out the date of his disappearance as 30th November 1971. There is no doubt that the subject was picked from his father's home on 30th November, 1971 at about 7 p.m. by two men wearing Army uniform. We consider it a pity that his father did not take down the registration number of the motor vehicle in which his son was taken away. It seems to us that there was nothing suspicious about this visit, otherwise the witness would have said so and this would probably explain why he did not feel any necessity to take down the number of the vehicle. We are therefore satisfied that those two were in fact Army officers who
wanted/...../598.

wanted to take the subject back to his barracks. The subject never told the men who because he did not acknowledge any of these two letters which his father wrote to him. Had the subject left the country in company with these men, we should have thought that he would have at least got in touch with his father to tell him that he was safe and well, wherever he was.

Subject No. 187 - UA 2280 SGT. DAVID LOUM.

We dealt with this subject together with his two brothers, Subjects 186 and 188, page 362. We would add that when the subject's wife returned home in August, 1971 and reported to U.310 she said that the soldiers who bayoneted her husband to death had come from Kampala.

Ex. 136 gives the date of his disappearance as 12th July, 1971 but, as already stated, there is no doubt that he was killed in his wife's presence.

MALIRE SOLDIERS

- 371. Subject No. 122 - UA 6092 PRIVATE MATHEW OKENY.
- 372. Subject No. 124 - UA 6048 Cpl. PHILIP ALBONGA.
- 373. Subject No. 129 - UA 4973 PRIVATE ALFRED OKELLO.
- 374. Subject No. 130 - UA 5127 LUCAS OKELLO.
- 375. Subject No. 155 - UA 6085 L/Cpl. TOM OKELLO.
- 376. Subject No. 160 - UA 45 CAPT. FREDRICK HENRY OGVAL.
- 377. Subject No. 169 - N 53353 RCM ELIJAH RI OTUCHI.
- 378. Subject No. 170 - PRIVATE JULIUS OGWANG OTUCHI.
- 379. Subject No. 176 - UA 6051 JEREMIA GIBICE.
- 380. Subject No. 177 - PRIVATE LUCAS OKELLO.
- 381. Subject No. 201 - UA 5797 PRIVATE MICHAEL OKULU.
- 382. Subject No. 208 - L/Cpl. YOSEF ALGEN.

...../599

Witnesses: 223 Wilberto Opito - Part 3, p. 2225 - 2229
225 Lusana Opio Odongo- Part 3, p. 2237 - 2240
230 Janet Akello - Part 3, p. 2281 - 2285
268 Levi Ochieng - Part 3, p. 2678 - 2682
273 Helen Ajuung Cgwai- Part 3, p. 2710 - 2715
285 Clementina Agulo Otuchi
- Part 3, p. 2820 - 2830
291 Constantino Ckwang-Part 3, p. 2878 - 2884
294 Joyce Ejang - Part 3, p. 2901 - 2905
324 Yekonani Gero - Part 4, p. 3259 - 3267
347 Dorothy Lunana - Part 4, p. 3569 - 3581
377 Lt. Col. Emilio Mondo
- Part 4, p. 3861 - 3885
480 UR 0309 Sgt. Alex Alai
- Part 6, p. 5355 - 5366
526 Alai Mukili - Part 7, p. 6521 - 6529

These subjects were stationed at Malire. It would appear that through an error private Lucas Okello has been listed twice as subject No. 130 and 177. There is no direct evidence on him except that he was mentioned by Mrs. Janet Akello, wife of Private Alfred Okello, when she met the wife of Private Lucas Okello. She gave her name as Lessy (Lucy?) Amongon. We get a further reference to Private Lucas Okello in the evidence of Constantino Okwang (U.291) who also met the wife of the private and gave her name as Mrs. Amongon Okello. Here we see reference to the same lady as the wife of Private Okello and we are of the opinion that subject 130 and 177 in fact is the same.

It is now a well known fact that the Army take-over on 25th January, 1971 had its first reverberation at Malire.

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Lt. Col. Mondo (U.377), who is the Secretary to the Defence, spoke of the reasons that led to the Government take-over. He mentioned some "general confusion" that led to the Government take-over and, when he was asked the kind of confusion he was referring to, he said, (p.3874):

"When I talk of this confusion, I think it is both political and military. Well to begin with, the whole source of this problem is political. This is my own opinion, and that eventually, it led, as it were, into the Armed Forces the conflict which brought about the military take-over. The grouping for instance, of Acholi and Langi trying to take arms against the rest of the members of the Armed Forces, that is, the confusion I am talking about."

He was then asked about the 'Lango Master Plan' and he said, (p. 3874):

"No, that may be a part of it. But I think Lango Master Plan, if I remember correctly was a move of which we knew of much earlier than 1971. As I said, it could have been a part of it. That was, may be, the beginning of the political bit of it, but the main point which exploded in 1971 was this grouping of these two tribes trying to fight and eliminate other members of the Armed Forces in the evening of January, 24th. So, I think the two things are very much interwoven political and the rest of it."

With this little insight of the background we now look at the individual cases of subjects who are reported missing.

Subject No. 122 - UA 6092 PRIVATE MATHEW OKENY

The subject's elder brother, Wilberto Opito (W. 223) was the only witness to give evidence on this subject. He said that the subject's wife, Roseline Alara, who used to live with the subject in Malira barracks, was now married to somebody else in Lira.

In early January, 1971, Private Okeny sent his wife

hons /..../ 601.

25 x 10

home for delivery and the witness did not hear from his brother after the Government take-over and even when he wrote to him in February, received no reply. He went to Malire to enquire. The gate keeper asked him to sit down and after a little while they asked him why he was waiting there. He was ordered to get out quickly. They told him, (p.2227):

"They did not know Mathew Okeny and if I wanted Mathew Okeny I should go and find out from a lorry named tipper."

The witness then realised that his brother was dead. He did not collect his brother's property from his house and there has been no official communication concerning the fate of his brother.

The witness said that he later learnt that fighting had started at Malire on 25th January, 1971, and he thought it possible that his brother might have died during the shooting.

He said that his brother had six children who are now under his care. Only one goes to school and he cannot afford to send the others for education due to lack of money. He has six of his own children and his father is blind. He has been unable to withdraw money from his brother's account with the Uganda Commercial Bank.

The subject's name appears in Ex. 136, which gives his date of disappearance as 25th January, 1971.

We are inclined to agree with the interpretation which the witness put on the remark about the 'tipper', if the witness wanted to know about his brother. It seems probable that this subject was killed during the incident at Malire on 25th January, 1971.

Subject/...../602.

Subject: DR. 124 - 01, 6648 C 1, 101111E A1000GA

The subject was a brother of James Opiyo Odungo (C.124), who said that the subject was married to a woman. After his capture the subject was arrested and living in Kampala and he does not have an address. The witness said that her brother had five children, who are now under his care. Only one goes to school. He has nine of his own children.

The witness said that the subject's wife returned home on 28th January, 1971 with her husband's cupboard and a sofa set. She reported to him that the subject was arrested on 25th January, 1971 during the Government take-over operations when he was on duty at the gate. The witness went to Malire but nobody seemed to know his brother. He asked the soldiers about his brother's radio and other property which was left behind but they denied any knowledge about it also. He has not received any official communication about him.

The subject appears in Ex. 130 which gives the date of his disappearance as 25th January, 1971. He is also mentioned in Ex. 131, Ex. 132, Ex. 133 and Ex. 134. Prison, according to which he was admitted on 27th January, 1971 and transferred with many other prisoners to Mutukula Army Camp on 28th December, 1971. The witness said that his brother had an account with the Uganda Commercial Bank and he had not so far applied to court for an order to manage his property.

There can be no doubt that this subject was amongst the many other soldiers detained at Luzira who were transferred to Mutukula Army Camp on 28th December, 1971. We

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heard evidence of a mass break-out by prisoners from Mutukula during which some escaped and others died. Had this corporal been one of the escapes, we should have expected him at least to contact his family from wherever he was. We were not given details of those who were killed during this bid to escape but we feel the probability is that Cpl. Aluanga must have died at Mutukula.

Subject No. 129 - UA 4973 PRIVATE ALFRED OKELLO.

Subject No. 130 & 127 - UA 6127 PRIVATE LUCAS OKELLO.

Janet Akello (W.230) is the wife of Private Alfred Okello. She said that her husband sent her home in December, 1970, and kept some of the children with him at Malire.

About a week after the Government take-over in January, 1971, Mrs Lessy Amongen, the wife of Private Lucas Okello, took the witness' children home and told her that on 25th January, 1971 at about 1 a.m. all the Langi and Acholi soldiers at Malire, including their husbands, were caught and put in the quarter guard. Amongen told her also that the detainees had been taken to Luzira.

The witness had no money to go to Luzira but Amongen went. On her return she said that she had not been allowed to see her husband.

Janet Akello has three children between the ages of seven and one; two of whom are from Private Alfred Okello but neither goes to school due to shortage of money. She said that she has been unable to withdraw her

lucian's/.../604.

husband's money from the bank.

Both subjects appear in Ex. 136 which indicates that they disappeared on the 25th January, 1971. They also appear in Ex. 124 according to which Private Lucas Okello was admitted into Luzira Prison on 27th January, 1971 and Private Alfred Okello two days later; and both were transferred to Mutukula Army Camp on 28th December, 1971. These exhibits make it abundantly clear that these two soldiers were two of the many detainees who were transferred from Luzira Prison to Mutukula Army Camp. We heard evidence of the mass break-out from Mutukula during which some prisoners escaped and some were killed. We did not get particulars of those who died and, as these two subjects have been missing since their transfer to Mutukula, we think that the probability is that both of them died during the mass break-out from the Army Camp at Mutukula.

Subject No. 155 - UA 6085 L/Cpl. TOM OKELLO.

The subject's elder brother, Levi Ochieng (W.268), testified that the subject was married to Caroline Akello who used to live with the subject at Malire barracks. He said that Caroline returned home on 28th January, 1971 with some of their property, and reported that her husband was sent out on duty on 25th January, 1971, and never came back. Subsequently, she was given a bus warrant to go home, the same as many other women. The witness said that his brother had five children between the ages of eleven and seven, of whom the eldest two go to school. Three of the witness's own children are at school and

Ochieng/..../605.

Ochieng said that he cannot afford to send the remaining to school. His brother had some money in a bank which is not known.

The subject appears in Ex. 136 which gives the date of his disappearance as 25th January, 1971. He also appears in Ex. 124, according to which he was admitted into Luzira Prison on 27th January, 1971, and was transferred to Mutukula Army Camp on 28th December, 1971. He has been missing since then. We think that the probability is that he was one of those prisoners who died during their bid to escape during the mass break-out from Mutukula.

Subject No. 160 - UG 45 CAPTAIN FREDERICK HENRY OGWAL.

The Captain was married to Helen Ojwang (W.273) and they have eight children between the ages of sixteen and five. Three of the children are at school and Helen said that she cannot afford to send the others to school.

According to Helen her husband went on safari to Arua in January, 1971 before the Army take-over of the Government. She said that on 25th January, 1971, some soldiers, including Captain Lumago, went to her home in Tank Hill at 6 a.m. and asked for the Captain. On being told that he had gone to Arua one of them commented, "You were still boasting." She said that they became cruel to her; they were firing in the air and on the ground and she was frightened. She took her children and went away, leaving them in the house still shooting at random. She spent the night at the home of one called Victor at Nazuru, and, when she returned to her home the following day, she found everything taken away by the soldiers. She then went home to

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Aduku in Lango. About a week later she was told by a woman, Joice Ejang (B.294), that she had seen the Captain being stopped by a white car with four men in it at the Gallex Petrol Station in Lira. W.294 said that the Captain came out of his car and one of the four from the other car also came out and after some heated conversation, which she could not hear, the Captain got into the white car and the other man into the Captain's car, and then both vehicles left. She said that those four people were in plain clothes and the conversation between the Captain and the other man was in English. According to Helen this incident took place on the first Sunday after the Military takeover. She saw the District Commissioner, Lira, who was then Mr. Fungoma, and he appeared to know about the arrest of her husband. She said that the District Commissioner rang someone at Lira Hotel and two men came to his office. She knew one of them before and he was Lt. Onzima from Gulu. They told the District Commissioner that her husband had been sent to Gulu. She then saw Mr. Gdyek, the District Police Commander, and he confirmed that her husband had been sent to Gulu after passing through Lira Police Station. She went to Gulu the following day and met Lt. Onzima at the Army barracks. She said that Onzima appeared 'shy' to talk to her but he told her that her husband had been taken to Kampala. She went to Makisalye but failed to find him there. She tried Malongo, but without any success.

When she was in Gulu she saw some soldiers driving her husband's car which was a Peugeot saloon No. UGB 759. She mentioned this to Lt. Col. Ogwal and he promised to

look/...../607.

look for the car, which has not been traced. The number of this car does not appear in either Ex. 151 or 152.

Helen said that her husband had money in the bank which she has not been able to get and he was insured. She has not applied to a court order to manage his property.

The Captain is included in Ex. 136 which gives the date of his disappearance as 25th January, 1971. From the evidence of the Captain's wife it is clear that her husband was not at home on the day of the Government take-over. We have no doubt that the people who went looking for her husband, including Captain Lumago, behaved in an atrocious manner towards the defenceless woman by shooting at random, thus chasing her out of her home. We find that during the time she was away from her home, all her property was stolen and those soldiers, including Captain Lumago, who were left behind in her house, must bear full responsibility for the theft of the property.

W. 294 witnessed the Captain being taken away by four men in a white car. According to her the Captain was taken after some heated conversation which was in English. As soldiers were looking for the Captain and he was in fact taken on the first Sunday following 25th January, 1971 we think that it is reasonable to say that those four people who took him from Lira must have been soldiers from the Uganda Army. He has not been seen since and he does not appear in the list of detainees in Lura Frison, Ex. 124.

Subject/...../ 608

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Subject No. 169 - N.53353 RSM ELIAZARI OTUCHI.

Subject No. 170 - BA 8813 PTE. JULIUS PETER OGWANG OTUCHI.

Ex. 136 gives the rank of Eliazari Otuchi as WO1.

Private Ogwang Otuchi was his son and both were stationed at Malire. Clementina Ogalo (W.285) is the wife of Eliazari Otuchi and she said that, besides her son Private Ogwang, she has five other children between the ages of sixteen and three.

W. 285 said that her husband was at home in Kamuda village on leave in January, 1971. On 30th January, 1971 at 2 p.m. six soldiers, including Sgt. Alai, L/Cpl. Abujo and L/Cpl. Alinga, came to her home. According to the witness (p.2823):-

"On their arrival, one of them called him by his rank that RSM we are busy working in Kampala yet you are enjoying at home with your wife. He told him to come out and my husband came out. He ordered him to kneel down and he did so; this man commented that you used to give us hard work today you will see. He hit him on the head with the gun."

She said that the man who assaulted him was a Lieutenant and they alleged that her husband was pretending not to have heard an announcement on the radio recalling all soldiers who were on leave. They asked him for his radio and after checking found that its batteries were weak. They took him away in their landrover using the battery of her husband's car. Another soldier drove away in her husband's car.

On 2nd February, 1971 Clementina went to Malire looking for her husband. She asked L/Cpl. Abujo about him and he told her that they took him to Gulu from where her husband was taken to Entebbe in a plane. Later, he told her that

her/...../ 609.

her husband was dead. She also asked him about her son Ogwang. Abujo told her that he was at Malire but, another Lango soldier informed her that Ogwang was arrested on 1st February, 1971 and taken to Luzira.

Sgt. Alex Alai (2,480) testified that at the time of the Government take-over he was in Jinja on operations. He denied knowing L/Cpls Malinga and Agurajo and further denied that on 30th January, 1971 he went to Otuchi's home in Lango. He maintained that in January, 1971 he was a private and was promoted Sergeant in 1972. He produced a letter dated 28th November, 1974, (Ex. 123) from Lt. Col. Sule, Commanding Officer, Malire to confirm that the witness was promoted to his present rank on 8th February, 1972.

The other Alai who was called to give evidence was Alai Mukili (1,526). In 1971 he was a sergeant but when he was retired from the Army 1974, he was a major. He testified that at the time of the Government take-over he was sent to Gulu with some other officers on special assignment to guard the airstrip and the barracks. He said that his assignment included also the arrest of deserters. He said that he knew RSM Otuchi whom he described as his friend. He said that during his four months' stay in Gulu he had arrested only one soldier who had run away to Arua. He said that they arrived in Gulu in the morning of 28th January, 1971. On being asked about any reason why Mrs. Otuchi should mention his name, he said that he did not know and they have not been on bad terms but he thought that she mentioned his name only because 'she knew him.'

Both father and son are mentioned in Ex. 136 which gives

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the date of their disappearance as 25th January, 1971.

We see no reason to doubt the evidence of Mrs. Otuchi who said that at the time of the Government take-over her husband was at home on leave. We are satisfied that Sgt. Alex Alai (7.480) is in no way involved in this matter. Ex-major Alai Mukili did not deny knowing the Otuchi family with whom he used to live in Malire. He described the senior Otuchi as his friend and also admitted that Mrs. Otuchi knew him as they had lived together in the barracks for a long time. Mrs. Otuchi saw the soldiers who went to pick up her husband on 30th January, at 2 p.m. and she must have seen them from very close. On 30th January, W.526 was in Gulu on special assignment which included the rounding up of deserters. According to what her husband was told at their home it appeared that the soldiers who were on leave at the time of the Government take-over had been recalled and an announcement to that effect was put out on the radio. It is obvious that the senior Otuchi did not respond to the announcement, probably because he did not hear it on his radio whose batteries were weak. As Mrs. Otuchi knew Mukili well before and as he was, on his own admission, in Gulu by then on duties which included the arresting of deserters and as her husband was arrested in broad day light, we are of the opinion that Mrs. Otuchi could not have been mistaken in her identification of W.526 as one of the six soldiers who arrested her husband from their home in Lango on 30th January, 1971. He has not been seen or heard of since and he does not appear in the list of detainees at Luira.

Regarding Private Ojwang Otuchi her mother learnt of his arrest when she was enquiring about her husband.

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Although she was told that he had been taken to Luzira, we have not been able to find his name in Ex. 124. We are, however, satisfied from Clementina's evidence that Private Ogwang Otuchi has been missing since 1st February, 1971, and we feel that the probability clearly is that he is no longer living.

Subject No. 176 - UA 6051 JEREMIA ONGOM.

Ongom's brother Contantino Okwang (W.291) said that he came to Kampala on 24th January, 1971, to visit his brother who received him at Kampala bus park. He said that his brother was staying within the barracks but he, the witness, spent that night at the home of Lucas Okello (subject 130 and 177) outside the barracks. During that night he heard a lot of shooting from Malire side. His brother did not come to see him at 10 a.m. the next morning as promised, and Mrs. Amongen Okello advised him not to go to Malire to look for him. She did, however, tell him that she had seen his brother being arrested from the field where they are assigned duties and was taken to a house within Malire barracks where he was locked up. He did not make any enquiries about his brother and returned home after three days. Okello's wife also returned home after two weeks. Ex. 136 mentions Ongom and gives his date of disappearance as 25th January, 1971.

We are satisfied that UA 6051 Private Jeremia Ongom of Malire has been missing since 25th January, 1971 when he failed to keep his appointment to see his brother at 10 a.m. at the home of Private Lucas Okello. Amongen did not come forward to give evidence but we have no reason to doubt

Okwang/..../612.

disappeared on 25th January, 1971.

From the evidence of Gero we are satisfied that Private Okulu was a deserter, and he deserted in January, 1971 after the Army take-over. We are satisfied by the evidence of W.324 that these two deserters (the subject and Private Ochaya) were arrested by soldiers on 27th June, 1972. There is no news of Private Okulu since then and he does not appear in the list of detainees at Luzira, Ex.124.

Subject No. 228 - L/Cpl. YOSE ANGEN.

The subject was an uncle of Dorothy Lanana (W. 347) who mentioned him when giving evidence about the disappearance of her own father, Lt Keneri Okoth subject No. 227, p.675. When she came to Kampala looking for her father she went to Malire to see her uncle and she found him missing also. She met Mrs. Angen on 23rd March, 1971, and she told the witness that her husband and the witness's father had been shot together in one of the cells. The witness found many women of different tribes including Acholi/Langi women and some dressed in Nubian clothes crying at Malire for their husbands. When the witness tried to see the Commanding Officer, she was chased away by the R.P. According to Ex. 136, the Army records office does not seem to have any record of L/Cpl. Angen. In Ex. 124, which is the list of detainees at Luzira Prison, is entry No. 157 in respect of UA 5750 Private Yose Ange, an Acholi from Malire Army Headquarters.

According to/614.

According to this entry this private was admitted on 27th January, 1971, and transferred with many other soldiers to Mutukula Army Camp on 28th December, 1971. As has been seen Dorothy Lanana went to Malire in March, 1971 and when she saw her aunt on 23rd March, 1971 she found her crying and packing up to leave the barracks. If what her aunt told her was true that she had seen her husband L/Cpl. Angen and Lt. Col. Okoth together in one cell and later seen blood in the same cell with those occupants missing, it must follow that the occupants of that cell had been killed at Malire in March, 1971. We have no reason to doubt the evidence given by W. 347 and as such find that the entry in Ex.124 in respect of Private Yose Ange is for a totally different soldier of Malire. We find that L/Cpl. Yose Angen was arrested and killed within the barracks on or about the 23rd of March, 1971.

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MASINDI SOLDIERS

383. Subject No. 86 - UA 4069 PTE EMENYU OBONG.
384. Subject No. 136 - UA 2020 CPL NIKANOLI OPPIO.
385. Subject No. 139 - UO 89 LT. JOHN JAMES OKODI.

Witnesses: 238 Erina Aguti - Part 3 p. 2364 - 2347
241 Alice Akollo - Part 3 p. 2393 - 2397

With regard to Pte Obong, we dealt with him together with his two relatives, subjects 86 and 87 at p. 245.

Cpl. Opio used to live with his wife Erina Aguti (W.238) at the Army Barracks, Masindi. She said that on 3rd February, 1971 a soldier arrested her husband at 2 p.m. from their home and took him to the quarter guard. Later he sent her a message to take him some bedding. When she saw him at the quarter guard she found that he had been assaulted and his hand fractured. Her husband did not tell her why he had been arrested or who had assaulted him. Later the same day he was released from the quarter guard and then she accompanied him to the barracks' hospital for treatment. She saw about twenty other soldiers also going to the hospital. Her husband was admitted and, later when she took him food in the hospital, she found that his jaw also was fractured and he could not eat. She made some porridge for him. At about 4 p.m., before she left, a land-rover came to the hospital and some soldiers in Army uniform asked for Cpl. Opio. Her husband went out to the door of the hospital to meet them. Immediately those soldiers started assaulting him and ordered him to run up to the landrover. The subject ran up to the vehicle and was made to lie down

on its/...../616.

on its floor and three soldiers stood on top of him. The vehicle was then driven away and the witness has not seen her husband again.

The following day an Alur L/Cpl. told her that her husband was taken to Kampala and gave her a bus warrant to take her home to Lango. She did not accept what the L/Cpl. told her and believed that her husband was killed; she did not go to Kampala to look for him. She has three children, two from the subject, and these two are being looked after by their grandfather. The subject left some money in the bank and had also built a house in Jinja but the witness said that thieves had stolen all the material from it and the house demolished.

Ex. 136 gives the date of Cpl. Opio's disappearance as 1st February, 1971. There can be no doubt that Cpl. Nikanoli Opio was first arrested on 3rd February, 1971 from his home and taken to the quarter guard where he must have been assaulted, resulting in a fractured hand and jaw. It is also clear that when he went to the hospital for treatment he was picked up by some soldiers who assaulted him again, made him to lie on the floor of the Army landrover and, with three soldiers standing on him, drove away from the hospital.

Like Mrs Opio we do not think that the information given to her by the Alur L/Cpl. that her husband was taken to Kampala was true. His name does not appear in the list of detainees - Ex.124 - and, the nature of the assault and the manner in which he was taken away from the hospital, indicate clearly that he must have been disposed of by these soldiers soon after leaving the hospital.

Regarding /..... /617.

Regarding the other subject, Lt. Okodi, there is no direct evidence about him. He had sent his wife, Alice Akello (W.241), to their home in Lango with their children on 27th January, 1971. She wrote to him from home but received no reply and she was worried. She said that she did not go to Masindi as she had no money. She tried to borrow but nobody would help. She had not made any enquiries about him and although she knew some women whose husbands were in Masindi she has not met any of them. She said that her husband had a Citroen car, No. USY 317, and some other property like a radio, taperecorder etc., which were all left in their quarters. He also had an account with the Masindi Branch of the Grindlays Bank.

She has three children, none of whom goes to school because of lack of money. Her father-in-law is very old and she also has her own mother and some brothers. She makes a living out of the little subsistence farming which she does.

According to Ex. 136 Lt. Okodi was reported as missing in February, 1971. We have no record about the present ownership of the Citroen vehicle which W. 241 mentioned. It is difficult to say what might have happened to the Lieutenant except that he has been missing since February, 1971 and the probability clearly is that he is no longer alive.

386/...../618.

MBARARA SOLDIERS

386. Subject No. 114 - Cpl. SAMUEL ODIDI.
387. Subject No. 115 - UA 6726 PRIVATE MANASI OTIM.
388. Subject No. 116 - UA 2950 L/Cpl. RAYMOND OG'WAL.
389. Subject No. 117 - UA 6697 PRIVATE AEMEREKI OKABO.
390. Subject No. 120 - UA 3083 S/SGT. MISUSERA OG'WANG.
391. Subject No. 131 - Cpl. KONSTANTINO CGEMA.
392. Subject No. 158 - UA 4080 L/Cpl. YUVENTINO OKULO.
393. Subject No. 165 - UA 5000 PRIVATE LEO SHABAN.
394. Subject No. 167 - UA 2862 PRIVATE GEORGE OT'OMA.
395. Subject No. 172 - UA 3714 L/Cpl. WILLIAM ODONG.
396. Subject No. 182 - PRIVATE FAUSTINO ANORO.
397. Subject No. 183 - UO 345 REV. LT. YOSIAM LAVRO OLIT.
398. Subject No. 189 - UA 2289 Cpl. ZAKAYO OCERO.
399. Subject No. 192 - UA 15222 PRIVATE MOHAMED YAMBA.
400. Subject No. 194 - UA 5073 SGT/MAJOR GABRIEL ODIDA.
401. Subject No. 206 - PRIVATE ERUKULANO CDUR.
402. Subject No. 298 - REV. HENRY OG'WAL, (mentioned in
passing with Subject No. 183).

- Witnesses: 215 Agulani Ayer - Part 3, p. 2149 - 2162.
216 Florence Apio - Part 3, p. 2162 - 2171.
217 Veronika Awiyo - Part 3, p. 2171 - 2177.
218 Joyce Apeja - Part 3, p. 2177 - 2182.
220 Alice Auma - Part 3, p. 2198 - 2203.
231 John Angel - Part 3, p. 2286 - 2290.
271 Sabina Epila - Part 3, p. 2695 - 2701.
280 Maracelo Dila - Part 3, p. 2780 - 2786.
283 Mary Atim - Part 3, p. 2807 - 2813.
287 Florence Atim - Part 3, p. 2837 - 2848.
302 Charles Okello - Part 3, p. 2943 - 2947.
308 Jakeri Lavro Odong Arop Olit
- Part 3, p. 3011 - 3023.
311 Frances Oroma Acero-Part 3, p. 3074 - 3095.
314 Kadura Haji Mohamed-Part 3, p. 3116 - 3126.
316 Donosiano Okoth - Part 4, p. 3149 - 3161.

with .../...../619.

Witnesses: 328 Donosiano Olara - Part 4, p. 3285 - 3292.
399 UA 5152 S/Sgt. Musa Asio
- Part 4, p. 4127 - 4135.
400 UA 2920 Cpl. Venekanti Kakaire
- Part 4, p. 4136 - 4148.
401 Major Yusuf Adek - Part 4, p. 4148 - 4159.
402 UA 2585 RSM Maurésio Ojede
- Part 4, p. 4159 - 4163.
446 Lydia Acha Olit - Part 5, p. 4775 - 4796.
450 Major Juma Ayiga - Part 5, p. 4851 - 4858.
490 Brig. Waris Ali Fadhu
- Part 6, p. 5619 - 5648.
492 Bishop Silvano Goi Wani
- Part 6, p. 5694 - 5705.

Subject No. 114 - Cpl. SAMUEL ODIDI.

The subject was married to Agulani Ayer (W. 215), who used to live with him in the barracks at Mbarara. They have six children and his other wife, about whom we did not hear anything, has two children.

On 15th July, 1974, the subject was at home when at about 2 p.m. an Army officer in uniform came and told the subject that he was wanted in the office for posting to a different battalion. The subject refused to go due to a fractured arm but, after a little persuasion, he was convinced and accompanied the other officer to the office.

W.215 said that a little later some other officers came and informed her that her husband had been detained at the quarter guard and asked her to take him food. She took food to the guard room but was not allowed to see her husband; only the food utensils were returned to her.

At...../ 620.

At her husband's request through the orderly, she took him a blanket. She took him tea the following morning at 7.30 a.m. and was able to talk with him through the window of the quarter guard. But he did not tell her why he had been detained. When she went back with lunch, the officers at the quarter guard returned the blanket to her and told her not to return any more. They told her that her husband would be taken to Kampala at 4 p.m. that day. Her husband asked for a box of matches and when she took him she found him and many others with him crying. She saw a lorry parked near the quarter guard and she found the prisoners being assaulted by Army officers. She said, (p.2153):

"The first person who was brought out to be taken in the lorry, he was beaten until he died. The second person was brought but that one was taken in the lorry, the 3rd person was also beaten to death and my husband was the 4th one, having seen some of his fellow friends, he started falling down, he was beaten, he kept on falling down but all through this time I was busy trying to rescue my children who were also with me there."

She said that the hands of all these prisoners were in handcuffs at their backs. Her husband was almost unconscious when he was thrown into the truck "like a bag of cotton". She said that about 100 people, mostly Langi and Acholi soldiers, including those who had been beaten to death, were loaded into the three ton truck which then left in the direction of Masaka/Kampala.

The other soldiers started taunting the women whose husbands had been taken away by saying, (p.2157):

"They used to tell us that you Langi you said you were strong and you were boasting with your husbands."

She /...../621.

She said that she saw the O/C barracks, Captain Adek (W.401) when other soldiers started disturbing them with their taunts and he intervened to let the women pack up in peace.

They stayed in the barracks until 23rd July, 1971 when about eighty women - Acholi and Langi - were given their husbands' salary for one month and bus warrants to take them home. The witness managed to take with her all their property except for a radio and a bed which were taken away by the soldiers. Regarding the radio she said that her son had taken it with him to the bush after hearing that the soldiers in the barracks were going to kill all the males off-spring of the soldiers who had been arrested and one day when he was coming back to the barracks the radio was taken away from him. She had to leave the bed behind because of lack of space in the lorry.

W. 401 rather surprisingly said that he had received a report that Cpl. Odidi had been missing since 25th January, 1971, and he denied that any arrest took place in Simba battalion during June/July, 1971. He said that if the wives of the soldiers from the North say so that evidence would be a pack of lies.

Mrs. Odidi said that she has been able to use her husband's money in the bank. Her husband was insured and she was told by the Insurance Company that they were trying to trace her husband and that she should wait. It seems that no application has so far been made for court order to manage the subject's property.

Ex. 136 contains a remark about this subject that

he/...../ 622.

he was not found in the Army records kept in the Records Office.

Subject No. 115 - UA.6726 PRIVATE MANASI OTIM.

Private Otim was married to Florence Apio (W. 216) and they have ten children, the eldest being seventeen. One of them goes to school and the three who were schooling before the disappearance of their father had to stop due to financial trouble.

Florence said that in June, 1971 her husband sent her home with the children because of the trouble "which arose about tribal matters where Acholi/Langi people were being discriminated" - (p. 2164). The discrimination was that they were assaulted and some killed.

Florence Apio testified about an incident in June, 1971. She said that some strange soldiers, three lorry loads of them, came to the barracks and with the help of the local officers compiled a list of all the Langi and Acholi soldiers in the barracks. The witness said, (p.2169):

"Then later on the 26th June all were called to go together for a fall in. Using the note which had been taken, they were then identifying those people and killed them."

She said that they were cut with pangas and sticks. But none of the victims fought back. She said that she had witnessed this attack herself and added, (p.2171):

"In fact they were called, they came in a mass and this thing started in a mass....each one was hit and some people were carrying him away."

She returned to Mbarara in August, 1971 and did not find her husband there. She found some other people

living/..../623.

living in their quarters and she learnt that her husband died on 17th July, 1971. She was given a bus warrant and she returned home. She said she met W. 215 who told her that she had seen her husband being taken away on July 15th, 1971.

W. 216 said that her husband left money in the bank but she did not know his bank. She supports her children by cultivation.

Subject No. 116 - UA 2950 L/Cpl. RAYMOND OGWAL.

The subject was married to Veronica Awiyo (W.217) and they have six children, the eldest being twelve. Only two of them are at school.

W.217 said that she went home in Apoka village in Lango in 1970. Her husband wrote to her after the Army take-over and she next heard news from women returning from Simba Battalion in July, 1971 that her husband was no longer alive. One of such women was Alice Auma (W.220).

She went to Lugbara where she did not find her husband. She said that she stayed with Sgt. Musa, a Lugbara friend of her husband, who told her that her husband had been called on parade in June, 1971 where a fight broke out and her husband was killed.

UA 5152 S/Sgt Musa Awiyo (W.399) gave evidence and said that in July, 1971, he was a Lance Corporal. He knew L/Cpl. Ogwal and said that in September, 1971 he was instructed by the Quarter Master to check all Government property in the quarters of soldiers who were missing. He said that those instructions were in the form of Part 11 Orders which are issued when a soldier has been absent

from/...../624.

from duty for twenty-one days or more or where a soldier is killed, like the seventeen soldiers who died during the Invasion on 17th September, 1972. He said that during the whole of 1971, he had visited only the house of L/Cpl. Ogwal to take-over Government property and there was nothing else which he found in the house. He went on to say that he had not witnessed any soldier being arrested in June/July 1971, and he was emphatic that no parade had been held within the barracks in June/July 1971, where some soldiers might have been arrested, some killed, and others taken away in trucks. He emphasized that had any such parade been held it would have been at the battalion parade ground but he did not see any such thing. He said that the evidence which the other witnesses gave about the parade was a complete bundle of lies.

Of her six children only two are at school and the others cannot go to school because of lack of money. W.217 said that she did not know if her husband left any money in the bank.

The subject is mentioned in Ex.136, which gives the date of his disappearance as 25th January, 1971.

Subject W. 217 - No. 6697 PRIVATE APEMERIKI OKABO.

The subject was married to Joyce Apaja (W.218), according to whom her husband joined the Army in 1970. She was living with him at Siaba barracks, Mbarara. They have four children, three of whom are at school.

Joyce said that on 22nd June, 1971 at about 7.30 a.m. she heard an alarm calling soldiers. Her husband went and returned/..../ 625.

returned a short time afterwards to collect his safari kit. He told her that they were going to Mutukula border. She said that she saw him in one of the nine trucks full of soldiers leaving the barracks.

Four days later, the witness went for delivery and was discharged from the hospital three days after delivery. She was then called into the office of the Commanding Officer who told her that a message had been received that her husband was killed at Mutukula and his body had not been returned. She was not told, nor did she ask, how he had died. She was given a bus warrant to go home and was not paid anything else by the Army authorities. She said that she did not know whether any of the other soldiers who accompanied her husband also met the same fate, or any returned at all.

She said that she had been chased away by her husband's parents from their home and her father now looks after her children. The subject left some money in a bank which she has not been able to collect so far.

The witness denied seeing any incident within the barracks where Acholi and Langi soldiers were paraded and killed. She said that amongst those who went to Mutukula in the nine trucks were soldiers not only of Langi tribe but other tribes as well.

The subject is mentioned in Ex. 136 which gives the date of his disappearance as 25th January, 1971.

Subject No. 120 - UA 2083 S/Sgt. MISUSERA OGWANG.

The subject was married to Alice Auna (W.220) and they have six children between the ages of twelve and

seven/..../626.

seven, all but one go to school.

She said that she left him in Simba barracks on 1st June, 1971 when she returned home to Lira. Her co-wife Yemima Alum stayed on with him. Later Alum also came home with their husband's property and reported to her that the subject was arrested on 24th July, 1971 at about 10 p.m. and taken to the quarter guard. Alum told her that she saw him in the quarter guard the next morning; he was with three others and all were handcuffed and were taken out to the compound where they were made to lie down and assaulted. They were then returned to quarter guard.

On hearing this Auma went to Kbarera and enquired at the quarter guard. She was chased away. She went to the pay office and she was given shs.600/= for his salary and a bus warrant to go home.

She said that she now looks after all the six children; she gets money through cultivation. She said that her husband left some money in a bank which she does not know.

In Ex.136 it is stated that the Army Records Office has no record about this soldier. We are not inclined to accept this information in the face of Auma's evidence who was living with him in Simba barracks at the time of his arrest. We are satisfied that he was a soldier and a S/Sergeant in Simba Battalion.

Subject No.131 - Cpl. KONSTANTINO OGEMA.

The subject had two wives - Joyce Abieto who was since remarried and Joyce Apere who is a nurse in Alooi. They have eight children between the ages of fourteen and eight, of whom only two are at school.

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In June, 1971 the subject's brother John Angel (W.231) went to visit him. He said that his brother was attached to Simba Battalion and used to live with his two wives just outside the barracks.

The witness said that on 19th June, 1971, when he returned after a walk, he was told by one of the wives that his brother was arrested from his office. He sent her with the wife of Cpl. John Ocen to the barracks and they came back with the news that both of them had been arrested and detained at the quarter guard.

The witness took his two sisters-in-law to their home and he himself returned to Mbarara on 6th August, 1971 and found that his brother and the others had not been released. He heard that the prisoners had been beaten up and was told by a woman, Najemba, who lived near the quarter guard that the prisoners had been taken to Kampala. He did not make any other search for his brother.

The witness said that he looks after his brother's children and was unable to afford to send all of them to school. He said that his brother had some money in a bank and had built a semi-permanent house in which the witness is living now.

According to Ex.136 there is no record of Cpl. Ogema in the Army Records Office. We are not inclined to accept this information in the face of the evidence of the subject's brother who stayed with him just outside the barracks and the fact also that the Battalion arranged for the return of the subject's wives to their homes.

Subject No. 158 - JA 4080 L/Cpl. YUVENTINO OKULO.

He was married to Sabina Epila (W.271) who used to live

...../628.

with him in the barracks. They have three children, none of whom goes to school. The subject had another child from another woman and that child is being looked after by his uncle. The witness stated that when one of their children was struck by polio, her husband sent her home in December, 1970. She was supposed to return to the barracks later the same month but did not due to lack of money. She said that she has not heard from him since she left in December, 1970 and thinks that he is not there any more. She did not approach any of his colleagues, nor has she met any women from Mbarara. She said that she could not go to check on him because she did not have the money and nobody did lend her any.

Her children do not go to school because she cannot afford the fees. She said that her husband had money in a bank, but did not know which bank it was. She did not know what happened to his personal belongings in the barracks and she has not had any official communication about him, nor has she written to the Army Authorities enquiring about him. Ex.136 gives the date of his disappearance as 25th January, 1971.

Subject No. 109 - UA 5000 PRIVATE LEO SHABAN.

The subject was married to Constantia Awor who used to live with him at Mbarara Barracks. They have three children, between the ages of ten and four, who are now staying with the subject's sister and the subject's brother Marachelo Dila (T.280).

The witness said that Awor came home from Mbarara on 23rd July, 1971 with some of the subject's property including/...../629.

including his identity card and reported that she had been summoned into the office on 18th July, 1971 and told that her husband was no longer living. She was given a bus warrant to go home. She said that their record-player was taken away from her. The witness said that Awor has left his home and he does not know her whereabouts.

Later in his evidence he said that he was told that he had gone on duty to Mbuya from where he disappeared but nobody knows what happened to him. He was certain that his brother was no longer living because the Army gave his wife a bus warrant to go home. He did not make any enquiries about him but he said that he did not think he would have run away from the country.

Ex. 136 mentions the name of a soldier with the force number UA 5000 NORBAT LEO, who is alleged to have disappeared on 25th November, 1971.

Subject No. 167 - UA 2862 - PRIVATE GEORGE OTWOMA.

He was married to Mary Atin (W.283) who was living with him in the barracks. They have six children including Joyce Akello whose mother died long ago; three of the children go to school.

According to W.283 the subject used to work in the armoury. She said that on 15th July, 1971 at about 9 p.m. four soldiers, including Private Kekohire, came and asked him to issue them with guns. Her husband went away with them and never came back.

No. UA 2900 Cpl. Venekanti Kekoyire (W.400) said that he knew the subject and both were in the same Company, the subject/...../630.

subject working in the armoury. Kakayire said that he went to Jinja at the beginning of July, 1971 and stayed there for two months, returning to Simba Barracks in September. He said that the subject has been missing since 25th January, 1971. Kakayire was sure about Otwoma's disappearance on 25th January, 1971 because on that day, according to him, the whole battalion ran away (p.4138), and he gave the reason for deserting the barracks because of the information they had that there was trouble in Kampala; "we thought that probably it will reach us also," (p.4139). He said that there was no other incident which had frightened them in Mbarara. According to his evidence the soldiers from this battalion ran away in different directions and he ran to a place called Kabahire village, about three miles away, and returned on the 26th January. The witness when confronted with the evidence of Mrs. Otwoma about her husband's disappearance, said (p.4140):

"She is the one who knows if she said so and she is the one who knows how her husband disappeared."

He admitted that it could be possible that he was mistaken about the date of the subject's disappearance as he did not put the date down and it happened a long time ago. Explaining the reason for his visit to Jinja he said that he went to 'guard big people' within the barracks. He said the details of his duty were being recorded by the 'bit man' in the guard book. He was guarding the officers' mess, about a half mile from the quarter guard of Jinja Barracks, and he was certain that throughout his stay at Jinja Barracks not only there was no fighting but the quarter guard of Jinja remained intact and was not blown up. He stuck to this

version/...../631.

version even after he had been told about the evidence given by other witnesses who had mentioned about the explosion at the quarter guard, resulting in its demolition.

Mrs. Otwoma said that on the following morning, that is, 16th July, 1971, upon hearing that her husband was detained at the quarter guard she went there and found him there. She took him tea and he told her that he did not know why he had been arrested. She took him lunch and she said that she kept on taking meals for him in the quarter guard for two days and at lunch time on 17th July, he told her not to take supper for him but to take him tea only. When she went there with tea she found nobody in the quarter guard. She said that there were about twenty people detained there but now found nobody there; she found some soldiers cleaning the quarter guard. They were brushing it with water and she saw much blood. Those soldiers told her that her husband had been killed and the body taken towards Masaka road.

She stayed in the barracks till Monday when she was given a bus warrant to go home. Her step daughter Joyce Akello, who was working there as a nurse, also handed her Shs.450/= in respect of her husband's salary and with about ten other women she returned to Lango.

She said that her husband had some money in the bank and she has obtained a court order to manage his property.

Ex. 136 gives the date of Otwoma's disappearance as 25th January, 1971. We are not inclined to accept this information in view of the clear evidence given by Mrs. Otwoma. We were not impressed with the evidence of Cpl. Kakayire and it was obvious that he was a blatant liar.

.../.../632

Subject No. 172 - UA 3714 L/Cpl. WILLIAM ODONG.

He was married to Florence Atim (W.287) who was living with him in Simba Battalion barracks at the time of this incident. They have two children, aged seven and three, of whom the first one goes to school.

The witness said that on 21st June, 1971, some soldiers arrived in the barracks in three lorries, two landrovers and one jeep. These visiting soldiers were armed with guns. Orders were then issued for all soldiers to return their weapons, such as guns and pangas, to the office and to gather together to be addressed by the visiting soldiers on 21st June, 1971. The orderly sergeant started collecting the soldiers at 3 a.m. and the witness, who was about 250 yards from the parade, saw the visiting soldiers addressing the resident soldiers for a short time and then a fight broke out. At the same time she heard the visitors asking the soldiers:

"Are you prepared to fight as we are
ready to defend ourselves today" - (p.2841).

She said that the visitors encircled the resident soldiers who were sitting down on the ground listening to them, and whereas the visiting soldiers were armed with guns, those sitting on the ground were unarmed. After a short talk from the visitors, one of them slashed a Mbarara soldier with a panga. This was the beginning of an attack upon the Langi and Acholi soldiers who were being identified for the visitors by soldiers of other tribes of Simba Battalion. She said that those trying to escape were shot dead on the spot and these victims had no means of defending themselves. During the early

pages/ .../633.

stages of the attack, another soldier called Sgt. Zakaria Acho, who was sick, was fetched from his quarters and hit with a stick. He was then taken to the parade ground where he was told to wait for the others. The witness said that it was normal for the resident soldiers not to wear any uniform when being addressed by visitors and all soldiers who went to the parade were in fact in their underwears only. She saw many of such soldiers injured in the attack. She did not see her husband amongst them. According to her the attack lasted until about noon.

She went to the office of Captain Adeke (W.401) with other women and asked him about their husbands. He told them that they were taken to Kampala "to hear their matters", without explaining what those matters were. She looked back in the direction of the parade ground but did not see anything there, except for some vehicles moving about.

The following morning they were asked to pack up and be ready to go home and Adeke, who was then Ag. Adjutant, told them that their husbands will not come back. They were issued with bus warrants, and together with other women she returned home. Her husband had money in the bank which she has been unable to use.

Ex.136 gives the date of L/Cpl Odong's date of disappearance as 25th January, 1971.

Subject No. 182 - FAUSTINO AKORO.

The only witness on this subject is Charles Okello (W.302), aged about 16 who is the subject's brother. He said that he last saw the subject at home in January, 1971 when he came on leave and then returned to his work in

Muliro/...../634.

Malire. He said that his other brother, Agoma, went with him but Agoma came back on 18th January, 1971 and said that Faustino Akoro had resumed duty. They have not heard of him since. He did not write, nor did his father, but Faustino, who used to write to his father before, stopped writing to him. None of the family tried to look for him and they have no idea about his whereabouts. The witness's brother, Agoma, died three weeks after returning from Malire. The witness said that Faustino Akoro had been in the Army for about seven years but he did not know what his rank was. He had not been able to find any documents about his career. He agreed that in his statement to the police he had stated that his brother was stationed at Mbarara. He said that he was sure that Faustino was in the Army but did not know exactly where he was stationed.

Ex. 136 states that they have no record of this soldier in the Army Records Office.

Subject No. 183 - UA 345 REV. LT. YOSAM LAVRO OLIT.

(And Subject No. 298 -- REV. HENRY OGWAL, mentioned in passing.)

The subject was the Chaplain of the Church of Uganda attached to the Simba Battalion, Mbarara. He was married and at the time of this incident his wife Jonina Achaya Olit was in hospital and his daughter Lydia Acha (W.446) was living with him in the barracks. His other son Jekeri (W.308) was then studying in S.11 at Kibuli, Kampala.

On 23rd February, 1971, the subject came home and showed to his daughter a Part 1 Order Ex.113 of which item 225 was relevant. This Part 1 Order is dated 23rd February, 1971 and was issued by Lt. A.O Ngarambo who was

/.../635.

then the Adjutant of the 4th Battalion. Item No.225

reads:

TPT:

- a. MTO to detail 1 x 3 tonner tomorrow 24/2/71, at 0400 hrs to take the under mentioned officers and men to GIQUAFs Kampala for GSO 111 Trg briefing. The tpt to report to Capt Augustino's house at 0300 hrs without fail.

Capt Augustino	Lt. Anania
Lt. Y. Olit	2/Lt Lule
WO 11 Obare	WO 11 Erukuleno
WO11 Okaka	S/Sgt. V. Omony
Sgt. Langol	Sgt. C. Ongom
Sgt. Onoka	Sgt. Augustino - Signal
Sgt. Odong - Fire	Cpl. L. Onok
Cpl. D. Odoch	Cpl. Ochaya
Cpl. Donosiano - Signal	Sgt. S. Ongwech.
Cpl. Lakeny.	

- b. MTO to detail one good L/Rover for collection of our stationary on Friday, 26th February, 1971: Tpt to report to Cpl. Oryem, clerk HQ Coy on Thursday, 25/2/71, at 0900 hrs ready to move to Magamba."

The subject is the second on the list of the soldiers who were required in Kampala for briefing.

The subject left and his daughter waited for three days for his return. She then saw the Adjutant and asked him how long the briefing would last. He told her that the order had come from the Headquarters and she asked to see that order. She said, (p.4779):

"When they brought in this letter it was a small chit on which was written the names in blue ink, something like blue coloured pencil, and it had no date, it had no address and had no signature."

On being pressed by her further and, as he could not give her sufficient information, she said:

"He just gave up the whole issue and he said 'he himself may also face the same problem one day' the problem that my father is already facing and the other men."

1/1/636.

This comment made her recall the treatment which Captain Adeke (W.401) had received when he was brought all the way from Gulu to Kampala and he was tortured badly. She said that he had been made to lie on the floor of the lorry and the man treaded on him all the way to Kampala and was subsequently released on Your Excellency's orders. She then asked the Adjutant to give her a letter to go to Headquarters to see her father but he refused. She went to Kampala where she saw an Army officer called Dusman Sabuni, who confirmed having seen a 3 tonner lorry with men in it in Malire that morning. The Commanding Officer of Mbarara, who then was Ondoga (Subject No. 142) who had been overseas returned the same evening, and she approached him for assistance. He refused saying that he did not know anything about what had happened.

After three days in Kampala she returned to Mbarara and told her mother about the negative result of her mission.

She informed her young brother (W.308) Jekerl about their father and after completing his first term he also went to Mbarara to be with the family. On her return to Mbarara she found that WO2 Aswa, who was the soldier who made the announcement of the Army take-over on the 25th January, 1971, had been transferred to the barracks and she saw him about her father. He told her that he had seen him at Lusira recovering from bad injuries on his head, hands and legs and he told her that her father could not walk and was in a three wheel chair. She asked him to take him to Headquarters but he started 'befriending' her; he asked her to be his girl friend as a condition to help her

and/ /637.

and she gave up because, "I believe I do not have to offer myself to a man in order to help me" - (p.4787).

She also managed to get some more information about her father from Lt. Tibihika whom she saw in August, 1971 after his release from prison some five months after her approach to Aswa, and the Lt. confirmed that her father had been with him at Luzira prison until he, the lieutenant was transferred to Makindye.

In April, the Adjutant sent some soldiers to their house in Kakoba to take over the Government property and when she next saw the Adjutant she told him that this action indicated knowledge on his part that her father was not coming back. The following day she saw her father's carpets and chairs in his home and then they were given bus warrants to go home during the same month of April, 1971. Lydia said that she also tried to get some assistance from the Chaplain General Bishop Wani (W.492). According to Ex. 67, which is a letter from Bishop Wani dated 12th May, 1971, addressed to all the Church of Uganda Chaplains in the Uganda Army and was produced by W. 308, the Bishop had expressed sadness that two chaplains were still missing. He had asked all the Chaplains to meet in Jinja on 19th June, 1971 for a quiet day together "with time for prayer, Bible study, meditation and discussion." The Bishop said that the other Chaplain was Rev. Henry Ogwal (Subject 298). He said that the House of Bishops had met at Namirembe and the disappearance of the Chaplain was put to Your Excellency and Your Excellency is said to have denied any knowledge about these two disappearances. In July, 1972, the Bishop wrote/..../638.

wrote to Lydia mentioning the meeting of the House of Bishops and Your Excellency's promise to look into the matter, Ex. 114.

Ex. 136 gives the date of Rev. Olit's disappearance as 25th January, 1971, which cannot manifestly be correct when compared with the Part 1 Order which is dated 23rd February, 1971. Of the 19 soldiers mentioned in Part 1 Order who were taken to Kampala for briefing the following eight are included in Ex. 124, according to which they were all admitted into Luzira prison on 3rd March, 1971:

..Rev. Olit
UO 343 2nd Lt. Charles Pole
UO 173 Capt. Augustino By'gara
UA 3533 WO2 Philip Okaka
UA 2498 Sgt. Jenesio ...ng
UA 1435 Sgt. Victorio Omony
UA 3466 Sgt George William Ongom and,
UA 2625 Sgt. Batista Oncha.

According to Ex. 124 all these soldiers, including the subject, were transferred to Mutukula Army Camp on 28th December, 1971. We have heard evidence about the mass break-out from Mutukula Camp during which some prisoners managed to escape while others died during the escape. We were not given details of those killed but the probability clearly is that the subject, together with those of the 19 mentioned in Part 1 Order and included in Ex. 124, were amongst those who died at Mutukula.

This case has brought to light another aspect of some of the soldiers in power. We referred to some of the brutality exhibited by soldiers on a road block in Leroi where they whipped women and children returning home in buses after their men folk had been killed in the quarter guard -

see/...../639.

see (Subject No. 201, p. 671)

In this case of the Rev. we see the lust for sexual gratification taking the upper hand. The prerequisite set by the soldier Aswa to help the Rev's daughter at a time when she was in great distress and needed help badly indicates the degradation and moral bankruptcy of some of the soldiers in the Army which, we think, was due to the feeling of power which could be employed in achieving their purpose, rightly or wrongly not mattering at all.

Subject No. 189 - UA 2289 Cpl. ZAKAYO OCERO.

He was married to Frances Oroma (W.311) who was living with him in Simba Barracks. They have two children, aged ten and six, both of whom go to school.

The witness mentioned trouble in the barracks starting from 19th June, 1971. She said that many soldiers came from Kampala. She described the 19th June, 1971, as the day of chaos in the barracks. She said that at about 9 a.m. she was sitting outside her home when she saw soldiers running about. This was after she had heard the booming of guns. On seeing some soldiers chasing others she went inside the house, from where she saw those being chased caught and bayoneted by their pursuers. She saw about thirty such soldiers killed with bayonets. She saw the soldiers being chased towards the field which was full of people, some were sitting on the ground and the other soldiers around the field were guarding those sitting down. The guards were armed with guns, pistols, knives and sticks. She said that those sitting were in uniform and this is in contradiction to what W.287 had said earlier on about

those/...../640.

those on the ground being in their under-wear only. She said that the soldiers who had come from Kampala were addressing them, but she did not know how the meeting and the parade on the ground finished.

She said that a similar incident took place on the 20th but not of the same extent. She was frightened and remained in-doors and, on the morning of the 20th, at about 9.30, she saw a neighbour, John Opira, being arrested by soldiers. He was beaten up and thrown in the Landrover and she has not seen him again. She said that she did not witness the parade which took place on the 20th June but heard that Acholi and Langi soldiers had been killed. This was followed by some incident which occurred on the 24th and 25th June, during which some soldiers were arrested and she saw their wives weeping. That was on the 25th June, 1971, the day when her husband disappeared. She said that he used to work in the workshop and he left home after lunch that afternoon. She expected him home at about 4.30 p.m. but he did not return. Thinking he might have gone out with his friends, she waited for three days till Monday morning when she started making enquiries. On Monday she saw the O/C Major Juma Ayiga (M.450) who asked her to wait as he was going to make his enquiries and would let her know later. She went back to him the following day and was now directed by him to get a bus warrant and his salary, and promised to inform her later. She said that she was asked to return on the 29th June and she was of the impression that the Major knew where her husband was. The Major admitted seeing a woman making enquiries about her husband and, as he was new, he instructed the Intelligence officer to find out but before/...../641.

before he submitted his report he went away on operations. When the woman came back again he sent her to the pay master for a bus warrant and some money.

W.311 looked for her husband in the workshop and failing to find him, she suspected that he had been arrested. Prisoners were kept in the quarter guard and only if the husband of any woman was detained there was she asked to take him food. She said that she had not been asked to take food for her husband to the quarter guard. She left Mbarara on the 30th June, 1971 with about thirty other women, all of whom were weeping, and these women told her that their husbands had also disappeared on the 25th June, 1971.

Regarding the bodies of those killed during those three days, she said that the legs of the bodies were tied together and the bodies thrown into a Landrover which took them away. She said that two Landrovers were moving up and down collecting the bodies.

She denied the suggestion that Acholi and Langi soldiers tried to revolt against the new Government which might have led to such a retaliation.

Major Juma Ayiga stated that in June, 1971 he was not in the barracks. His brother was involved in a fatal accident and he had taken the body home for burial. On his return he heard rumours that some soldiers had run away but did not take much interest in the rumours and waited for the Company Commanders to report to him about the soldiers who had escaped. He said that the regulation is that if a soldier is not seen for twenty days a Board of Inquiry

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is set up to enquire about his whereabouts. He did not know of any such Board being set up and, had such a Board been established, he would have been its Chairman as he was the senior most officer in the Simba Battalion. He said that he had to go over-seas for treatment of a bad leg and on his return he was transferred to Moroto. He was emphatic that when a soldier is missing from the barracks a Board of Inquiry is set up to enquire to find out what happened to him before his name is struck off.

The subject appears in Ex. 136, which gives the date of his disappearance as 25th January, 1971.

We find it difficult to ^{accept} this information given in this exhibit in the light of the clear evidence given by the subject's wife, who was emphatic that her husband disappeared on 25th June, 1971 after he went on duty in the afternoon.

Subject No. 192 - UA 15222 PRIVATE MOHAMED YAMBA

His aunt Kalala (W.314) stated that her nephew was recruited from Kitgum. She went to Mbarara to look him up in June, 1973 when he had failed to come home on leave for a very long time. He was living outside the barracks and she learnt that her nephew had disappeared and had not been seen for many days. The landlord where he used to live, told her that he was keeping all his property ^{but that} belonging to the Army had been taken away from him. Later she saw the Commanding Officer, Brig. Ali Fadul, about him. He told her that after the Hutukula incident Yamba had become mentally disturbed and he took him to Butabika where he stayed for nine days. He said that he did not know if the subject had/...../643.

had disappeared. The Brigadier confirmed that the subject had been sent to Butabika, not once but twice, since his joining the Army, which according to Exhibit 136, was in October, 1971. The Brigadier said that when Yamba's platoon went out for exercises the subject did not go and the Brigadier asked him why he did not accompany his platoon. He then realised that there was a lapse in the subject's mental condition and sent a message to the platoon that he was not to join them. Later he heard that Yamba had said that he would join the platoon, even if he had to ride a bicycle. A few days later the Brigadier learnt that he had already gone to join the platoon. As the place where the platoon was, was not very near and knowing that he was not well enough, he sent a duty truck to try to find him and bring him back; he said that since then Yamba has been missing.

W.314 said that Yamba was about eighteen and a bachelor. She believed what the Brigadier told her and she has not been able to get any further information about him.

Ex. 136 states that the Army Records Office did not receive any report from Mbarara about the disappearance of the subject.

Subject No. 194 - UA 5073 SGT/MAJOR GABRIEL ODIDA.

The subject was a religious teacher and was living in the barracks with his wife, who has been 'withdrawn' from his family by her father since the disappearance of the subject. He had two children, aged five and three, who are now being looked after by his mother.

The subject's young brother Donosianno Okoth (W.316) said that he went to see his brother on 18th June, 1971 to

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get school fees after being chased out of Bushenyi High School. He said that he found confusion in the barracks and particularly on 19th, 20th and 21st June, 1971. He said that on the 19th June, he heard a lot of gun fire in all directions of the barracks. He was frightened and locked himself inside the house, but he could see soldiers fighting each other with guns and some soldiers were being chased by others. He also mentioned a gathering of soldiers on Saturday 19th June, in the parade ground at about 9 a.m. He said that this parade was taking place simultaneously with the other activity of some soldiers being chased by others around the barracks. He said that those sitting on the ground were being guarded by other soldiers who were armed but he was unable to give details about what happened in the parade as he was at some distance.

On the 20th June, 1971 his brother went to lead prayers for children while the chase of soldiers by some others was still going on within the barracks. He saw some soldiers being arrested and the prisoners were then ordered into a vehicle. If anyone delayed, he was physically thrown into the vehicle. This frightened the young man and he went to Nyamutanga for prayers. When he returned he found the situation much quieter.

On 21st June, at about 8.15 a.m. some five soldiers, in Army uniform and armed, came to their house and told the subject that he was wanted immediately in the office. The witness said that his brother accompanied them and he followed them. They warned him that they would torture him if he did not leave the barracks immediately. He said that his brother was being made to walk in front of them at

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bayonet point and the witness realized that his brother was under arrest. The witness said that he left the barracks at about 10 a.m. to go to the main road leading to the town when he heard the sound of firing from within the barracks. He returned at 2 p.m. when Sergeant Major Ojere asked them to quit the house as the in-charge of the house was no longer there. This made him think that his brother had been killed. They were asked to get bus warrants to go home. The following day they were given the bus warrants but not any money as the pay master was said to have gone to Kampala. The witness said that their property was thrown out of the house by the RP and they returned home without waiting for his brother's salary. He said that he travelled with ten other Acholi women who had been given bus warrants and all were weeping throughout the way.

RSM. Ojede (W.402) testified that three days before the Army take-over in January, 1971 he was instructed to take his Guard Company to Magamaga. He said that he left Odida in Mbarara Barracks and it was not till after one and a half months that he returned to Mbarara when he did not find Odida within the barracks. He denied telling Odida's brother, as alleged, that Odida had been killed by soldiers who came from outside the barracks. He said that he did not know why the young boy should tell lies against him.

Ex. 136 mentions the date of the subject's disappearance as 25th January, 1971. According to W.316 he gave his age as twenty two and even after making due allowance for the time that has expired since this incident we find that he was a mature person at the time of the incident and we are inclined to accept the dates mentioned

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by him in preference to the one mentioned in Ex. 136.
The evidence on the general chaotic conditions within the barracks during those days has been given by various witnesses and we shall be making a general comment towards the end of the evidence regarding each subject. For the time being we find that the subject, UA 5073 Sgt Major Gabriel Odida, was arrested by five soldiers on 21st June 1971 and that he has been missing since then. RSM Ojede knew him but denied telling the subject's brother about the subject having been killed by soldiers from outside the barracks. We see no reason why the young boy should make allegations against Ojede and we feel that there is sufficient evidence which would corroborate the remark attributed to Ojede that the subject had been killed by soldiers from outside the barracks. We shall deal with this matter a little later.

Subject No. 206 - PRIVATE ERUKULANO ODUR.

He was the father of a young boy called Donosiano Olara (W. 328) who gave his age at the time of the hearing in October, 1974 as fifteen. He said that his father was arrested on 6th July, 1971 when the witness must have been aged about twelve. His mother was also living in the barracks and besides him, there were three other children, all of whom are now being looked after by their uncle. Only two of them go to school.

He testified that on 6th July, 1971 at about 10 p.m. somebody knocked at the door. They kept quiet and then the door was forced open and he saw two soldiers in uniform; one was a sergeant and the other a private, and both were

armed/...../647.

that he ran to Kabahire village, about three miles from the barracks, and he was emphatic that the "WHOLE BATTALION RAN AWAY", (p.4138). He was asked what he was running from and he said, (p.4138-39):

"We were running away because we had information that there was trouble in Kampala.

Mulenga: Why did you run if there was trouble in Kampala?

Corporal: We thought that probably it will reach to us also.

Mulenga: You ran away from trouble in Kampala - you were escaping trouble which was in Kampala 160 miles away?

Corporal: Yes.

Mulenga: The whole battalion?

Corporal: We all ran away but I did not know who came back and who did not come back."

This evidence was as expected, disputed by other officers who denied any such desertion of the barracks by the entire battalion. Nevertheless, Cpl. Kakaire relied on this explanation to support his evidence that Pte. Otwoma (Subject 167) disappeared on 25th January, 1971 and was not arrested on 15th July, 1971 by soldiers including himself. This witness, Cpl. Kakaire, gave some other evidence also which was just as incredible as his account of the running away of his battalion. He said that in July, he was on guard duty within Jinja barracks and was guarding the mess which was about a half a mile from the quarter guard. He said that he did not hear of any blast at the quarter guard and he maintained that when he left Jinja to go back to the barracks sometime in September, 1971, he left the quarter guard intact. This evidence contradicts not only the evidence given by various witnesses about the demolition/...../649.

armed with guns. They had some sort of a light with them and they told his father in Swahili, 'Odur' get up, let us go.' He said that his father did not resist and, although he asked for time to dress up, they did not agree and took him away in his underwear.

His mother went to the office in the morning and asked the O/C about him. He told her not to disturb him, adding that all women whose husbands were arrested during the night were to wait for bus warrants to go home. The witness said that during that night he had heard shouts as if people were being arrested. They were given the bus warrants after one day and before they left some soldiers came and robbed them of their property. They travelled to Kitgum on 8th July, 1971. His father had some money in the bank but no one has applied to court for an order to manage his estate. The subject's name does not appear in Ex. 136.

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COMMANDING OFFICER'S VERSION

Brig. Ali Fadul (W.490) went to Simba Battalion in April, 1971 as its Commanding Officer. According to Major Yusufu Adek (W. 401) and S/Sgt. Musa Asiyo (W.399) there was no trouble in the barracks at the time of the Government take-over in January, 1971. But these soldiers and some other officers who gave evidence were not ad idem about the reaction of the Government take-over when the news was received within Simba barracks. For example, Cpl. Kakaire (W.400), when giving evidence concerning subject . . . No. 167 who he alleged disappeared on the 25th January, 1971, explained that on that day all the soldiers ran away from the barracks, everyone taking his own way. He said

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demolition of the quarter guard in a huge explosion but refutes the evidence given by Lt. Col. Mondo, who also had heard of such an explosion at the quarter guard in Jinja Barracks. We do not think that all the other witnesses could have told such blatant lies and, in our opinion Cpl. Bakaire was himself exposed as an inveterate liar by making such incredible claims.

Staff Sergeant Musa Asiyo (W.399) said that he was within the barracks during June and July, 1971 and he denied the evidence which other witnesses gave about the parades at which only Acholi and Langi soldiers were picked up and killed or taken away in Army trucks. He did, however, admit that many soldiers deserted in July, 1971 and ran away. He said that his testimony was that such soldiers from Simba Battalion who were reported missing were those who deserted but not killed. Major Yusuf Adek (W.401) likewise denied the evidence given by the other witnesses that many Acholi/Langi soldiers were arrested and taken away from Simba barracks during June and July, 1971. He also denied the evidence given by the female witnesses about the brutal killings of soldiers at parades which had been addressed by some soldiers from outside the Simba Battalion. Major Adek said that he himself is an Acholi and he posed the question, why was I not arrested? He was of the opinion that there were no dissenters within the barracks and all of them supported the military take-over from the civilian Government. He was asked to try to think of any reason why those female witnesses should tell big lies and he said, (p.4153):

"It may probably be that those women were told by other people to come and give false evidence but as they gave this evidence before they left here for their

homes, it could have been right because now they gave evidence when they had already gone to their homes and someone there might have told them to come and tell you lies."

The Major's evidence requires some close scrutiny. From the evidence which we heard from Miss Lydia Acha Olit (W. 446), it seems obvious that the Major also had been through the usual treatment. To recapitulate she said that when the Major was on leave he was taken by some Army men from his home in Gulu and taken to Kampala and the details which he gave to her of what happened on the way were, (p. 4792):

"He told us he was asked to lie on the floor of the three ton lorry or whatever vehicle brought him from Gulu, and then men did step on him until he reached Kampala here and when he reached the President's place he was ordered to be released because he had done nothing wrong as he put it and then he went to Mbarara he was being nursed there."

This evidence, with which we have no reason to differ, provides the answer to the Major's question. Not only was he arrested, he was taken to Kampala and on the way tortured and it was only after he had been cleared that he was posted to Simba Battalion. With regard to his explanation for all the women from the North having been coached to tell lies, we think that the suggestion is as monstrous as it is incredible. The Major must know that there was evidence from other officers of the battalion that during that period many women were sent away from the barracks and we were given details of the Army regulations concerning the position where a soldier remains absent from barracks for 3 weeks and over. The Major himself said that such soldier

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is treated as a deserter, and according to W.450 who was then the O/C Headquarters Company, Simba Battalion, the Army rule is that for such soldiers a board of inquiry has to sit to try to find out what happened to him and it is only then that the soldier's name is struck off the register. This procedure applies not only to deserters but also to any soldier who is missing from the barracks for the specified number of days; he may be a deserter as such or may have left the barracks for any other reason. Such soldiers are then included in Part two Orders and the Staff Sergeant is then expected to go to their houses to take over Government property. The wives of such soldiers are then issued with transport warrants to take them home. There was thus no question of these women having to give evidence before leaving the barracks. We heard evidence that in some cases their personal belongings were thrown out on the road and they were forced to quit the barracks as soon as the warrants were issued to them. The Major's evidence that there was no dissidents within the barracks needs careful comparison with the evidence of the Commanding Officer, Brig. Fadul. According to him, when he arrived at the battalion in April, 1971, he did find certain dissident soldiers who were against the change but they were only a few officers who were actually advising the soldiers or confusing the soldiers, (p.5622). His reaction to such confusing agents was, (p.5623):

"I as the Commanding Officer, acted like a father, I called all officers to the Officers' Mess, I pointed this out to them and warned them not to continue with such bad attitudes. I did not only call officers but very often I called soldiers to advise them not to be taken by people who are politically minded. The coup

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was not planned by officers, it was by soldiers and when the officers saw this, those officers who were getting money through corruption, found that they had no other way of doing this, so they tried to mis-advise soldiers."

He said that this was the general trend and no particular officer was pin-pointed because as he said, "These things were done privately in darkness and there was no way of knowing who actually was doing it." He said that when he addressed soldiers they told him that some officers were confusing them without mentioning any names and at times he addressed officers and men together. He said that, as he was new in the battalion and was also attending some courses between April and June, he used to hear rumours about certain disappearances and he said that one day he was very angry and he gave a very strong warning to soldiers. He said, (p.5625):

"I remember one day I was very angry and I addressed the soldiers because I was fed up with hearing rumours of people trying to confuse soldiers. I warned them very strongly that if such a person who is confusing soldiers is found out, a very serious step would be taken against him. I told them that I would not like to hear such rumours any more and that was the last warning I gave them. I remember the following morning I was told that after my address some soldiers ran away from the barracks. I was of the opinion that perhaps those who had run away without any shooting or without any fighting were probably those who were confusing other soldiers in the barracks."

He talked of an incident which occurred in June, 1971. He received a message from GHQ, when Your Excellency was out of the country and the late Brig. Arube was the Ag. Chief of Staff. The message was to the effect that some recruit soldiers in Moroto had been killed by their fellow soldiers.

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He said that this was followed by incidents in Jinja, Moroto and Mbale barracks and the incident which occurred was on a day when he was addressing officers and the soldiers at the barracks' field when he found that a staff sergeant who was a muganda, and senior NCO a mudama, were not present. He also found that a Government vehicle had left the barracks during the night and when he had finished the address and had asked for questions, the same Landrover came in. He asked the staff sergeant and the soldier where they were coming from and just then he heard another vehicle near the main gate. He said, (p.5627):

"Just at that time I heard fire and bullets were coming from the gate towards where I was giving the address. When we saw two to three bullets coming towards us, everybody was surprised, we tried to find out in which direction these bullets were coming from. As these bullets were coming everyone ran to take cover. After we had dispersed the firing went on very much. As I was near the officers I ordered them to take their men, get arms and try to find out where the firing was coming from. I told them that let us defend ourselves first if we see anybody with a gun shoot him because the soldiers and officers whom I (was) addressing were not armed. There was no way of defending themselves except to try to use their tactics."

He went on to say that one Company armed themselves very quickly and defended the barracks. There was cross-firing and when the situation was a bit cool he investigated and found that the staff sergeant and the senior NCO were dead but the driver was safe. He also found that some soldiers had been killed and others wounded. The driver was interrogated and according to the Brigadier, (p.5628):

"He said that the previous evening the Staff Sergeant told him that I had sent him to Jinja to take a letter. When they reached Jinja, the driver remained behind, the Staff

Sergeant/...../654.

Sergeant went in and talked to a man whom the driver did not know. Later he came back and said let us go back to Mbarara. When they were entering Mbarara Barracks, he told the driver that if you hear anything, please run away - don't stop."

The Brigadier said that he also found out that his soldiers at the gate had been arrested and locked inside some offices. He said that that was the only incident which occurred at the Simba Battalion. Regarding the incident of 20th June, 1971, as narrated by the civilian witnesses he said, (p. 5630/31):

"I categorically deny this that any other soldiers who were not from Mbarara came to address soldiers in Mbarara on that day, because there are regulations that no other askaris or soldiers from another battalion to come and address soldiers without any authority or without any reason why he should come and do that. This is not possible if there is a very serious war, but as the situation of those days was there was no reason why other soldiers should come to Mbarara."

The evidence of Mary Atim (W.283), regarding Private George Otwoma, was put to the Brigadier about his detention in the quarter guard from 15th to 17th July, 1971 and of her finding some soldiers cleaning the quarter guard which was full of blood. The Brigadier denied all this and said that all this evidence was false.

He admitted sending some women home during June and July, 1971 but remembered only six or seven of them who he gave bus warrants, which was due to the attack on the barracks as he had narrated. He was reminded by the Chairman about what other people had been saying about an incident at Simba Barracks which was described as a 'massacre' and he was asked to comment on that allegation. He said (p.5653):

I don't/...../655.

"I don't agree with whatever they say that Acholi and Lango were massacred in Simba Battalion because all the Companies had guns and ammunition. Some Company Commanders were Acholi and they were actually commanding some of these companies in Simba Battalion. Those people had also the opportunity of joining together with their fellow / li and Lango to say that now we are tired of being killed let us fight. Whoever said that is an internal enemy who would like to start trouble so that the Acholi and Lango are called bad people. But during those days, according to what I saw, it was the Acholi and Lango who were reporting bad elements within the community. According to what was happening during those days, it was the people in the former General Service Unit who were getting free money without working for it and who were not happy with the changes. I cannot really say they were getting free money but they were getting money illegally through reporting false things."

It would therefore appear that a good portion of the evidence given by Major Yusuf Adek was not quite correct and the evidence of the Brigadier indicated not only that there were dissidents within the barracks but at least on one occasion the barracks came under attack from outside. It is understandable from these soldiers witnesses to deny evidence involving such grave matters as was given by the civilian witnesses. But in their keenness to deny they introduced contradictions within their evidence which makes it extremely hard, if not impossible, to believe their denials. We have seen evidence being given about the parades held in June, 1971 at which soldiers of Acholi and Langi tribes were the victims. We have set out the details when dealing with the individual cases and those details may now be compared with the Commanding Officer's version. One would be struck by the incredible dissimilarity of the two versions. We also heard evidence when we were dealing with the case of Subject No. 114, Cpl. Odidi, of about hundred

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people, mostly of these two tribes, being loaded into an Army truck like bales of cotton which then left in the direction of Masaka/Kampala. Another witness to refer to the incident in July, 1971 was W.217, who came from home on hearing about the trouble in the barracks and stayed with Sgt. Musa Asiyo (W.399), who told her about the parade at which her husband had been killed. There was also evidence of nine truck full of soldiers, including Subject No.117, Private Okabo leaving the barracks on 22nd June, 1971 ostensibly for Mutukula. Okabo did not come back and the probability of course is that the other passengers of those nine trucks likewise disappeared. The question which arises is, why should all these witnesses tell lies. We appreciate the fact that their husbands/close relatives disappeared but we also appreciate that in giving evidence they did not try to implicate any particular person; their evidence was of a general nature about what they saw and heard. By telling lies now about what happened to their dear and near ones is not going to bring them-back and as against this we think that the soldier witnesses, who were in the barracks when these incidents occurred and the details of those incidents started reverberating throughout the length and breadth of the country, have everything to gain by saying that such incidents never occurred at all. They did try to say that and, in the process, contradicted each other. They contradicted themselves when they were trying to show that not only such incidents did not occur, but when the subjects disappeared they were either absent ^{from} the barracks or did not know about their disappearance altogether. Major Adek went to the extent of alleging that Rev. Olit had run away, when

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we know from the Part 1 Order that he, together with eighteen others, had been sent to Kampala for some sort of a briefing; and our comment is, how can anyone place any credence on the evidence of such a person. We believe the evidence given by the simple, straight forward and unsophisticated civilian witnesses, women and young men, whose husbands and fathers disappeared, some in front of their eyes and they could do nothing to keep them back. We are of the opinion that such witnesses, knowing that their kith and kin were snatched from them for ever and are not going to come back, no matter what they now say or do, will speak the truth and only the truth, and we are satisfied that, with this guarantee in mind, all of them spoke the truth. In reaching this conclusion, we were also of the opinion that Brig. Fadul was very sadly let down by his own junior officers, whose evidence in no way corroborated him. Our findings on the soldiers of Simba Battalion are as follows:

Subject No. 114 - Cpl. SAMUEL ODIDI.

From the evidence of W.215, we are certain that her husband was a Corporal stationed with the Simba Battalion at Mbarara. To that extent she is corroborated by Major Adek and it would seem that the records maintained by the Army Records Office were not quite up-to-date. We have set out the evidence about this subject in detail, and we have no doubt that he was arrested on the pretext of being wanted at the office to be posted to another battalion. His wife was able to see him in the quarter guard and she gave a graphic account of how about 100 soldiers, including her husband, of Acholi/Langi tribes, were carried away in the

three/..../658.

three ton lorry on 15th July, 1971 at about 4.30 p.m. She said that her husband was semi-conscious when he was thrown into the lorry and if her account of the loading of the truck is correct, that is, people were being thrown like sacks of cotton, we wonder how a person already unconscious would survive if he were at the bottom, as was the subject, who was the fourth to be thrown into the lorry. She was told that those prisoners were being taken to Kampala but none of them appears in Ex. 124, which is a list of detainees at Luzira prison. She said that another person she saw being put into the truck was Private Manasi Otim, Subject No. 115, and we have not been able to find him either in Ex. 124. It would seem that those 100 soldiers who were taken away from Simba Battalion on 15th July, 1971 disappeared between Mbarara and Kampala and the probability clearly is that they were all killed.

Subject No. 115 - UA 6726 PRIVATE MANASI OTIM.

Relying on the evidence of W.215, who saw UA 6726 Private Manasi Otim being loaded into the truck on 15th July 1971, allegedly bound for Kampala, and not finding his name amongst the detainees at Luzira as per Ex. 124, we find that the probability is that Private Otim never reached Kampala. He must have been disposed of on the way.

Subject No. 116 - UA 2950 L/Cpl. RAYMOND OGWAL.

W. 217 was certain that when she returned to the barracks in July, 1971 she put up with Sgt. Musa W.399, who is now a S/Sgt, said that in July, 1971 he was a Lance Corporal, and he admitted knowing the subject. It may well be that W.217 was mistaken about the rank of Musa with whom

she/..../659.

she stayed in July, 1971. According to her, Musa confirmed that her husband had died at the parade and it was he who gave her a bus warrant to return home and also opened her quarters for her to take their property. All this evidence was denied by Musa Asiyu. We did not find him a satisfactory witness. His demeanour was that everybody else was a liar and he was the only truthful person in the whole battalion! It is strange that W.399 should be so emphatic about himself when there is evidence to the contrary, as we have already seen. We accept the evidence of Veronica Awiyo and find that Musa (W.399) must have told her, as she maintained, that her husband had died during the parade in June, 1971. Accepting that evidence it would follow that the information set out in Ex. 136 about the subject having disappeared on 25th January, 1971 cannot be true.

Our finding, therefore, is that UA.2950, L/Cpl. Ogwal was killed at the parade held within Simba Battalion barracks in June, 1971.

Subject No. 117 - UA 6697 PETER ABEMEREKI OKABO

According to his wife he was one of those in the nine trucks who left the barracks on 22nd June, 1971, and was subsequently told that her husband was killed at Mutukula. It is surprising that Ex.136 should give the date of his disappearance as 25th January, 1971. We believe Mrs. Okabo and find that he left the barracks on 22nd June, 1971 with many others for Mutukula and never came back. And according to what she was told, he was killed at Mutukula.

Subject No. 120 - UA 3083 S/Sgt. MISUSERA OGWANG

One of his wives saw him being arrested on 24th July,

1971 and taken to the quarter guard, where she later saw him. She was later given a bus warrant to go home and her husband was not heard of again. We believe this evidence that the subject was last seen in custody in the quarter guard.

Subject No. 131 - CPL. KONSTANTINO OGEMA.

We accept the evidence that he was arrested on 19th June, 1971 which was one of the hot days within the barracks and, as he has disappeared, we think that the probability is that he was one of those people who lost their lives during one of the parades.

Subject No. 158 - UA 4080 L/Cpl. YOVENTINO OKULO.

There is virtually no evidence of what happened to this subject. His wife had gone home on 19th December, 1970 and, although she knew some women, did not try to see them nor did she make any enquiries about her husband. Her excuse was that she did not have money to go back to Mbarara. We do not have any other evidence on him and it is difficult for us to say whether Ex.136, which gives his date of disappearance as 25th January, 1971, sets out the correct information. But he has not been seen or heard of since December, 1970.

Subject No. 165 - UA 5000 PRIVATE LEO SHABAN

We accept the evidence given by his wife that he was arrested from his office on 18th July, 1971 and she was later told that her husband was no longer living. According to this finding we do not accept the information in Ex.136 that the subject disappeared on 25th November, 1971. We are of the opinion that the probability is that he also

died/...../661.

died during the various disturbances in the barracks.

Subject No. 167 - UA.2862 PRIVATE GOERGE OTWOMA.

There is clear evidence from his wife about his being taken away from his home by about four soldiers, including Private Kakare, on 15th July, 1971 at 9 a.m., and thereafter she saw him in the quarter guard till 17th July, 1971 when she found the quarter guard empty and some soldiers cleaning blood from it. We find that there is clear evidence that the subject was killed within the quarter guard.

Subject No. 172 - UA.3714 L/Cpl. WILLIAM ODONG.

We accept the evidence of his wife that her husband was in the parade on 21st June, 1971. We have no reason to doubt her evidence that, when she saw Capt. Adok (W.401), he told her and other women that their husbands had been taken to Kampala to hear their matters and that later, when they were given the bus warrants, the Ag. Adjutant told them that their husbands were not coming back. It will therefore follow that the information in Ex. 136 about the subject's disappearance on 25th January, 1971 is not correct and we find that the probability is that the subject was one of those who was killed at the parade on 21st June, 1971.

Subject No. 182 - PRIVATE FAUSTINO AKORO.

The only evidence about him is that the subject's brother Agoma left him in the barracks in January, 1971 since when he has not been seen or heard of. None of his family seems to have tried to make any enquiries about him and there was also some doubt as to whether he was stationed

at/...../662.

at Mbarara or Maliro. Ex. 136 indicates that the Army Records Office does not have any record of this soldier. While we would accept the evidence of "302 that his brother, Faustino Akorc, was a soldier and possibly stationed at Mbarara, we have no material at all upon which to make any particular finding. All we can say is that the subject has been missing since January, 1971 and the probability is that he is no longer alive.

Subject No. 183 - UO 345 REV. YOSAM LAVRO OLIT.

We have already made a finding about him which is that he was amongst the nineteen soldiers who were taken to Kampala on 24th February, 1971, for briefing and was one of the eight of those nineteen who were detained at Luzira Prison on 3rd March, 1971. According to Ex. 124, he was transferred to Mutukula Army Camp on 28th December, 1971, from where he did not come back. In view of the evidence of the mass break-out from Mutukula we find that he was probably one of those killed during this break-out.

Subject No. 189 - UA.2289 CPL. AKAYO OCERO.

He disappeared on 25th June, 1971 from his workshop. As we have seen 25th June was another hot day and we think that in view of the evidence, there is clear probability that he died during the disturbances of 25th June, 1971.

Subject No. 192 - UA.15222 PRIVATE MOHAMED YAMBA.

There is evidence that this young man was mentally disturbed and, according to the Brigadier, he had spent some time in Butabika. We find that he must have tried to join his platoon during one of his lapses and the probability quite clearly is that he is not alive.

Subject/...../663.

Subject No. 194 - UA, 5073 SGT/MAJOR GABRIEL ODIDA.

We accept the evidence of the young lad (W.136) who saw his brother being arrested on 21st June, 1971, by five soldiers who made him walk in front of a bayonet point. In the same afternoon he was asked to quit the barracks and, putting two and two together, he thought that his brother had been killed.

Keeping in mind the nature of his arrest, we share the conclusion at which the witness arrived upon being asked to quit the barracks the same afternoon, which was further supported by Sgt. Major Ojede.

Subject No. 206 - PRIVATE ERUKULANO ODUR.

The subject was arrested in the presence of his son, Donosiano Olara, (W.328) by two soldiers, and the next morning the witness's mother was told by the O/C that all women whose husbands were arrested during the night were to be given bus warrants to go home. We find that the subject was arrested by two soldiers and, as he has not been heard of since, the probability is that he was killed during the military detention.

404/...../664.

MOROTO SOLDIERS.

- 404. Subject No. - 106 UA, 7728 PTE NICHOLAS OGWANG.
- 405. Subject No. - 113 UA, 4099 PTE VINCENT OMARA.
- 406. Subject No. - 128 UA, 1845 PTE LEON OTIM.
- 407. Subject No. - 154 UA, 1861 PTE LEVI OBONG.
- 408. Subject No. - 162 UA, 4078 PTE ELIAS AYO OBWOK.
- 409. Subject No. - 186 LT. JOHN MARIA VALENTE OBWOYA.
- 410. Subject No. - 197 UA, 5563 L/CPL THOMAS ONEN.
- 411. Subject No. - 200 UR, 0419 PTE KASIO OKENY.

Witnesses No. 211 Amos Otulo - Part 2, p. 2115 - 2118
214 Alexander Omach - Part 3, p. 2146 - 2148
229 Nora Auma Otim - Part 3, p. 2273 - 2281
267 Guard Ayo - Part 3, p. 2674 - 2677
277 Ponsy Akulo
Obwok - Part 3, p. 2768 - 2773
315 Andrea Oyot - Part 4, p. 3203 - 3208
321 Regina Atto
Okeny - Part 4, p. 3233 - 3244
486 Col. Joseph Ozo - Part 6, p. 5468 - 5507

These eight soldiers were stationed at Moroto barracks. With the exception of Subject No. 128 UA 1845 Pte. Leon Otim who is said to have been arrested in February, 1971, and subject No. 186, the other six disappeared on 11th July, 1971. We shall presently set out, very briefly, what their relatives, who were staying with them, saw. For the time being we should like to say that the incident which occurred in the barracks on 11th July, 1971 has been dealt with in detail when we were considering the case of the two policemen and the police matron - subject 218, 219 and 256 - who were also picked up as a result of that incident (see page 419). To recapitulate, on 11th July, 1971, at around 6 p.m. fourteen recruits with their three instructors were lining up near the kitchen of the barracks to be served with their meals when the Guard Commander, Cpl. Ogaba, /
an Acholi, opened /

fire/...../665.

fire and killed all seventeen. Col. Ozo, who was the Commanding Officer, learnt of this incident the following day on his return from Kampala and both he and the Special Branch Officer were certain that the barracks had not been attacked by any guerillas, either from outside or inside. But as we stated earlier on this incident led to a 'witch-hunt' for all Acholi and Langi soldiers and policemen within the Army and Police barracks. With this background in mind we shall now set out briefly what the witnesses say about these soldiers.

SUBJECT NO. 106 - UA. 7728 PTE NICHOLAS OGWANG.

Mrs. Ogwang used to live with him in the barracks. She did not give evidence but Ogwang's father, Amos Otulo (W. 211) said that she returned home sometime in July, 197 and reported to him that trouble had been brought to them the barracks by guerillas, which had resulted in 'real fighting'. She told him that her husband went out to the barracks during this trouble and never came back. The witness was resigned to the idea that his son was killed during the fighting in the barracks.

Ogwang had four sons who, together with their mother, are now being looked after by Otulo.

Pte. Ogwang's name appears in Ex. 136, which is a list giving the Force numbers, Units etc., and the dates of disappearances compiled by Army Records Office and it is stated that no report was received from his Unit with regard to his disappearance.

SUBJECT NO. 113 UA. 4099 PTE VINCENT OMARA.

He was married to Joyce Agagi who used to live with

him/...../666.

him in the barracks. He was aged about thirty and has three children, who are now being looked after by the subject's father, Alexander Omach (11.214); Joyce having remarried.

Joyce Agagi did not come to give evidence but she returned to her husband's home in July, 1971 and reported to W.214 that her husband was killed in the barracks on 11th July, 1971. She told him that the barracks had been attacked by guerillas and her husband was missing. The old man himself went to Moroto and some friends of his son repeated the same information.

Pte. Omara is included in Ex-136, which also gives the date of his disappearance as 11th July, 1971.

SUBJECT NO. 128. UA. 1845 PTE. LEON OTIM.

He was married to Nora Auma (11.229) who was living with him at the time of his arrest. She said that on 25th February, 1971, four soldiers went to their home at 10. a.m. One of them had a rifle. They told her husband that he was wanted at the quarter guard. Her husband, who was also in uniform, did not ask any questions and accompanied them. She saw the five of them going towards the quarter guard and her husband never came back. The following day she made enquiries and was told by Lt. Ojo of 'C' Company that he had heard that Otim and his group, who had been kept at the quarter guard, had been taken to Kampala. A week later she was given a bus warrant to go home. She started crying as she thought that her husband was dead. Some soldiers in the barracks, including one Pte. Opio and another Lugbara soldier, told her that her husband and his group, who were taken to Kampala,

W.214/...../667.

were all killed on the way to Kampala. She said that so hundred women, mostly Langi and Acholi, were given bus warrants to go home.

She has five children between the ages of twelve and nine, none of whom goes to school due to lack of money. She said that she has not applied to court for an order to manage his estate.

His name is included in Ex.124 which is a list of detainees prepared by the Uganda Prisons, Luzira and the entry indicates that Otim was admitted on 1st March, and transferred to Mutukula on 28th December, 1971.

We heard evidence of a mass break-out from Mutukula during which some prisoners managed to escape, while others were shot and killed during the break-out. As he has not been heard of since, the probability is that he was one of those who were killed during the break-out at Mutukula.

SUBJECT NO. 154 - UA. 1861, PTE LEVI OBONG.

He was a bachelor and was aged about twenty eight. He last went home on leave in December, 1970 and, according to his elder brother Guard Ayo (7.267), returned to his barracks in Moroto after his leave. His brother said that the subject used to write to him occasionally, once every five or six months, and the fact that he did not receive any letter from him after he went back to Moroto did not bother him. In August, 1971 he went to Moroto but was refused permission to enter the barracks and was turned away from the gate. He showed his brother's photograph and gave his force number to the gate keeper but to no avail. On his return he met some Langi and Acholi women at Lira bus park and they told him that Langi and Acholi soldiers were killed

sp/...../668.

Moroto barracks on 11th July, 1971. The witness said that he made no more attempts to find him and gave up his brother for dead.

The subject's name appears in Ex-136 where the date of his disappearance is stated as 11th July, 1971.

SUBJECT 162 - UA. 4078 PTE ELIAZA AYO OBWOK.

He was married to Ponsy Akulo (W.277) and they have five children between the ages of nine and two and a half; two of whom are at school.

She said that on 11th July, 1971 her husband went on duty at 12.30 p.m. and was expected home at about 6 p.m. He did not return but Pte. Cosma Kizza came and informed her that her husband had gone on safari to Amudat on official duty and would return after a few days. She waited and after two days Kizza told her again that he had received a signal from him saying that he would return after a month. Kizza advised her to go to the office and get Shs. 100/= to take her home and after two months, she received a letter from the barracks asking her to collect her husband's property. She was curious and when she returned to Moroto on 7th September, 1971, she found somebody else living in their quarters and their property was put in a store. She met some women in the barracks who had been provided with bus warrants and they told her of some trouble in the barracks when some soldiers were killed. The women also told her that some Acholi and Langi soldiers had been arrested on 9th August, 1971. She saw Kizza but he did not tell her anything about her husband, although he appeared very sympathetic towards her as if her husband was not living. She was handed her property and a bus warrant to return home.

This subject's/..../669.

This subject's name appears in Ex.136 where the date of his disappearance is given as 11th July, 1971.

SUBJECT NO. 186 - Lt. JOHN H. VALENTE OBOYA.

We dealt with him with his brothers, subjects No. 187 and 188, Page 362.

SUBJECT NO. 197, UA. 5563, L/CPL THOMAS ONEN.

He was married to Christine Latanya who is now married to another man. The subject's son, aged about four years, is now under the care of the subject's father Andrea Oyet (W.318). Oyet said that Christine returned home on 16th July, 1971 with her husband's clothes and informed him that her husband, who was in the Army band, was arrested on 12th July, 1971, on his return from Mbale and was detained at the quarter guard. He said that Christine was prevented from seeing her husband in the quarter guard. But she told him that she had heard him shouting in the cell and she thought that he had been killed. W.318 said that he did not know where to go to look for his son or who to ask about him. He said that had he gone to Moroto, he might have been beaten or even killed.

He said that his son had money in the bank which he has not tried to get, fearing that if he went to the bank he might be arrested. He has not applied to court for an order to manage his son's property.

The subject's name appears in Ex.136 and the entry indicates the date of his disappearance as 11th July, 1971.

SUBJECT NO. 200 - UR. 0419 PTE KASIC OKENY.

He was married to Regina Atto (W.321). She gave his

name as/...../670.

name as Kasio Okeny, but appearing in Ex.136 is UR 0469 Pte Kacho Okeny of Moroto who is alleged to have disappeared on 11th July, 1971.

Regina said that on a Sunday in July, 1971, at about 11 a.m., she started hearing shots being fired from the direction of the barracks kitchen. Her husband went to a field nearby to see what was happening and soon returned. He dressed in P.T. Uniform and went to the office of 'B' Company. She saw many soldiers going to that office, where they armed themselves, and moved to the big field of the battalion. Amongst those people she recognised Sgt. John Bulu, a Madi and Cpl. Openya, an Alur. She said that the shooting at the cooking house lasted for less than an hour and had stopped by the time her husband went to the office of 'B' Company.

Some soldiers returned and Openya told her that her husband had been taken to the quarter guard. He did not tell her the reasons why and she did not go to the quarter guard as it was getting dark. The following day Openya and some other soldiers asked her to quit the quarters and was given a bus warrant to go home. She said that she travelled to Kitgum with more than ten women, most of whom were Acholi and Langi.

She said that she later heard that the shooting occurred because one called Ogaba had opened fire near the cooking house.

She has four children of whom only one goes to school. Her husband left some money in the bank and, she has not applied to court for an order to manage his property.

It is quite.../671.

It is quite obvious that all these soldiers, with the exception of Pte. Leon Otim, disappeared on 11th July, 1971 and the probability is that they must have died during the trouble in the barracks as a result of Ogaba shooting the recruits and their instructors. Pte. Leon Otim was arrested much earlier in February, 1971 and, as we have already indicated, he was amongst the many others who were transferred from Luzira to Mutukula on 28th December, 1971.

MOYO SOLDIERS

412. Subject No. 201 - UA. 3206 PRIVATE DONATOR ODUR.

The subject was in the Border Guard Unit, Moyo. He was married and had seven children, of whom the eldest Valentino Ocen (W.323) was living with him at the time of the incident in July, 1971. When this boy gave evidence on 24th October, 1974, he gave his age as fifteen and, as the incident in which his father disappeared took place in July, 1971, he must have been twelve then. He said that formerly three of three of them used to go to school but now due to the difficulty with finances, the other two have stopped going to school.

Ocen said that about a week before this incident, a bus full of new recruits and their instructors arrived in the barracks. He said that on that day in July his father left home for work after lunch and did not return. At about 3 p.m. he heard a whistle which was a signal for soldiers to gather at the quarter guard. The boy said that he went there and saw his father amongst the people. He then witnessed those new recruits arresting Acholi and Langi soldiers; they were

Sanatified/.../672.

handcuffed and taken to the quarter guard. The boy said that he knew about 50 soldiers of these two tribes in the Border Guard Unit. The same evening two soldiers came to their quarters looking for his father. They were speaking in Swahili and, on being told that the subject had not returned from work, these two soldiers took away their record player and cut the radio with a panga. The boy said that his mother and himself did not raise an alarm as they had seen soldiers being arrested and put in the quarter guard earlier that afternoon. Late the same night the witness heard people crying from the quarter guard but he could not make out the words properly. The following day they reported the incident about the theft and the damage to the radio and also of the subject's arrest to an officer called Mawa who promised to look into it, but did nothing. The witness and his mother then went to the quarter guard to check on the subject but were chased away by the soldier who was on guard duty. The boy said that he saw a lorry at the quarter guard and his account of what he saw is reproduced below from the transcript (page 3250):

"I only saw dead bodies packed in a lorry ... three ton lorry ... they were many and I could not estimate ... some were thrown anyhow and some were packed like bags ... bodies were scattered in the lorry ... not packed ... it was parked at the quarter guard, an Army lorry ... blood was flowing to the ground from the lorry ... I heard no sound."

The boy said that he could see the bodies because he was facing the back of the lorry which was open. Some of the bodies were completely naked and others were only in underwear. He was unable to identify any of the bodies.

The boy said that they were then issued with bus war-

ants/..... (7)

rants to go home. They got into one of the two buses the same day. Both buses were full of women and children and were bound for Gulu. They were stopped at an Army road block in Laropi and the transcript reads:- (p.3251/52):

OCEN: We found a group of soldiers on the way.

MULENGA Where?

OCEN At Laropi

MULENGA Yes. What happened at Laropi?

OCEN All the women were withdrawn from the buses and they started torturing them with whips.

MULENGA You mean they were being beaten.

OCEN Yes.

MULENGA What about the children?

OCEN Children who were weeping were also beaten.

MULENGA Did you see children being beaten?

OCEN Yes, even our child was beaten.

MULENGA What was the age of that child of yours who was beaten.

OCEN Two years.

MULENGA How was it beaten?

OCEN He was beaten because he was crying while the mother was beaten."

The boy said that the women and children were assaulted with whips and they even threatened to stab them with their bayonets if they continued crying. After this assault they were allowed to carry on with their journey and they reached their destination without any further incident.

We have considered the fact that the only witness to this sordid and revolting scene was this boy who was then probably aged twelve - thirteen years. Unfortunately there is no other evidence about this tragedy of Moyo which

...../674.

could have provided some material for corroboration. We watched this boy giving evidence and no where did he falter or give an indication of having fabricated such a terrible tale of calculated and deliberate human destruction. We believe that his evidence represents a true account of the tragic events in the Border Guard Unit, Moyo. The subject's name appears in Ex. 136 which indicates the date of his disappearance as 19th July, 1971. We are prepared to accept that date as the date on which this incident occurred and, relying on the evidence of the boy, we have no hesitation in reaching the conclusion that the fifty Acholi and Langi soldiers, including the subject, who were in the Unit were in fact arrested by the so called new recruits who had come from another place. The next day the quarter guard was found empty and bodies loaded into a truck. We find that these bodies were in fact of those Acholi and Langi soldiers, including Private Donato Odur, who had been arrested the previous day.

This is perhaps the only case of its kind during the extent of this Inquiry which is tragic from another angle. We refer to the seemingly insane, dastardly and savage assault by the soldiers at the road block on defenceless women and children, including infants. These women had lost their husbands and the children their fathers; some of these had actually seen the terrible scene of a truck load of their bodies. Their hearts were full of sorrow and grief; they were entitled as human beings to sympathy and condolences. What they received instead was the ignominy of lashes, which in these circumstances, indicated the dismal abyss of wanton sadism of the younger immature soldiers displaying their power through possession of arms

at the expense of unarmed citizens.

MUBENDE SOLDIERS.

- 413. Subject No. - 141 UA, 4587 SGT. RAPHAEL EDYONG.
- 414. Subject No. - 184 SGT. JONAM OTIM.
- 415. Subject No. - 220 UO, LT. CELSTINO LOUIS AMONE.
- 416. Subject No. - 227 UO, 239 LT. KENERI OKOT.
- 417. Subject No. - 229 MAJ. JABULONI OKELLO.
- 418. Subject No. - 230 CAPT. GERESEMU OKELLO.
- 419. Subject No. - 240 UA, 3525 SGT. CONSTANTINO OMARIA.

Witnesses: 243 Merizadeki Owiny - Part 3 p. 2402 - 24
309 Robert Achot - Part 3 p. 3023 - 30
342 Grace Atto Amone - Part 4 p. 3492 - 35
347 Dorothy Lanana - Part 4 p. 3569 - 35
355 John Owiny - Part 4 p. 3638 - 36
457 Det. Dy. Sup.
Frank Kabwisho - Part 5 p. 4975 - 49

These were soldiers of the Tiger Battalion stationed at Mubende. We shall deal with them individually and start with

SUBJECT 141 - UA 4587 SGT. RAPHAEL EDYONG:

His brother, Merizadeki Owiny (W.243), testified that he last saw the subject in May, 1971, when he came home on leave. On his return he took one of his wives, Grace Atira, with him and their younger brother called Celestino Ecobu was living with him in Mubende in a house outside the barracks.

In July, 1971 Ecobu wrote to W.243 asking him to go to Mubende to take away the subject's wife. When he reached

Kampala he met Grace Atira and his brother in a bus and they told him that some soldiers from the barracks were arrested in the night of 11th July, 1971 and the subject was arrested the following morning when he went to the barracks for duty. They told the witness that three soldiers came in an Army Landrover, arrested Sgt. Edyong and drove away in the direction of Kampala. The subject has not been seen or heard of since.

W. 243 said that Grace Atira left their home and her present whereabouts in Mbale were not known to the witness.

The subject has seven children, all under the care of the witness. Only one of the children goes to school. No application has been made for the management of the subject's estate.

The subject appears in Ex. 124, which is the list of soldiers detained at Luzira, and the entry indicates that he was admitted to the prison on 2nd February, 1971 and transferred with many others to Mutukula on 28th December 1971. There is this obvious discrepancy in the dates, that is, the witness mentioned the date of his brother's arrest as 12th July, 1971 which does not correspond with the date of his admission into Luzira Prison some five months earlier. It may well be that the date, that is, 25th January, 1971, which is mentioned as the date of his disappearance in Ex. 136, is perhaps the correct date. On this basis the witness was obviously mistaken about the date of his brother's arrest and we accept the date which is mentioned in Ex. 136. We find therefore that UA. 4587 Sgt. Raphael Edyong was arrested from Nubande Barracks on 25th January, 1971. He was detained at Luzira prison from 2nd February,

W. 243/...../677.

till 28th December, 1971 when he was transferred to Mutuku. We heard evidence about the mass break-out by prisoners from Mutukula in which some escaped and others died. We were not given details of those who were killed during this incident. We should have thought that had the subject been one of those who escaped he would have contacted his family from wherever he was. We are of the opinion that the probability is that he was one of those who died during the break-out.

SUBJECT NO. 184 - SGT. JONAM OTIM.

Robert Achot (W.309), the Treasurer of Kitgum Town Council, is the subject's elder brother. He said that he last met the subject in December 1970 in Hoima where he was then stationed.

In March, 1971 the subject's wife Faibi Aloo (who has since remarried) went home with their property and reported that the subject was sent to Jinja on a course with some other soldiers and that the others returned a few weeks later but not her husband. She was then given transport warrant to go home.

The witness does not seem to have done anything to try to find out what might have happened to his brother. He said that he simply took it for granted that his brother had disappeared and did not bother to make any enquiries as he was afraid. He thought that he might have run out of the country. He said that his other brother Pte. Francis Otom (Subject 185), who was then stationed in Jinja and also disappeared, told him that Sgt. Otim had in fact returned to Mubende after the course. He also said that women who returned home from Jinja and Mubende had talked of fighting in the barracks during June/July, 1971 and March, 1971 respectively.

He said/...../678.

He said that the version he received was that soldiers of Acholi and Langi tribes had put up a fight when other soldiers tried to arrest them.

Sgt. Otim has three children between the ages of seven and two and a half; and the witness is now responsible for their education.

One Sgt. Johnson Otim appears in the Ex. 136, and the date of his disappearance is stated to be 25th January, 1971. This case highlighted the degree of fear in the minds of relatives who preferred not to make any enquiries about their relative soldiers who were reported missing. We think that this is a great pity because this attitude hampered the collection of evidence. Nevertheless, it does seem that Sgt. Otim returned to Mubende from Jinja and we think that he was amongst those soldiers who were killed during the fighting at Mubende barracks in March 1971. The entry in Ex.136 in the name of Sgt. Otim must be in respect of another Sgt. whose Christian name is clearly distinguishable from that of the subject.

SUBJECT NO. 220 - LT. CELESTINO LOUIS AMONE.

This Lieutenant was married to Grace Atto Amone (W.342). She said that her husband joined the Army in 1965 and in January, 1971 he was stationed in Mubende, and was the 2nd in command of 'D' Company. She was staying in Hoima and on 22nd January, 1971 the Lieutenant took his Company to Masaka on official duty. He rang her on 4th February, 1971 from Masaka to tell her that he had been summoned to GHQ Kampala and said that he would go to Kampala after returning to Mubende the same day. She said that she rang the office of 'D'

Company/...../679.

Company the following day and learnt that her husband had been arrested together with some other soldiers and Lt. Yakobo Abiriga had escorted them to Kampala.

On 15th February, 1971 a 2nd Lieutenant went to their home with three lorries and asked her to vacate the house as her husband had been arrested. She was chased from the house and this 2nd Lieutenant also took away their car, a BMW 1800 1800 No. UST 456. He told her that he was taking the car to Hoima Police Station for safe custody. He informed her also that her husband was detained at Bulange.

According to Ex.151, which is a list of vehicles giving details of ownership prepared by the Registry of Motor Vehicles, this BMW is registered in the names of Arvind City Properties, Box 910, Kampala. W.342 said that the loan on the car had been paid off by her husband. Deputy Supt. Kabwiso (W.457), who was then at Hoima Police Station, confirmed that this vehicle was brought into the Police Station by a Lieutenant from Mubendo Battalion for safe custody, who said that the vehicle had been purchased on Government loan and the owner had not been seen for sometime. The Deputy Superintendent stated that no record of this was kept in the Police Station. The subject's father went to the police for the car but the police refused to hand it to him saying that the Army would snatch it from him. The visit to the police by the subject's father was confirmed by W.457, who said that his instructions were not to release the car without the Lieutenant's permission. Grace said that later she and her father-in-law both went to the police to get the car, but were told to wait till things 'cooled' down. When she last went to Hoima Police Station in July, 1971, she was

told that/... .../680.

" told that the car had been taken away by an Army Officer. W.457 said that the same Lieutenant, who had brought the vehicle came with an Army truck and carried the BWM away in it. Again he said no record was kept. Explaining why records were not kept, the Superintendent said (p.4799):

"During the early hours of the take-over it was usual for the soldiers to come and dump in something in any Police Station and give instruction without anything being written down in ordinary station diary and we did not dispute with soldiers at that time".

Later he said that sometimes people also were taken to police stations with instructions that they be detained without the officer either making a statement or giving his particulars. He explained (p.4981):

"This is because prior to this incident, we had some other incidents where you would attempt to get someone's particulars and you would get a query as to why you want to know the particulars of this officer, you would be only told that I am coming from such a place you keep these things and, you don't have to bother for particulars".

subsequently, Mrs Amoné went to Bulange looking for her husband and was told that all the detainees had been taken to Luzira. In March, 1971 she went to the Upper Prison. She was not allowed inside but was told that many Army officers were detained in the prison. She went to Makindye 'just trying' to trace her husband. At the gate she met a soldier on duty who knew her, although she did not know him, and he told her (p.3499):

"He told me to go back home because it was useless since those people were already killed He told me Amoné was one of those killed He did not disclose where those people were killed but he told me he was speaking as an askari and that was all".

Later she/...../681.

Later she said that the soldier told her that he had seen people from the prison being taken in a van on 5th March, 1971 at 5 p.m. and those people were being called one by one by their names. She said that she could not go into details because just then the Commanding Officer, Malela, came and dispersed the people who had gathered there. She said that she believed the information which was given to her by the soldier and decided not to pursue the matter any further.

The subject has two children aged seven and five and both are at school. Mrs. Amone said that she also pays fees for her husband's brother. She said that her husband's bank account was closed on 17th February, 1973 as the credit balance was very small. He was insured but Mrs. Amone has not applied for a court order to manage his estate.

Lt. Amore's name appears in Ex.136 and the date of his disappearance is indicated as 25th January, 1971.

We think that there is sufficient evidence to say that Lt. Amone was arrested and taken to Kampala. There is some confusion about the date of his arrest. According to Mrs Amone she spoke to him on 4th February, 1971 when he told her that he was summoned to GHQ, and on the following day when she rang 'D' Company she was told that her husband and others had been taken to Kampala by Lt. Yakobo Abiriga and it was on the same day when that 2nd Lieutenant asked her to vacate the house. We think that the probability therefore is that Lt. Amone was arrested and taken to Kampala by Lt. Abiriga. We think that the reason why he did not end up in Luzira like many others was that he had been killed; had he been released he would certainly have

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Lt. Keneri Okot appears in Ex.136 and the entry indicates that he disappeared during March, 1971.

According to 7.347 Lt. Keneri Okot had six wives and twelve children, of whom six children are at school and they are being maintained by her mother and her brother. He is said to have left some money in the Commercial Bank but no application has been made for a management order.

With regard to subjects No. 229 and 230, we did not see any other evidence, but if Lt. Keneri Okot was taken to Malire where he was seen by Mrs Angon, the probability clearly is that these other two subjects No. 229 and 230 were also taken to Malire and killed just as Lt. Keneri Okot was.

SUBJECT NO. 240 - SGT. CONSTANTINO OMARIA.

Sgt. Omaria was the brother of John Owinyi (W.355) and was stationed at Mubende. According to Owinyi his brother came home on leave in December, 1970 and after the Army take-over in January, 1971 was collected by the Commanding Officer, Mubende, in his car to return on duty. Owinyi wrote to his brother after two weeks and, getting no reply, wrote to his brother John Otto, who was also a soldier at Mubende. Otto wrote back to say that Sgt. Omaria was arrested with some others on 29th January, 1971 and taken to Luzira. Owinyi said that he went to Luzira Upper Prison during May or June, 1971 and saw his brother there. The fact that Sgt. Omaria was detained there is borne out by Ex.124, which indicates that he was admitted to the prison on 31st January, 1971. Sgt. Omaria asked his brother to look after his five children, who are between the ages of fourteen and six. After sometime Owinyi heard rumours that all the detainees had

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contacted his wife immediately. We are therefore inclined to believe, just as Mrs Amone did, that Lt. Amone was one of those unfortunate people who were put in a van on 5th March, 1971 at 5 p.m. and driven out of Makindye, never to be seen alive.

Subject: No. 227 - LT. KENERI OKOT.

Subject: No. 229 - MAJOR JABULONI OKELLO.

Subject No. 230 - CAPT. GERESOM OKELLO.

Lt. Keneri Okot (Subject 227) is the father of Dorothy Lanana (W. 347) who said that her father went home in Gulu on leave in December, 1970 and was still on leave at the time of Military takeover and he went back to his Battalion in Mubende. As he had been recalled during an emergency, she expected him to write to her about his arrival; but he did not. She wrote to her brother, who was schooling at Kakumiro, to go to Mubende to find out about their father. He did not reply but wrote in answer to her second letter to say that he had not been able to go to Mubende. W. 347 herself went to Mubende in March, 1971 and, failing to find her father there, asked one called Absolom in the RSM's office who told her that her father went on safari to Kampala with subjects No. 229 and 230. On 23rd March, 1971 she went to Malire to her uncle L/Cpl. Yose Angen (subject 228) and found him missing also. Her aunt told her that both of them had been shot inside the cells. When she tried to see the Commanding Officer, Malire, she was chased away by the RP. She said that she found many women of various tribes, including Acholi and some in Nubian dress, all crying and weeping at Malire.

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been transferred to Mutukula. This also is borne out by Ex. 124, which indicates that Sgt. Omaria was one of the many other soldiers who were transferred to Mutukula on 28th December, 1971. Later Owinyi went to Mubdende and collected his brother's personal belongings. Otto then told him that Omaria was arrested when he was going to his office but the reason for the arrest was not known.

Three of the children are at school and the other two are at home due to lack of money. One of Omaria's wives remarried and the other has also left home. He left some money in the bank but no application has been made for a court order to manage his property.

There is no doubt that Sgt. Omaria was arrested in January, 1971 after the take-over and admitted to Luzira on 31st January, 1971. As stated else where it is in evidence that there was a mass break-out from Mutukula during which some prisoners managed to escape and others died. We were not given details of the prisoners who were killed during this break-out but, as Sgt. Omaria has not been heard of since, the probability is that he was one of those who died at Mutukula during the break-out; otherwise he would have at least got in touch with his family.

STATE RESEARCH CENTRE, HAKASERO

420. SUBJECT NO. 209 - UA 7299 SGT. ERISEYO MANGWI

Witnesses: 332 Carolina Lokwa - Part 4 p. 3346 - 3366
333 Victorina Foroga - Part 4 p. 3367 - 3372
481 Lt. Col. Francis
Itabuka - Part 6 p. 5366 - 5393

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The subject, aged 26 was stationed at the State Research Centre, Nakasero, where the Director of Intelligence since the middle of October, 1973 has been Lt. Col. Itabuka (W.481). The subject was married to Martina Bunyia but had no children. Living with the subject and his wife in October, 1973 was his sister Carolina Lokwa (W.332).

According to the evidence the subject went on duty in the morning on 3rd October, 1973 and was brought home two days later on 5th October, handcuffed by four soldiers in Military Police Uniform. They searched the house but found nothing. He told his wife and his sister that he was arrested from his office on 3rd October, and taken to Makindye. No reason for his arrest was given.

Bunyia went to Makindye on 22nd December, but was told that her husband was not there. W.332 went to Makindye the following day and was told that her brother had been taken to Naguru. It seems that Carolina used to see her brother in cells at Makindye before. What Carolina was told about the transfer of her brother did not convince her. In February, 1974 the subject's mother, W.333, joined them in Kampala and Martina took her to Makindye but again failed to get any useful information. They went to the State Research Centre, Nakasero, to see his superior officer for money but were asked to wait at home. Later someone handed the subject's mother Shs. 1,700/= by way of salary and, according to W. 481, this was salary for the month of August, 1973. Later W.332 and her mother went to the subject's office to collect his car and were told that the car did not belong to him. W.481 said that he knew that car which originally bore Rwandese registration number and was an exhibit in a criminal case. Lt. Col. Itabuka said that he did not know

how the subject managed to change the number plate and get it registered in his own name. The witness did not remember the full registration number of the car.

The subject has not been seen since.

Lt. Col. Itabuka said that after his appointment as head of the department he enquired from the Commanding Officer, Military Police, who then was Brig. Marela, about the subject. He said that Marela confirmed that Mangwi was in the custody of the Military Police and that the case was still under investigation. He said that he was not told about the nature of the investigations. He said that under normal Military procedure, where a soldier is arrested by the Military Police and charged, he may be dismissed and his Unit informed of his dismissal later. He said that he had not been informed of any offence with which Mangwi might have been charged or about his dismissal. He explained that once a soldier is in Military custody he is automatically treated according to the normal procedure for which regulations exist and it is not necessary for the soldier's Commanding Officer to try to find out about him. Lt. Col. Itabuka said that he continued making his enquiries till Marela retired and was succeeded by Lt. Col. Albert Drajua (W.528), who denied any knowledge about the subject. This witness said (p.6567):

"Because if those things took place during the time when Marela was there, I cannot explain anything about them because I do not know them but whatever took place during the time I took over, then I can say something about it because I would be in a position to know what happened but before I took over, I am sorry I cannot explain."

Lt. Col. Itabuka was not satisfied with this situation but

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said that there was nothing he could do as Marela's successor knew nothing about this matter and also the Army regulations prohibited him from interfering in the work of the Military Police.

There is clear evidence that Sgt. Mangwi was arrested by the Military Police and detained at Makindye from 3rd October, 1973. Lt. Col. Drajua took over Makindye in April, 1974 and to W.481 he denied any knowledge about the subject. It would therefore appear that the subject must have disappeared during the time of Brig. Marela. We find it impossible to believe that he might have managed to escape from Makindye and it is obvious that if he disappeared, as indeed he has, this must have occurred during his detention at Makindye. The only conclusion one can arrive at is that he was disposed of during his detention with the Military Police at Makirdye.

ORABA BORDER GUARD.

- 421. Subject No. 98 - UA 6169 PTE. STANLEY OJOK.
- 422. Subject No. 159 - UA 5492 PTE. MUDESTO AGWA.
- 423. Subject No. 173 - UA 5988 CPL PETER OLET.
- 424. Subject No. 174 - PTE OJOK ANYANYA.
- 425. Subject No. 175 - PTE OKOT.
- 426. Subject No. 203 - UA 3204 PTE FESTO OCHAYA.

Witnesses: 207 Nuwa Okeng - Part 2 p. 2064 - 2077
272 Jenina Anyinge
Agwa - Part 3 p. 2701 - 2709
290 Francis
Olwit - Part 3 p. 2864 - 2878
325 Lubo Okoth - Part 4 p. 3267 - 3272

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These four subjects were soldiers of the Border Guard Unit, Oraba.

Subject No. 203, Private Festo Ochaya, went home to Oryanga village, Labongo, Kitgum, in January, 1971 and the Army took over the Government while he was still on leave. According of his brother, Lubo Okoth (W.325), Ochaya did not return to his Unit and he said that he was arrested from his home on 27th June, 1972, by two soldiers. They went towards the home of a neighbour - Gero - where they are alleged to have arrested another man, UA 5797 Private Michael Okulu (subject 202). W.325 said that he has not seen his brother since.

Ochaya had six children between the age of twenty and two, and they are now being looked after by the witness together with their mother. The subject is said to have left some money in the bank but nobody has so far applied for a Court order to manage his estate.

With regard to subject 98, Private Stanley Ojok, we did not hear any direct evidence and the only evidence we heard was from his brother, Nuwa Okeng (W.207), who last saw him at home in 1970 when he was on leave. He said that the subject was then transferred to Oraba and he used to write to him. He maintained that his brother had not written to him from Oraba for about four years and he was 'concerned' that he too might be missing like his own son, Private Kosmatino Ojok subject No. 97. Nuwa said that his brother used to live at Oraba with a girl friend called Akii, but she did not return to their village home after his disappearance. The old man finally said that, although he had heard of some trouble at Oraba, he did not try to find out about...../689.

about his brother from the Army authorities.

According to the evidence of Francis Olwit (W.290) who is a son of Cpl. Peter Olet and was living with his father at Craba, the Border Guard Unit comprised of about 100 soldiers, of whom about twenty were Acholi/Langi. He said that five days before his father disappeared he saw a lorry load of soldiers, who were 'Visitors', arrive at the Unit. When passing through the barracks they commented that there was 'a lot of rubbish' in the barracks which, according to the witness, was quite clean!

On Monday 18th July, 1971, at about 8.30 a.m., all the soldiers were summoned to a parade in the field in front of the barracks. The subject went for the parade and, according to the witness, a private called Ojok Anyanya, who was then sick, was picked up from his home by two soldiers and taken away together with his gun and ammunition. Another soldier, he mentioned, who never came back was Private Okot. Olwit said that he could not see the parade from where he was. He did not hear any shooting that day. His father did not return; those who did return did not tell him about his father. Next day he was summoned into the office of the O.C., who was a Kakwa Lieutenant, and in the office Olwit found some women - nine Langi and ten Acholi. They were all given bus warrants and told 'cruelly' to go home. He said that he has not heard any official news about the fate of his father. Olwit said that looking back, he thought that the comment about the 'rubbish' in the barracks referred to Acholi/Langi soldiers.

With regard to private Modesto Agwa, evidence was given by his wife Jenina Anyingo (W.272).. They have nine child-

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ren between the ages of twenty and four, of whom only one is at school. She said that on 25th July, 1972, a bugle was sounded at about 12.30 a.m. Her husband changed into uniform, took his gun and went to the field where they held parades. She said that soon after she heard two shots from the direction of the field. After a little while she went to sleep. She went to the office the next morning to check and found the entire camp empty, except for seven women. The Cpl. asked her to pack up and leave by bus. Later, a lorry came with women from the other side of the hill, also wives of soldiers numbering about forty, and they were all taken to Moyo, from where a bus took them to Gulu and Lira. She said that she has no idea of what happened to her husband.

None of these soldiers appears in the list - Ex.124 - which was prepared by the Prisons Department of the detainees at Luzira. Three of them, that is, subjects No. 158, 173 and 203 appear on Ex.136, where the first two are indicated as having disappeared on 19th July, 1971 and the third on 13th February, 1971.

It is quite clear that Private Festo Ochaya was arrested by some soldiers as a deserter together with Michael Okulu. There is no evidence where they took these two but Ochaya has been missing since the date of his arrest, which does not seem to tally with Ex.136. As he has been missing since then and there is no record of his detention any where, we find that he was disposed of by the two soldiers who arrested him.

The rest of the evidence, particularly of W.290 and W.272, indicates that on 18th July, 1971, and 25th July, 1972, the...../691.

the soldiers at the Unit were summoned to parades. Peter Olet attended that parade in the morning hours and never came back. Modesto Ngwa, on the other hand, went out in answer to the bugle in the middle of the night, which looked very suspicious, and his wife heard at least two shots. Both these witnesses say that the women - nineteen on the first occasion and over forty on the second - were given bus warrants to go home. This is a strong indication that their husbands were done away at those parades.

2ND PARATROOPER BATTALION, FORT PORTAL.

Subject No. 29 - No. UO/449 LT. SOUL LAWENDE.

Witnesses: 35 - Immelda Nyamuhangushu - Part 1 p.401 - 51

49 - Capt. Yovan Kweresi - Part 1 p.525 - 53

The Lieutenant, aged 32, was attached to the Intelligence Section of the 2nd Paratrooper Battalion, Fort Portal. In August, 1973 he came to Kampala on pass-leave. His younger sister Immelda Nyamuhangushu (W.35), who was schooling in Sebei, also came to see her brother for her school fees.

On 28th August, 1973 the Lieutenant rang his friend, Captain Kweresi (W.49) of the Military Police, Makindye, to take him to his bank. According to W.35 her brother went out with the Captain at about 10.30 a.m. The Captain said that they went to Barclays Bank where the Lieutenant drew some money. They then went to the Army-shop where the Lieutenant bought some soap and cigarettes. They started looking for a windscreen for the Lieutenant's car but did not find it. They returned to Makindye to pick one called Jackson Kabere. It was then getting on to lunch time and, at the Lieutenant's request, the Captain dropped him at the officers' mess, Nakasero at about 12.30 p.m. and delivered five cakes of toilet soap and two packets of Rex cigarettes to the Lieutenant's sister at their

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home.

The Captain went to the Lieutenant's home at 6 p.m. as arranged previously at lunch time. W.35 told him that he had not returned. According to W.35, the Captain then said 'we should go and look for him.' She took this as a joke. The captain said that he returned to the Lieutenant's home at 10 p.m. and was again told that he had not returned. W. 35 makes no mention of this visit of the Captain. She said that she rang up the Captain on the following day but he was not at home and she told his wife about her brother's disappearance and asked her to ring back when the Captain came. The Captain did not ring her and, after trying to contact him on telephone thrice, she gave up. The Captain, however, said that he did ring W.35 the following day.

The Lieutenant was living in Kampala with a girl friend who has since run away. He had two children from another woman. He has five brothers and six sisters for whom he was responsible for maintenance and schooling. All these children are now being looked after by his mother.

We are satisfied that the Lieutenant disappeared on 28th August, 1973 after being dropped at the officers' mess, Nakasero, by his friend Capt. Kwerosi. We do not think that much can be made of the Captain's comment to W. 35 on being told at 6 p.m. that the Lieutenant had not returned home. The evidence is very sketchy and it would be straining credulity to say that the Captain is in any way involved in his friend's disappearance. We are satisfied that he did not return to his battalion in Fort Portal and, likewise we find it reasonable, as was stated by W. 35, that had he gone any where else he would have contacted his family. He is included in the list - Ex. 136 of missing army personnel. Our finding, therefore, is that he did not leave the country and must have disappeared within Uganda; the probability being that he was killed by unknown persons.