

TERMS OF REFERENCE (a), (f) and (g):

545. At the beginning of the Report we said that we would deal with our terms of reference from (a) to (d) when considering the case history of each subject. That we did, and made specific findings wherever possible in respect of those issues. We are now going to deal with issue (e) which reads:

"(e) Whether there are any individuals or organisations of persons whether within or outside Uganda who are criminally responsible for the disappearances or deaths of the missing persons and what should be done to the persons criminally responsible for such disappearances or deaths."

During our discussion of each subject we tried to indicate, in the light of the evidence which was available, the circumstances in which the individual disappeared or died; at the same time we also endeavoured to pin-point any person or institution who might have been responsible for the unlawful disappearance or death of the subject concerned. It will be noticed that throughout we made use of the word 'unlawful' and this was deliberate. Criminal responsibility as such is usually based upon the well-known maxim 'actus reus facit reum nisi mens sit rea.' This envisages two requirements, namely, that there must be both a physical element - actus reus - and a mental element - mens rea - in every crime. Mr. Mulenga submitted at length on this topic and, in a very lucid and able address, pointed out various difficulties which are involved in this expression, vis-a-vis our task. We agree with him when he said that we are not vested with any criminal jurisdiction of trying cases and establishing guilt, and he preferred the phrase 'unlawful/...../782.

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*not vested
with criminal
jurisdiction -*

lawful responsibility' instead which would enable us to deal with this issue a little more comfortably. Besides the difficulties to which Mr. Mulenga so ably referred, we would like to confine ourselves to one or two comments only. A study of the case history of each subject would indicate in no uncertain terms that whereas in some cases there was some evidence pointing towards the unlawful acts of a particular person, there was none at all in other cases. We lament the general paucity of evidence in a majority of cases which made our task much more difficult. In other cases, where the clues led to any particular government institution in whose custody the subject was last seen or heard of, the difficulty quite obviously was about the identity of the person who might have been responsible for either ordering the unlawful disposal or the identity of the actual person who carried out such illegal orders for such disposal of the subject.

546. We might also comment on the nature of the evidence which we heard: some was direct evidence and some hearsay. Mr. Emsu submitted that we should not accept or rely upon that part of evidence which was hearsay. The learned counsel obviously forgot that this was a Commission of Inquiry and not a proper trial, and the difference between the two is quite obvious. A perusal of the Legal Notice, which laid down the procedure by which we were to be guided, excluded hearsay evidence 'which adversely affects the reputation of any person or tends to reflect in any way upon the character or conduct of any person' and also 'the expression/...../783.

expression of opinion touching upon the character, conduct or motives of any person'; but we were given an overriding discretion to ever admit such evidence as was excluded where we considered it essential to ascertain the truth of the matter into which we were commissioned to enquire. If the rules of evidence as laid down in the Evidence Act (Capt. 43) were to govern such inquiries it would be virtually impossible, in view of the numerous restrictions concerning admissibility and relevancy of evidence etc., to make any headway at all. It is for this reason that hearsay evidence has always been admitted and, as will be seen from the manner in which we approached and tackled such evidence, we were fully alive to the dangers of relying upon it wholesale and, wherever possible we endeavoured to subject such evidence to close scrutiny and also, wherever possible, looked for corroboration for the same. This may not have been possible in all the cases but we treated such evidence with the care and caution that it deserves.

547. Having said this much about the legal aspect of 'criminal responsibility', we should like to add that what we think we succeeded in achieving to pin-pointing individuals or government establishments whose involvement in the disappearances or deaths of the subjects was manifested in the evidence which we heard; in other words, those who were implicated in the unlawful disappearances or deaths of those people. We agree with Mr. Mulenga that the expression used in (c) can only be judged and established by a court of law after a full trial.

548. We dealt with 306 cases and received written memoranda in respect of two other persons, thus making/...../784.

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making the total of subjects 308. We should first like to set out the details of these disappearances month-wise and for this purpose we think that the table below will give the figures fairly clearly. This table is based upon a breakdown of the subjects according to their actual date of disappearance, a list of which is appended to the indices: (See p. 820)

MONTH	1971	1972	1973	1974	TOT L
JANUARY	22	7	10	3	42
FEBRUARY	8	2	8	2	20
MARCH	13	-	1	1	15
APRIL	12	-	1	1	14
MAY	1	1	-	2	4
JUNE	11	6	3	1	21
JULY	35	5	-	-	40
AUGUST	2	5	14	-	21
SEPTEMBER	1	67	4	-	72
OCTOBER	1	33	10	-	44
NOVEMBER	1	4	3	-	8
DECEMBER	2	4	1	-	7
TOTAL	109	134	55	10	308

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549. The breakdown of the total of 308 is as follows:

(i)	Soldiers	-	93
(ii)	Police	-	49
(iii)	Prison Staff	-	13
(iv)	Others	-	<u>153</u>
			<u>308</u>
			=====

Soldiers - 93
Police - 49

550. For the ease of reference we give below another table

showing the establishment to which we were able to trace these subjects, that is, detention in any government institution, those who fled the country, those who were engaged in guerrilla activity and lastly, those about whom we were unable to establish the identity of the persons responsible for their disappearances:

TRACED TO:	CIVILIANS	POLICE STAFF	PRISON STAFF	SOLDIERS	TOTAL
1. ARMY CUSTODY	54	12	1	3 ⁽¹⁾	70
2. <u>MILITARY POLICE</u>					
(a) <u>MOR</u>	1	2	-	-	3
(b) <u>MOR</u>	1	-	-	-	1
(c) <u>Kakindye</u>	13	12	9	-	34
(d) <u>Lira</u>	1	-	-	-	1
3. <u>PUBLIC SAFETY UNIT</u>	4	11	-	-	15
4. <u>ARMY PERSONNEL FROM UNIT</u>	-	-	-	87	87
5. <u>FLED COUNTRY</u>	2 ⁽²⁾	-	2 ⁽³⁾	-	4
6. <u>GUERRILLAS</u>	14	-	-	-	14
7. <u>UNKNOWN</u>	51	12	1	3	77
8. <u>OSU</u>	2	-	-	-	2
TOTAL	157	49	15	93	308

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Foot Note *(1) Subject No. 9, Lt. Sikony Mwaka
Subject No. 59, Capt. Mhonyi Mvudira
and No. 69, Capt. Lukusonga.

Foot Note *(2&3) Subjects No. 9) and 294, 295 and 307.

(*) See p. 830 for breakdown figures.

551. Based upon our findings, we recommend that in the following cases further investigations should be made under the general directions, but at the absolute discretion, of the Director of Public Prosecutions as we feel that the culprits may possibly be tracked down:

cell for further info

- (1) Subject No. 12 - Dahil Hassan
- (2) Subject No. 22 - Juveniah Mureho
- (3) Subject No. 30 - Christopher Sewandigi
- (4) Subject No. 34 - Benedicto Kiranuka C.J
- (5) Subject No. 43 - Anna Kampi
- (6) Subject No. 5 - Joseph Mukasa
- (7) Subject No. 81 - Rashid Sururii
- (8) Subject No. 90 - Benjamin Odur
- (9) Subject No. 133 - Michael Opetto
- (10) Subject No. 140 - Alfred Opori
- (11) Subject No. 214 - George Olong
- (12) Subject No. 215 - F.C. Owaka
- (13) Subject No. 249 - Capt. Welukusonga
- (14) Subject No. 268 - Alfred Rubashoka
- (15) Subject No. 269 - Azalia Kabaterine
- (16) Subject No. 270 - Esamu Kibehereye.
- (17) Subject No. 272 - Africano Arikigamba
- (18) Subject No. 279 - RHC Kibera
- (19) Subject No. 280 - Police Sgt. Onk.
- (20) Subject No. 281 - Police Sgt. Opira
- (21) Subject No. 282 - Det. Constable Okello
- (22) Subject No. 283 - Det. Constable Onyachi

- (23) Subject No. 281 - Det. Constable Ochiti
- (24) Subject No. 285 - Det. Constable Okuma
- (25) Subject No. 286 - Det. Constable Onok
- (26) Subject No. 288 - Head Constable Opiya

552. We recommend that in the following cases the Director of Public Prosecutions should at his discretion consider any possible charges as revealed by the evidence and in the light of our findings against the persons shown opposite each subject as they seem to be implicated in their disappearances:

Lists those implicated for prosecution

<u>SUBJECT NO:</u>	<u>PERSONS IMPLICATED:</u>
Subject No. 2 Geresom Wedakule	Lt. Muovu and Said Omari
Subject No. 7-D/DSP Nelson Ochant	UA 6111 Cpl. Okello.
Subject No. 8-Joseph Ouma	UA 12116 Sgt. Abdu Sulomani Semakula
Subject No. 16-Everest Mulekezi 17-Onesimus Nshakanabe 105-Supt. Apunyo	)- Lt. Col. Toloko.
Subject No. 24-Katayo Kandeke 24-Girigiri Kateera	)-UA 7911 WO2 Jackson Smart.
Subject No. 55 - Capt. Adeni Audria	UA 8179 WO2 Abdu Ismael
217 - Ismail Oyam	)- Capt. Juma.
Subject No. 70 - Ezera Malobo (dec'd)	
71 - Amisi Sendoweza	
73 - Mohamed Kitayimbwa	
74 - Musulim Luboga	
75 - Badru Kyeyuni	
76 - P/C Obayo	
Subject No. 89 - Levi Jackson Omara Ehek	UA 5871 L/Cpl/William Isabirye - alleged dead but will have to be confirmed from Army Records)
Subject No. 92 - Absalom Otim) Cpl. Okello of Malire
93 - Ben Otim	
94 - George Cleop	
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Subject No. 99 - John Okuja) - Lt. Malumoso
Subject No. 110 - Misaki Onyik) - Lt. Malumoso

Subject No. 102 - Geoffrey G...)
 Owner Plot

Subject No. 103 - Okello Okumu)

Subject No. 104 - Henry Oketta) UA 12648 Cpl. Ahamed Ali
) Wila

Subject No. 195 - Tobias Oket) UA 12686 Cpl. Safi Onziga

Subject No. 213 - Ephraim Mdenya) UA 15432 L/Cpl. Abdunuru
) Paskali Bende

Subject No. 135 - David Omule) UA 8638 Cpl. Ismael.
Subject No. 148 - Akiofiri Mukama)
Subject No. 149 - Damuzungu)
Subject No. 150 - Ntalo Mamudia) Lt. James Biansi Obbo
Subject No. 294 - Isabirye Ntalo)

Subject No. 151 - David Waize) UA 7470 Cpl. Otuko of
) Bende Training Wing.

Subject No. 153 - Yekonia Okel) UA. Cpl. Ahamed Ali Wila

Subject No. 250 - George Wilson Kayemba)
) Capt. Kiryona Magassi.

Subject No. 255 - James Byansi) DCP Ali Toweli & SSI Obura

Subject No. 271 - Blasio Ntundubyere - Cpl. William of Simba
) Battalion

Subject No. 287 - 7952 W/PC Achieng - DCP Ali Toweli

Subject No. 291 - Esteni Myarubona)
Subject No. 302 - Odongo Karanda) - UA 8255 Sgt. Jackson
) Smart.

For terms of reference (f)

See 3.781

"(f) What should be done to the affairs and families of the missing persons bearing in mind the provisions of Decree No. 20 of 1973"

553. Decree No. 20 of 1973, which became operative on 1st October, 1973, deals comprehensively with the management of the estates of the missing persons. An application to court for the appointment of a manager with the concurrence of the family could be made after six months from the date on which the person was reported missing. Under section 1(6) of the Decree, provision was made in respect of the estates of missing persons where no such application was made after a period of 12 months next following the date of disappearance of the missing person in which case the Administrator General, if he thought it was in the public interest so to do, could apply for an order to manage the estate. Under section 19, the period for the presumption of death of such a missing person was fixed at three years beginning with the date of the disappearance of the missing person.

554. From the evidence that we heard, it appeared that many wives of such missing persons did not know of the existence of this law, with the result that very few applications for the management of the estates of their missing husbands have been filed. In some cases the period of three years has already expired and, under section 19 of the Decree, those people would now be legally presumed dead. In such cases, it would appear that a representative of the family would have to apply for letters of administration. We are of the opinion that the Administrator General should devise ways and means, if not done already, of giving the law with

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regard to the new court orders concerning the estates of missing persons under Decree 20 of 1973 and letters of administrative order under the Succession Act or the Administration of Estates (Small Estates) (Special Provisions) Decree No. 15 of 1972, extensive publicity in all the provinces so that the people concerned may understand the legal machinery by which they should be able to get the appropriate orders from courts and manage the property of such missing persons and also such of them as may now be presumed dead. It was due to the ignorance of these laws that many families did not take any steps at all in this direction.

555. One difficulty which we saw during our sittings concerned the personal property of a number of subjects which was either left in the barracks or was alleged to have been taken away from the families when they were leaving the barracks. We should like to emphasize that the personal property we are now speaking of is confined to the soldiers only and we would add that the distinction which Lt. Col. Mendó (W.377) drew between the loyal and the disloyal soldiers was not applied to the personal effects of the soldiers. We heard evidence from witnesses that in all the barracks, without exception, the families of such soldiers were given bus warrants and allowed to leave the barracks with their personal effects. There was in a majority of cases the families were able to leave with all their personal effects, in a few cases where, for instance, the soldier was a bachelor or being married, his family was at their village home, and was living alone, the personal effects of such soldiers were

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apparently I had their relatives I went to the bank and with the police went there. Again in a very few cases the police could not snatch more and had to be very careful to find out as they were leaving the barracks and in the area, where the buses carrying them. British were stopped at an Army road block at Karachi, some soldiers took away some of the personal effects from the buses. In another case in Dacca, Bangladesh, we were told that the soldiers, who shot and killed the British on 21/10, went back to his quarters and took away all his personal effects in the presence of his relatives by the way.

556. For the effective control of such situations recurring, we recommend that in the case of a missing serving officer/other before his family is required to quit the barracks, a full and proper inventory of the personal effects be made by the relevant authority and a copy handed to the family concerned after acknowledging receipt thereof. In the case of bachelors or others not having any member of their families living with them, an inventory should accompany the property when sent home, as is being done in the police force. Alternatively, the same procedure should be adopted when any of their relatives calls for his personal effects.

557. Besides what we have said about the personal property of the soldiers, there were also the motor vehicles of some civilians whose arrest and subsequent disappearance was due to the involvement of either soldiers or the police.

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558. Those personal effects and the vehicles formed part of the collection of the subjects and their families were entitled to the benefits of these properties as part of the estates of the various subjects.

559. Listed below are the goods in which the personal effects of the soldiers from barracks were lost in the manner aforesaid:

<u>SUBJECT</u>	<u>ETHNIC</u>	<u>PROPERTY</u>
No.9 - Lt. Sibongil Mweka	African	Some personal property.
105-S.P. Anungu	Swahili (Kisumu)	All personal property.
114-Cpl. Samuel Gidi	Swahili	None, Red.
122-Pte. Mathew Okony	Malire	All personal property.
124-Cpl. Philip Aluanga	Malire	All personal property.
125-Lt. Wilson Gibson Ogwal	Swahili	Shs. 5/-/gram and all property.
129-Pte. Alfred Guelio	Malire	All personal property.
139-Lt. John James Okodi	Kenyan	Household property.
154-Pte. Levi Obeng	Kenyan	All personal property.
156-Pte. Yovani Okulu	Swahili	All personal property.
158-L/Cpl. Yuventino Okulo	Swahili	All personal property.
160-UO Capt. Frederick Henry Ogwal	Malire	All personal property.
165-Pte. Leo Shaban	Swahili	Recordplayer.
169-RSM Elinzeri Otuchi	Malire	Car, registration No. unknown.
182-Pte. Faustino Akoro	Swahili	All personal property.
199-IA 5011 Pte. Alfred Baiyi	Swahili	All personal property.
201-Pte. Donato Odur	Kenyan	Recordplayer, and radio.
205-Sgt/Major Rudendo Odoch	Swahili	Property worth Shs.1000/-
206-Pte. Erubulano Odur	Kenyan	All personal property.
227-Lt. Keneri Ogot	Kenyan	All personal property.
242-IA 5353 Sgt. Alfred Ocen	Swahili	Property worth Shs.3000/-.

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560. The names of the various other subjects mentioned are as follows:

<u>SUBJECT No.</u>	<u>NAME</u>	<u>VEHICLE</u>
5	Inspector Gumo	Sison UHQ 528.
35	... ..	BMW UUM 579.
45	Dr. Rikito Kizsa	Anglia UHZ 563.
55	Captain A. Avulrin	BMW No. not known.
139	Lt. John	Citroen USY 317.
145	... ..	Isuzu Tipper UVE 831.
160.	MC. 45 Henry	Ford
217	James	BMW UUY 832.
220	... ..	... .. 456
249	Cpt.	Audi unknown.
250	... ..	Ford 204 No. UYY 425.

561. The very root of this problem is that the families concerned are, as of right, entitled to the possession of all these properties and vehicles unless some were bought on any loans which might still be outstanding but which we doubt. It would be unwise to go any further, for doing so would be converting ourselves into a tribunal of another sort, and considering those who took away these properties did so in their individual capacity or were acting in the course of their employment whereby the employer will be vicariously liable for making good that loss. That discussion is not within our province, but we would say that the families concerned should first of all be guided to make appropriate applications to court and upon the appointment of a manager or an administrator, as the case may be, for such managers or administrators to take up each case with the relevant authorities for the return of these items of property within the estate of the subject concerned or for some compensation in lieu thereof.

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562. We should also mention here the 500 odd detainees

who were kept at Luzira by virtue of Decree No. 7 of 1971. As we have already seen, that Decree was finally amended by Decree No. 31 of 1971, whereby those detainees were to be detained "up to the 12th day of December, 1971". It is manifest that the provision of a specific date up to which they were to be held in custody was deliberate and a decision for fixing such date must have been taken after considering what the Government intended to do with them. According to Ex.124 it was not till 28th December, 1971 that they were transferred to Mutubola Army Camp where Lt. Albert Drajua stayed guarding them for another week till Lt. Richard came with a platoon. In other words, these detainees were detained for about a month after the final date for their detention had expired, and this made their continued detention after the 12th day of December, 1971 without having any legal backing. We recommend that the Government considers making an ex-gratia payment by way of compensation to the families of such detainees who were held in continued detention long after the final date, that is, 12th December, 1971, had expired. We may comment that the GSU personnel as listed in Ex.125 were transferred to Murchison Bay Prison but we did not hear evidence about what subsequently happened to them; but the fact remains that they too could not have been kept in detention for a day longer after the 12th December, 1971.

563. Turning now to the families we readily confess

that this is a very difficult subject. We had the sad and unforgettable experience, when listening to the evidence, of sharing, if not actually living through,

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the moments of anguish, distress and hardship through which every family went, when these incidents occurred. The end result was that many married women who lost their husbands became widows, some of them at a very young age but with a few young children to look after. The number of children who lost the love and affection of their fathers is very high. Another sad twist to this tragic tale of woe and misery was provided by the traditional custom where a widow is required to remarry one of her brothers-in-law, upon her refusal to do so, we heard evidence that she was ostracised and the children taken away from her. Therefore we would not like to comment on the traditional custom as such, we would say that in the very few instances which came to light before us it added insult to injury and the widow concerned not only had to bear the misery and grief of having lost her husband but also her children and a roof over her head.

564. The problem involved is enormous; on the one hand we have the women and on the other the children with no satisfactory arrangement for their maintenance or livelihood. We may categorize the women into two, those fairly advanced in years who have grown-up children with some earning capacity and established homes which they have not been forced to quit. This category does not seem to offer much problem except where the children may be many and young of school going age. The second category of women is the much younger type with young children to bring up, and we think that their main concern is the future and welfare of the children, rather than their desire to remarry which they can at any time; some women have already remarried. Even the relatives, who are not

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so well to do and have their own family commitments, find it difficult, if not a complete burden, to make contributions towards the upkeep of such families. In the final analysis we think that the elder women may be well looked after but not the younger ones, and we also think that the problem posed by the children is common to both categories of women.

565. We would say that this is a great social problem of considerable magnitude. If these children are to become useful citizens of tomorrow then they should not be forgotten now, and now is the time to mould their future and their careers in a manner which will turn them out as useful citizens years from now. But if they are forgotten now, we can rest assured that we shall have a legion of destitute and, perhaps unwanted, orphans who will in a very short time become a nuisance to the society which will ultimately be held responsible for its failure to cater sufficiently for their future. We think that it will be unconscionable to make any child of a missing person, be he a soldier, a civil servant or civilian, a guinea pig or scapegoat for any wrongful or subversive activities of his father. That distinction based on loyalty and disloyalty would not apply to these orphans and indeed we heard evidence from Big. Ali Fadul that, after the Invasion, he reinstated Bananuka's family in their home, which was a commendable thing to do. Therefore all these children must be dealt with on the same basis. The question which arises is what is to be done with them. Some families may have, after obtaining appropriate court orders either under Decree 20 of 1973

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or any other, qualified at all to which can be use-
fully employed in assisting their children. What we
are worried about are the children who come from families
which are poor and the estates left by their fathers are
of no consequence.

566. Our first recommendation, therefore, is that a
census could conveniently be made with a drive to
register such children who are in dire and urgent need
of assistance. This could be done through the Ministry
of Culture and Community Development. The full extent
of the problem will then be known.

567. We are of the opinion that the entire Nation should
be involved in finding a solution to this social
problem. After the census is completed and the numbers
known we recommend as the next step a general public
effort to raise funds. We would lay special emphasis on
this because the drive begins at here. The Govern-
ment should launch a public appeal for raising money and
other National, political and religious institutions
should be asked to offer assistance in any manner
that they possibly can. We think that such appeals
should not be the first and the last but should be kept
alive by periodic reminders to the public. The National
charitable organizations in this exercise would also
include such service institutions as the Lions Club and
the Rotary Club, which should be asked to participate
fully and actively in either raising funds or making
alternative contributions which can usefully be employed
in educating these children, such as building schools and
hostels etc. If all the local means have been exhausted
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and a estimate of the gross collection made, we recommend that further assistance be sought from bodies of the United Nations which deal with the welfare of children throughout the world. And lastly we recommend that the Government appoint a committee of experts to control these resources and funds on a trust basis so that they are properly channelled and employed in the general welfare of such and other destitute children with particular emphasis on education and vocational training.

568. Another recommendation which we should like to make is in respect of such families as may have no other visible means of subsistence and have been living on such charity of relatives as may be available for the Government to consider making small allotments of unused land which could be utilized by such families not only for subsistence farming, but farming on a commercial scale. They could be established on such allotments initially on Government loans or grants repayable on easy terms.

569. We now come to our last term of reference (g) which reads:

"(g) That should the Government do to put an end to the criminal disappearances of people in Uganda."

We have tried to set out the most prominent and salient aspects of the problems in the synopsis based upon the evidence concerning the 308 cases that we dealt with. We do not propose now to go into any great details but will, wherever necessary, try to explain our recommendations. Having said this we recommend:

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*Reorg-police
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573. Everything possible must be done to re-organize the Police Force with special emphasis upon restoring morale and confidence within the Force and removing any impression of a "Big Brother" watching it all the time, to enable it to execute its statutory functions and duties efficiently without fear or favour from any quarter. This will involve the Commissioner of Police taking full, comprehensive and effective control of his Force in all its spheres without merely remaining a figure head. A few recommendations in this regard, which we think might be useful in the implementation of this general recommendation, are given below:

- (a) Whereas we fully appreciate the absolute necessity of discipline within the Force, we strongly feel that summary dismissals of officers on the spot in the presence of many others by senior officers is not conducive to the inculcation of the required standard of discipline and, where such dismissals are necessary, the superior officer should always send his recommendations based on the reasons necessitating such dismissals to the Commissioner of Police who would then inform the Police Council for its final decision. Whenever a senior officer is of the opinion that the officer has committed a disciplinary offence that should be dealt with in accordance with the
- Statute in force/...../800.

*- dismissal of
officers*

established procedure laid down in the Police Act and that Standing Orders and a report submitted to the appropriate authority in due course. We recommend also that the practice, which seems to have taken root of condemning an officer unheard, which is contrary to the principles of natural justice, cease forthwith.

- (b) No officer, no matter what his rank or the standing in Police Force, should arrest anybody else within the Force on unfounded allegations or rumour mongering.
- (c) The work of the CID, which is of vital importance in investigating cases, collecting evidence and bringing offenders to justice, should not be interfered or tampered with by any officer who is not concerned with the CID. We have in mind particularly the activities of the PSU which calls for files, releases exhibits and deals with suspects in contravention of the law, but where such a course becomes necessary the request for the file, etc., should be made to the Director of the CID giving full reasons for the same.
- (d) An Army Commanding Officer should not involve himself in making an on the spot order trans-

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- Don't arrest other officers on rumours

ferring police personnel from any police station within his area elsewhere but should communicate his request, supported by his reasons, to the Commissioner of Police for appropriate action.

- (e) Where any branch of the Police Force, including the PSU, is approached for personnel for escort duties, details of the mission person to be arrested and the offence which is alleged to have been committed should be made available and recorded in the station diary and the escort should be given proper marching orders. Such cooperation amongst the security forces should not by-pass the chain of command and the superior officer of the agency asking for such assistance should channel the request through his appropriate officer to his counterpart and escorts provided only after approval. Unless such a request is made in an emergency situation when approval may be given verbally, it should be confirmed in writing thereafter within a reasonable period of time; otherwise the approval should always be in writing.

571. The PSU, which was initially formed as an anti-kondo Unit, should be restricted in its activities solely to combating kondoism and no more. It should be made to function under the umbrella of the Police Act and come under the supervision and the control of the Commissioner of Police, to whom the head of the PSU should be accountable for all his actions. We take the view that where a kondo is arrested by this Unit

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his case ought to be investigated by the CID and not by the PSU who, having done its part, should not further involve itself in the subsequent procedures that are necessary to take the man to court. We are also of the view that wherever possible duplication must be avoided as it brings complications and is a strain on man-power requirements. Our recommendation therefore is that the wings of the PSU be clipped considerably so that it reverts to its initial role and functions, and thus refrains from pulling the Government into disrepute. We recommend further that there is no need for turning the PSU into something of the status of the Military Police, within the Police Force.

572. Investigations which are initiated by the

CID should not be made to drop a case because they involve either an army officer or the clues point in the direction of the Army. Where the investigating officer may be scared of proceeding with his investigations for any reasons, the case should first be brought to the attention of his immediate superior officer who should try to take it up with the Battalion or Unit Commander of the area unit, failing to make any head-way, it should then be reported to the Commissioner of Police who should take it up with the Chief of Staff so that the investigations may resume and the offender brought to justice.

573. Arrest of any citizen must strictly be under the laws of the country, and the 14-hour rule

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must be complied with always, no matter what the circumstances or the status of the prisoner. Under this general heading, I command further;

- (a) No member of the security forces should arrest a citizen on unfounded allegations or for the sake of expediency, e.g. to threaten some workers.
- (b) The practice of civilians using soldier friends or relatives to arrest other people in satisfaction of personal grudges or the settlement of old scores ought to be condemned and discouraged completely. In such cases the complainant should always be directed to the nearest police station. In cases where a complainant reports to the military police of having had no satisfaction either from the police or his chiefs, the military police should act only after confirming that the information given by the complainant is true and, having acted, should strictly follow the provisions of Decree No. 19 of 1973.
- (c) Whenever an arrest is to be made by a soldier other than a military policeman in uniform the soldier should be accompanied by a policeman from the nearest police station or the chief of the area concerned who should keep proper records of the identity of the soldier, the suspect, reason for the arrest and where he is to be taken.

10/10/1974

Arrests of
civilians

Likewise, where prisoners are taken to any police station by a soldier other than a military policeman in uniform the soldier must produce his identity card and make a full statement concerning the arrest and the offence which the prisoner is alleged to have committed and the police station must make appropriate entries in its station diary. Where any arrest is made by a chief or any other civilian the same procedure should be followed.

- (d) Where a security officer, like an Army Intelligence Officer, wishes to use a police constable to effect an arrest on his behalf, proper entries of the identity of the officer concerned and the person to be arrested and the offence which he is suspected to have committed must be made in the station diary and the same should be done when the person has been arrested by the constable and handed over to the security officer who should acknowledge receiving custody of the prisoner in the station diary, stating also the destination to which the prisoner is to be taken by him.
- (e) Any Army Officer, other than a military policeman, wanting to arrest a policeman, prison staff or any civil servant, should adhere to the proper chain of command i.e., he should inform the immediate superior officer of the person to be arrested, the District and

provincial/..../805

Provincial Officers and the Governor, stating also the reason for the arrest and the destination to which the prisoner is to be taken.

- (f) Where any civilian is arrested by any Army Intelligence Officer the arrest must be reported to the nearest police station together with the prisoner, and the procedure which we have stated above of keeping proper entry in the station diary should be complied with.
- (g) High ranking Military Officers are also bound by the law and they too should strictly comply with all these provisions when arresting or ordering the arrest of anyone.
- (h) Military policemen should not arrest any policeman or other civil servants for disciplinary offences but should report such cases to the Provincial Police Commander or the Governor. The same applies to Police Officers who ^{should} desist from arresting others for disciplinary offences for which sufficient machinery exists to deal with them. Under no circumstances should people arrested for such disciplinary offences, which is unlawful in any case, be retained at the Military Police Makinje or other Army Units.
- (i) Any civilian arrested for any offence either by the police or the military police should

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be detained at a civilian place of detention, unless the offence is such as is triable by a Military Tribunal in which case he may be detained at a military police institution under the provisions of Decree No. 19 of 1973.

- (j) Surreptitious arrests of citizens should be avoided, particularly in respect of officers in the Services and the civil service who are known and are actually on duty, unless there is credible information before hand that the man concerned is about to escape.
- (k) Prisoners in police custody should not be removed by soldiers for interrogation or other reasons unless such removal is authorised by the Commissioner of Police after a request has been made to him by the Chief of Staff. In other cases where the prisoner is liable to face a Military Tribunal and has not yet been taken to court he may be handed over to the Military Police after proper entries have been made in the station diary as aforesaid and thereafter be dealt with by the military police under the provisions of the Decree No. 19 of 1973.
- (m) In all cases where a citizen has been arrested either by the police or the military police for an offence triable by the civil courts the 24 hour rule must always be strictly complied with.

- (n) Members of the Security Forces, when out on a mission in mufti to arrest someone, should first report at the nearest police station and an entry should be made in the station diary regarding their identity and the nature of the mission. Having made the arrest, they should report back to the same police station with the prisoner whose particulars should be recorded in the station diary together with the destination station. The police station should inform the destination station immediately by RT of the departure of the arresting officer and the prisoner with full details and with copies to the Commissioner of Police and the Provincial Police Commander, and ask for a confirmation of arrival which the destination station must give immediately the prisoner is received. In case where the destination is a Military Police Unit, the police station should send a similar message to the Unit concerned which should confirm the arrival of the prisoner to the police station of origin.
- (o) Where prisoners in police or military police custody from one area are to be transferred to another for one reason or the other the procedure which we have set out in (n) above should be complied with.

574. No person arrested for any offence under the laws of the country should be treated in an inhuman manner. People concerned with law enforcement must appreciate that they are dealing with human beings like

themselves and, if they do not know it already, we recommend that they be taught that a prisoner taken by them for contravening the laws of the country is entitled to fair and humane treatment and, where he is to be transported elsewhere, must never be put in the boot of a car. We recommend that those found practising this inhuman and dastardly activity ought to be dealt with severely and even dismissed.

575. Soldier witnesses, and other soldiers required in civilian courts on criminal charges, should be allowed to be served with subpoenas properly and the adjutants concerned should always endeavour that such soldiers duly appear in courts to give evidence or answer charges against them, as the case may be. In cases where difficulties arise in securing the attendance of soldier witnesses or soldier accused the matter should be reported to higher authorities in the same manner as stated in 572 supra.

576. Cases already taken to courts by the police should not be withdrawn on orders of any soldiers or a Commanding Officer without reference to the D.P.F. Where it turns out that such a case is properly within the jurisdiction of a Military Tribunal and a transfer of the prisoner is being sought into military police custody an appropriate application should be made to the court which has taken cognizance of the case in the first place. Otherwise

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the case should be allowed to continue in the civilian court according to the due process of law.

577. The records, such as station diaries and lock-up registers, logs etc., of the inmates at all places of detention like the military police, police stations and quarter guards and prisons, should always be maintained comprehensively, scrupulously and correctly. All completed books of record should be stored in a place of maximum security to avoid damage through any means whatever for future use, at least for the period set out in the respective laws concerning archives.
578. In times of peace and tranquility the Intelligence Section of the Army should not deal with civilians but, where a civilian is involved in certain activities which come within the purview of the Intelligence Section, they should work in conjunction with the police. In an emergency situation the Intelligence Section should similarly work in conjunction with the police who should maintain proper records as aforesaid of any arrests made.
579. Intelligence officers who have worked together for long in one station, like the trio in Gulu, should be split up and transferred separately to other places and should always be strictly supervised by their Commanding Officer. In no case should they be allowed to stay in one place for more than twenty four months.

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580. Whenever cases of abuse of office and authority in unlawfully arresting subjects come to light the officer concerned should be dealt with severely under the laws of the land and he must understand, as Your Excellency has stated time and again, that no one is above the law, and the citizen arrested and detained unlawfully should be allowed the opportunity of seeking redress against such an irresponsible officer in a court of law so that he can expect compensation for the wrong done to him. We make this recommendation keeping in mind the existing restrictions of suing the Government in certain cases but, in view of the high-handed and illegal conduct of certain officers in unnecessarily depriving citizens of their freedom, we recommend that the law providing for the general immunity to the Government viz, Decree No. 8 of 1972, should now be reviewed, as we feel strongly that where such irresponsible officers will realize that they can no longer shelter under the general immunity they will surely desist from such unlawful arrests and detention.

581. Relatives of people detained at any place of detention, be it civilian or military, should be allowed to visit them within a specified period of time. Where a person is detained on security reasons the relatives should be allowed to see him in the presence of a security officer.

582. With regard to the Detention (Prescription Of Time Limit) Decree No. 7 of 1971, as amended by

decrees No. 15 and 31 both of 1974, the detainees were to be released "up to the 15th day of December, 1974". According to what we heard they were still in detention till 28th December, when they were transferred to Mutukula and for some time thereafter. We recommend that where time is specified for detention of persons that time limit must be honoured by the Government, and the legal procedure of the review of detentions as already provided for always complied with.

583. During evidence we got that in taking away a subject the captors were invariably carrying arms. Besides the security forces, we got the impression that there were still quite a lot of illegal arms within the country left either by the guerillas, members of the now defunct GSW and also some soldiers who deserted after the take-over. We have two recommendations to make in this respect. The first which concerns the illegal arms, we recommend that the Government seriously consider another amnesty in respect of people who hand in such arms, possibly with a small reward. With regard to the security forces we recommend that the use of arms in effecting arrests should be strictly controlled. Where a suspect is known to be unarmed there is no need for the arresting officers to be armed and, in cases where the security officers are faced with dangerous criminals or armed persons, we see nothing wrong in the security officers carrying arms but only reasonable

force should be used in effecting the arrest. In times of peace and tranquillity we recommend that security officers concerned with detection of crime or arresting criminals should not normally be armed. This recommendation of course does not affect any emergency situation where such officers have of necessity to carry arms in the defence of the country.

584. Where a kente is killed during an operation or someone dies in any other lawful operation or during an accident and the bodies are taken to the mortuary, we recommend that their finger prints and photographs be taken by the police for establishing their identity.

585. Reports of the coroner should be made in cases of dispute over the identity of a body which the police are unable to resolve and the body handed over in accordance with the coroner's ruling.

586. The Quarter Master General, Police Workshop and other Government Departments should always maintain accurate and up-to-date records of all vehicles in their respective departments, and particularly the Quarter Master General's records of army vehicles using civilian number plates must correspond with the records maintained by the Central Registry of Motor Vehicles.

587. The procedure of issuing new number plates by the Central Registry of Motor Vehicles should be up-dated and stringently controlled to avoid

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either double issues of number plates or misuse of number plates from one vehicle to another. We also recommend that the police investigations which were handed over to SSP, Salween by Inspector Kern should be revived and, wherever evidence so demands, people involved in those illegal activities be prosecuted for offences as disclosed by the investigations.

588. The record of personnel of all the services must be kept up-to-date and every effort must be made that information from other institutions of any officer missing through any cause is supplied to the Headquarters within as short a period of time as possible. Next of kin of the missing person must always be informed immediately, irrespective of the manner in which the officer disappeared or died. Every effort should be made for the board of inquiry to sit whenever a soldier is reported missing.

589. An inventory of the personal effects of a missing officer, or who may have died through any cause, should be prepared by the superior officer in the presence of the family members before they are asked to quit the barracks and they should be made to acknowledge receipt of the personal effects. In cases where the serving officer lives alone, within or outside the barracks, an inventory should be prepared and the property stored in a safe place till his next of kin, who will have been informed of his disappearance under the previous recommendation, calls to collect the property.

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590. The District and Provincial Security Committees should play a full and constructive role in controlling any unlawful disappearance of citizens and the chairman of such committees should take immediate action with higher authorities whenever other members of his committee, either through their indolence or indifference or fear, refuse to brief him properly and ultimately is controlling such incidents.

591. The Ministries of Internal Affairs and Defence should also acquit their duties efficiently and diligently in dealing with complaints made to them by members of the public and, where they find that they cannot effectively control the situation, they should at once brief the Cabinet and the Defence Council comprehensively so that the Government devises ways and means of controlling the situation before it becomes too late.

592. In our opinion most of the problems arise due to ignorance of the various provisions of the law governing the arrest, detention and

prevention/....815

prosecution of offenders. We recommend that such officers as are concerned with the administration, enforcement and maintenance of law and order should undergo a crash programme of legal training especially designed to meet their requirements in the proper, efficient and legal execution of their duties.

593. Lastly we should, with great respect, emphasize Your Excellency's repeated calls to the Nation, particularly those in the Security Forces, of being always guided by the three attributes of Loyalty, Discipline and Respect; Loyalty to the country and what the Government stands for; Discipline amongst their ranks of not only strictly following orders but carrying out their duties lawfully in accordance with the laws of the country, and Respect not only for each other but the general respect for the dignity of humanity as a whole, the fundamental rights of the citizens and for the laws of the country which do not discriminate amongst citizens and apply just as much to the rich and mighty as to the lowly:

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599. Nothing now remains except to take leave of this Inquiry which has been long, taxing and, at times, very emotional. As we will now return home we had the unforgettable experience of sharing a little of the emotional outbursts of some witnesses, who gave evidence in tears. Before we finally put down our pens, we should like to recall the general mandate which Your Excellency gave to us "to leave no stone unturned" to ascertain the truth about this source of dispute among within the country. We also recall the words of the Hon. Minister of Justice in his opening speech when he spoke about the importance and significance of this Inquiry to the Country and the Nation as a whole. Throughout this monumental task we were guided by the principle and, we think, we have come to lay down the following, we believe in the firm belief that we have discharged our duties in complete satisfaction of our conscience and in strict compliance with Your Excellency's directives as contained in Appendix 9 and the Legal Notice.

595. We should like to express our heart-felt thanks to Your Excellency's Government for putting at our disposal all the files of the previous investigations carried out by the CID, which made our task much easier in getting the witnesses. The Provincial Governors and the District Commissioners of the areas we visited assisted us tremendously in making arrangements for our sittings and generally looking after our comfort, for which we are most grateful. We owe special thanks to the various Commanding Officers for their cooperation and assistance.

This/...../817

596. This inquiry could not have been possible without the witnesses. Your Excellency's assurances for their protection in a consultation and personal safety went a long way in removing any fears which such witnesses might initially have harboured, and we were fortunate to have had an over-all turn out of 545 witnesses. To all these witnesses we owe a debt of gratitude for, without them, it would have been impossible to make any headway at all.

597. We should not forget the secretaries who worked long and tireless hours in preparing the transcript of the proceedings during the spring of 1986, split up into seven volumes, and we should like to put on record our appreciation for the wonderful job done by them. This work involved a team of technicians from Radio Uganda who worked on the tape recording machines, not always under comfortable conditions, and without their participation the task of recording the voluminous evidence would have been simply impossible. We are also grateful to our personal secretaries who were responsible for the final preparation of the Report, without whose assistance it would have taken a much longer period of time in compiling it. To our secretary, Mr. Muzirho, we have a special word of thanks for all his efforts in everything he did to make our work that much easier.

598. We should like to express our unreserved appreciation for the tremendous work done by our counsel, Mr. Mulamba, and the Government counsel, Mr. Emeau, who worked unceasingly and, through their perseverance, refused to be overwhelmed by the magnitude

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of their assignment. Without their loyal effort and assiduity we could have been lost in the maze of witnesses and testimony. At this stage we should also say a word of thanks for the hard work and excellent results produced by our counsel's investigating team who worked round the clock in following up clues and gathering as much evidence as was humanly possible.

599. Our thanks are due also to the Chief Registrar of the High Court for the use of the cyclostyling machine, and for providing us with the services of its operators, to whom also we are grateful.

600. We should not forget the Government Printer who found time at short notice for his part in the transcript of the report of this Report.

601. It is impossible for us to mention everybody by name or title who have made it the satisfactory progress of the inquiry, and we should like to say how very grateful we are to all such persons and institutions who contributed to the realization of this Inquiry.

602. And lastly we should take the liberty of expressing our hope that the guarantee given by the Government at the inception of this Inquiry of protection from molestation and personal safety of the witnesses and the Commissioners and those who played a prominent part in this assignment not by Your Excellency will continue in the future so that nobody will ever be able to say that any of them was victimized in any manner for having done their official and official duty in the execution of this Inquiry.

Oct. 4/....A10

Dated at Kampala this 13th day of June, 1975.

Signed:

(MR. JUSTICE M. MOHAMMED SAIED)

CHAIRMAN

(MR. S. M. KYESELUKWA)
SUPERINTENDENT OF POLICE

MEMBER

(MR. A. ESAB)
DEPARTMENT OF POLICE

MEMBER

(CAPTAIN HARUNA)
UGANDA ARMED FORCES

MEMBER

— X —

RECORDS OF DEATHS IN THE SERVICE.

(Details of Table p. 74.)

MONTH	DATE	SUBJECT NO.	NAME		
		<u>1271</u>			
JANUARY	25th	97	UA 6137 Pte. Konstantino Ojok		
		98	UA 6169 Pte Stanley Ojok		
		122	UA 6092 Pte Mathew Okeny		
		124	Cpl Phillip Aluong		
		129	UA 4973 Pte Alfred Okello		
		155	UA 6085 Pte Tom Okello		
		160	NO 45 Cpt. Frederick Henry Ogwal		
		170	Ogyant Otuchi		
		172	UA 6365 Pte Ken Odape		
		176	UA 6051 Jeremiah Ongom		
		177	Pte Lucas Okello		
		179	S/Sgt William Omara		
		180	Christian Obong		
		182	Faustino Akobo		
		237	L/Cpl Cannon Obonyo		
		235	UA 4612 Cpl Alfred Ayo		
		242	Cpl Alfred Ocen		
		243	Martin Okotta		
		244	Iako Okello	(19)	
	29th	240	UA 5525 Sgt Constantino Omaria	(1)	
	30th	169	Ram Eliazari Otuchi		
		245	UA 2277 Cpl Rufus Odvong	(2)	22
FEBRUARY	3rd	136	UA 2020 Cpl Nkonali Opi		
		139	NO 89 Lt. John James Okodi	(2)	
	4th	220	NO 230 Lt. Celestino L. Amone	(1)	
	11th	168	UA 5331 L/Cpl Stanley Otto	(1)	
	14th	101	Charles Olet	(1)	
	20th	18	Henry Sackye	(1)	
	25th	128	Private Leon Otin	(1)	
	Un- known	107	Ikoloomu Ajala	(1)	
					8
				2/F	30

Month	Date	Serial	Name	Rank	Count
MARCH	5th	181	UA 4000	L/Cpl. H. Ogwai	(1)
	11th	194	UA 1761	Lt. Levi Obong	(1)
	22nd	227	Lt. Kenari Okot		
		228	L/Cpl. Yese Anson		
		229	Major J. Okello		
		230	Cpt. G. Okello	(4)	
	23rd	297	Cpt. H. Ogwai	(1)	
	24th	183	UC 345	Lt. Y.L. Obit	(1)
	31st	86	301	John Obong	(1)
	Un-known	184	Sgt. Jonan Otin		
		302	Muno		
303		Ayul			
304		Angor	(4)		
APRIL	4th	239	Sgt. Matayo Opoka	(1)	
	20th	89	Levi Jackson Omara Ebek		
		107	Isaac Oniny		
		108	Cirilo Okoko		
		109	Solonon Awul		
		110	Misaki Onyik		
		111	John Oyite		
		112	Erunasani Ogunni		
	121	Alfred Atine	(8)		
	23rd	61	Michael Egaru		
		95	John Okuja	(2)	
26th	147	D.R. Tamandu	(1)		
MAY	8th	198	Jefania Oola	(1)	
JUNE	19th	131	Cpl. Kostantino Anson		
		158	UA 4080	L/Cpl. Y. Okulo	
		156	Lt. J.H.V. Obwoyo		
		187	Sgt. David I...		
		188	John V. Okello	(5)	
	21st	172	UA 3714	L/Cpl. J. Obong	(2)
194	UA 5003	Sgt. J.L. Obit	(2)		

Month	Date	No.	Name	Count
JUNE (Cont.)	25th	109	Mr. T. ... E. Ogoro	
		116	L/Cpl. Ogori	
		117	Mr. ... Okabo	
		120	D/Asst. ...	(4) 11
JULY	2nd	152	...	(1)
	6th	200	Pte E. Ogor	(1)
	11th	117	...	
		118	...	
		119	...	
		122	L/Cpl. ... Okello	
		134	...	
		137	...	
		140	...	
		162	...	
		163	...	
		164	...	
		165	...	
		200	Pte Nadio Ogor	(12)
	12th	197	UA 5543 L/Cpl T. Ogor	
		218	I/P Wilson Ogor	
		219	Martin Ogor	
		250	Joyce Okello	(5)
		141	UA 4527 Cpl R. Elyong	
	13th	60	John K. ...	(2)
		199	UA 5011 Pte A. Bayi	(1)
	15th	87	D/Asst Gabriel Engol	(1)
	16th	114	Cpl Samuel Okidi	(2)
115		UA 5926 Pte Manani Otim		
18th	173	UA 5938 Cpl Peter Olet		
	174	Ojek Oyanya	(3)	
	175	Pte Olet	(1)	
17th	167	UA 2807 Pte G. ... Otwona		
	106	Pte Nicholas Ogor		
	125	...		
	126	...		
	127	...		
	135	...		
	201	...		
	308	...	(7) 35	

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AUGUST	11th	38	DA 4069 Pte Emeryo Ebong	(1)	
	Un- known	186	DA 5868 Pte Y. V. Si Okulu	(1)	2
SEPTEMBER	31st	109	Faustino Harry Apunyo	(1)	1
OCTOBER	15th	12	Damil Hassan	(1)	1
NOVEMBER	13th	60	John Barijunaki	(1)	1
DECEMBER	8th	79	Edward K woba Masinde	(1)	
	12th	170	Lucas Okello	(1)	2

1952.

JANUARY	8th	148	Akinofori Mwakama		
		149	Dhemaungu		
		150	Ntalo Namudia		
		203	Isabirye Ntalo	(4)	
	12th	217	Icinael Oyamo	(1)	
	20th		Lt. Charles S ikonyi Muka	(1)	
	21st	35	William Hilberforce Kalema	(1)	2
FEBRUARY	23rd	16	Everest Mulekezi		
		17	Ononimus Nshakanabo	(2)	2
MAY	29th	30	Christopher Sewandigi	(1)	1
JUNE	19th	55	Cpt. Adony Avudria	(1)	
	27th	36	George Kaaba		
		202	DA 5797 Pte M. Okulu		
		203	DA 3204 Pte O. Gehaya		
		204	DA 5506 Pte J. K. Otto	(4)	
	Un- known	39	Seaton Ochion	(1)	1
JULY	12th	6	Lt. Col. Valeria Uchima	(1)	
	25th	10	DA 9422 Pte J. M. Mwa	(1)	
				C/F	125

				D/F	125
JULY	31st	5	John Francis Omo		
(Cont.)		230	...	(2)	
	Un-known	205	Sgt. Major M. Oloch	(1)	5
AUGUST	19th	232	John O. O. O.	(1)	
	26th	240	Estoni Nyamken		
		324	Olong ...	(2)	
	20th	39	Yovani Ochoja	(1)	
	Un-known	27	Basan Kabojoza	(1)	5
SEPTEMBER	1st	24	SP ...	(1)	
	7th	276	Jean ...		
		217	Richard ...		
		278	Augustine ...	(3)	
	13th	153	Takou ...		
		214	Oyaso	(2)	
	17th	193	...		
		260	...		
		264	...		
		265	Albert ...		
		267	Edward ...	(5)	
	18th	24	Matayo ...		
		25	Heriberto ...		
		165	...		
		171	...		
		200	...		
		300	...		
		196	Ferny ...	(7)	
	19th	19	...		
		210	...		
		211	...		
		212	...		
		257	John ...		
		269	...	(6)	
	20th	6	Lt. Col. Valerie A. Ochina	(1)	
	21st	94	Chief Justice Ben Kivanuka		
		246	...	(2)	
	22nd	2	L.L. Eganha		
		221	...		
		222	...		

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DATE	NAME	NUMBER	DESCRIPTION	AMOUNT
SEPT (Cont.)	21st	223	...	
		224	F.O. Oelayn	
		225	Alifansio Ovwang	
		226	Jacob Bika	
		227	Julio Peter Abbe	(3)
	23rd	228	Cyrenus Ochieng	
		229	Nikola Oleng	
		230	Zedekia Pasasi	
		231	James Puleosha	
		232	Sivilo Gwang	
		233	Rev. Anasi Kwabatuzi	(6)
	24th	234	David Oatle	(1)
	25th	235	Yehosh Akel	
		236	Bob Kenneth Oketta	
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26th	248	...		
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Month	Date	No.	Name	Count	Total
OCTOBER (Cont.)	5th	27	Stephen Ocho		
		279	R. K. K. K.		
		280	Sgt. Cook		
		281	Sgt. Opira		
		282	P/C Okallo		
		283	P/C Onyach		
		284	DC Cehiti		
		285	DC Okasa		
		286	DC Onok		
		287	T/Pc Achiro		
	288	P/C Opiya			
	292	Mr. Mbirika	(12)		
	6th	83	Haji Ali Bulunya	(1)	
	7th	70	Esara Jaloba		
		71	Amisi Sandomaza		
		73	Mohamed Kitapimba		
		74	M. M. M. M.		
		75	Babu Kyeguna		
		76	P/C Abayo		
		190	R.L.C. Poromoyi	(7)	
15th		208	G. J. Oboda	(1)	
18th		37	Jasa. Tuogi		
		140	Alfred Opori		
	271	Bulanyiye Ntundulyere	(3)		
	19th	48	P/C Aramo		
	151	David Waise	(2)		
20th	268	Alfred Rubashok	(1)		
23rd	64	Obongnam	(1)		
Un-known	49	P/C Rutengo	(1)	33	
NOVEMBER	2nd	33	Solevesta Kalyegira	(1)	
	13th	28	Daniel Ajunabo Wandera	(1)	
	18th	259	Ben Ochan	(1)	
	Un-known	288	Jesu Sylvano Biambwenda	(1)	4
DECEMBER	2nd	77	John Baptist Kanasa		
		292	Iwasa	(2)	
	27th	298	Fire Cpl. Abemerike Otuda	(1)	
	Un-known	192	UA 1522 Pte M. Yamba	(1)	4
				C/F	243

			<u>1973</u>	B/F 243
JANUARY	2nd	50	David Ochaya	(1)
	4th	2	Geresomu Wadhakule	(1)
	9th	46	Charles Saerukeera	(1)
	10th	78	Gonzalez Muyenzi	(1)
	14th	32	Caxton Njuki	
		145	Natalio Masaba	(2)
	25th	110	George Waize	(1)
	29th	80	DSP Clement Ebokorait	(1)
	30th	21	Samuel Kwaadha	(1)
	31st	85	Paulo Kizza	(1)
				<u>10</u>
FEBRUARY	5th	31	Paulson Kanyogote	
		90	Benjamin Bonafesi Odur	(2)
	6th	132	Alfred Olwe	(1)
	7th	1	Joseph Muzembe	(1)
	15th	133	Michael Opeto	(1)
	18th	274	Edison Salinda	(1)
	19th	62	Dr. M. Obonyo	(1)
	Un- known	275	John Miviiri	(1)
				<u>8</u>
MARCH	2nd	45	Dr. Edward Kizito Kizza	(1)
				<u>1</u>
APRIL	23rd	72	David Livingstone Kazibwe	(1)
				<u>1</u>
JUNE	2nd	7	DSP Nelson Ochait	(1)
	8th	280	Sgt. Opira	
		250	George Wilson Kayemba	(2)
				<u>2</u>
AUGUST	5th	65	Stephen Kulu	
		66	DSP Odur	
		67	DSP Okello	
		68	SIP Otto	
		69	DSP Ociti	(5)
	7th	43	Anna Kumpi	(1)
	13th	53	Joseph Ndyahikaki	
		54	Hassan Mumbwa	(2)
	16th	255	James Nyandi	
		4	Kwawo Ntalo	(2)
				<u>2</u>
				C/F 266

AUGUST (Cont.)	21st	30	Lt. Col. Kukuikire		
		40	R/AF Margaret Hatuma	(2)	
	23rd	21	Uari Mbulindi	(1)	
	26th	27	Lt. Basil Isaac	(1)	14
				<hr/>	
SEPTEMBER	1st	7	Joseph Mwanje	(1)	
	7th	290	Joseph Mbulindi	(1)	
	17th	217	Sphraio Adenya	(1)	
	24th	59	Joseph Kibito	(1)	4
				<hr/>	
OCTOBER	1st	34	Felix Nyaruhanga	(1)	
	5th	379	Lt. E. Hangu	(1)	
	10th	197	John Opeto	(1)	
	20th	13	Jackson Bernard Okello (AIP)		
		24	Olont		
		25	Olont	(3)	
	21st	56	Kalusa Kadira		
		57	Robert Oga		
		98	Zaverio Oga	(3)	
	22nd	307	FRUIT Mwanja	(1)	10
				<hr/>	
NOVEMBER	23rd	81	Kushid Sururu	(1)	
	24th	272	Africano Arikagaaba	(1)	
	28th	11	Stephen Luboga	(1)	3
				<hr/>	
DECEMBER	10th	8	Joseph Ouna	(1)	1
1974.					
JANUARY	16th	248	Zaverio Nyaruhanga	(1)	
	30th	40	Christopher Kadira	(1)	
	Unknown	249	Cpt. John Telukusanga	(1)	3
				<hr/>	
FEBRUARY	2th	42	David Kakooza	(1)	
	16th	41	Lt. G. Llo Olont	(1)	2
				<hr/>	
				C/F	303

B/ 303

APRIL 1941 1 (1) 1

MAY 1941 1 (1) 1

JUNE 1941 1 (1) 1

JULY 1941 2 (1) 2

AUGUST 1941 1 (1) 1

308

MONTH	1941	1942	1943	1944	TOTAL
JANUARY	2	2	1	1	6
FEBRUARY	1			2	3
MARCH	13	-	1	1	15
APRIL	12	-	1	1	14
MAY	1	1	-	2	4
JUNE	21			1	22
JULY	1	1	-	-	2
AUGUST			14	-	14
SEPTEMBER	1	12	1	-	14
OCTOBER	1		10	-	11
NOVEMBER	1	1	-	-	2
DECEMBER	2	1	1	-	4
TOTAL	67	17	27	6	117

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G. CIVILIANS.

Army Custody	Military Police.	PSM Custody.	Exiles & GSH.	Guerrillas.	Unknown.
16	17	52	295	1	3 10
17	18	53	307	8	11 12
24	25	54	100	95	21 22
34	35	55	101	260	23 26
70	71	140		261	27 28
72	73	183		262	30 31
74	75	225		263	32 33
92	93	250		275	36 37
93	94			276	39 40
96	102			276	41 42
103	104			303	43 45
107	108			304	46 47
109	110			305	50 51
111	121			277	56 57
132	133				58 59
139	151				60 61
152	153				62 63
195	198				77 78
208	213				81 82
214	236				83 84
238	246				85 91
251	264				112 143
265	266				144 146
268	269				147 157
270	271				190 237
273	274				241 247
293	302				248 252
					259 267
					294 289
					290 292
					306.
54	16	4	4	14	61 = 153.

H. POLICE OFFICERS.

Army Custody	MP Custody.	PSM Custody.	Unknown.				
7	76	13	25	279	280	44	48
36	87	5	101	281	282	49	65
105	171	101	103	283	284	66	67
215	216	210	211	285	286	68	69
218	219	212	213	287	288	66	106
256	296	223	223	301.		299	300
		224	224				
12	14		11			12	49.

- 76: Public Safety Unit.
- 303: General Service Unit.
- The figures represent the total numbers.

SECTION OF THE

Army Contingent.	Military Police Custody.	Exiles.	Unknown.
153	19, 20, 231, 232, 233, 234, 235, 257, 258.	99 254	64
1	9	2	1 = 13.

ARMY SOLDIERS.

1. Army Headquarters, Muya.	: 97, 125, 126 151, 204, 239.	6
2. Army General Headquarters.	: 249.	1
3. Biliya Border Guard Unit.	: 156.	1
4. Entebbe Air Base.	: 178, 179, 189 202, 235, 242 243, 244.	8
5. Gulu Air Base.	: 249.	1
6. Jinja.	: 117, 119, 123 124, 137, 138 161, 185, 199 205, 208.	11
7. Masanaga.	: 172, 163, 164 182.	4
8. Malire.	: 122, 124, 129 130, 155, 160 169, 170, 176 177, 202, 228.	12
9. Masindi.	: 85, 136, 139	3
10. Mbarara.	: 114, 115, 116 117, 120, 131 158, 165, 167 172, 182, 183 189, 192, 194 206, 238.	17
11. Moroto.	: 106, 113, 128 154, 162, 186 197, 200.	8
12. Moyo.	: 201.	1
13. Mubende.	: 141, 184, 220 227, 229, 230 240.	7
14. Oraba Border Guard Unit.	: 98, 159, 173 174, 175, 203.	6
15. 2nd Paratrooper, Fort Portal	: 29.	1
16. State Research Centre, Nakasero	: 209.	1
17. Others dealt with separately.	: 6, 9, 38, 55, 142.	5

LIST OF REFERENCES TO THE REPORT OF THE COMMISSION
OF INQUIRY INTO THE DEATH OF DR. MARTIN LUTHER KING, JR.
LEGAL COUNSEL, DEPARTMENT OF JUSTICE

1. List of witnesses not heard in detail.
2. List of witnesses not heard in detail.
3. List of witnesses not heard in detail.
4. List of witnesses not heard in detail.
5. Sanitary Commission report dated 9th January, 1973.
6. Statement by the Ministry of Foreign Affairs.
7. Part 911 of the report by the International Commission
of Enquiry.
8. Report of the National Commission on the Causes and Prevention
of Violence.
9. Comments of the Commission on the Report of the
National Commission on the Causes and Prevention of Violence.

LIST OF WITNESSES WHO DID NOT REGISTER WITH THE DISTRICT COMMISSIONER IN LIRA BUT TURNED UP TO GIVE EVIDENCE AND WERE NOT HEARD BY THE COMMISSION.

<u>Name of Witness</u>	<u>Address</u>	<u>By what authority called</u>
1. Tenansio Olyet	Aboko	Wilbert Otim of UA
2. Benon Opic	Lira-Akodi	(i) Joseph Kola (ii) Adaron Atim (iii) Augustine Olyang (all UA)
3. Albino Nyit	Aboko	Augustine Olyang of U.A.
4. Naftali Ojuka	Kala	(i) Kolmorio Ojale (ii) Guarino Olyang (iii) Jacob Owa (all of U.A.) (i) Joseph Nyoma (ii) Willie Ojale (all of U.A.)
5. Mary Ejani	Akole	William Ojale of Uganda Army
6. Salim Kara	Lira	James Ojale of Uganda Army
7. Polichiro	Lira	William Ojale of Cabinet Affairs
8. Erora Sam	Adekokwok	Moses Ojale of Uganda Army
9. Posinia Opio	Alei	David Ojale of Uganda Army
10. Yosefa Odoro	Alei	Antony Ojale of Uganda Army
11. Larim Apio	Alei	William Ojale of Uganda Army
12. Antonio Okeho	Ayer	Ojale Olyang of Uganda Army
13. Erro Nyole	Alei	Omara Arango of Post Office
14. Kelebia Arach	Kisakulu	Simon Ojale
15. Mary Auna	Anyere	Francis Ojale of Uganda Army
16. Joseph Otia	Minakulu	Julius Okello of Uganda Army
17. Venansio Eranyi	Minakulu	Siriro Akoko Businessman.
18. Ierodicto Ojongo	Minakulu	Peter Omara of Uganda Army
19. Charles Ojangu	Olaka Lira	Livingstone Otim Odera of Uganda Army
20. Svirino Ojongo	Aroro	Abdla Shona of Uganda Army
21. George Ojima	--	Kamiro Eranyi of Uganda Army
22. Margaret Eriti	--	L/Cpl Lualle Akoko Uganda Army Malire.
23. Ayida Adero	Edekokwok	Benon Okello of Uganda Army
24. Milton Aboko	Kala	Michael Ojwang of General Service
25. Margaret Akello	Lira	Wilbert Ojale of Uganda Army
26. Virginia Awere	--	Gerechone Iyo of Uganda Army
27. Jesefina Ayoke	Adekokwok	Just Fidiola of Uganda Army
28. Joyce Alobo	--	Yekonia Bua
29. William Ojwangi	Oiolim	Yekonia Bua
30. Margaret Akulu	Oiolim	Richard Kulo of Uganda Army
31. Masulamu Bua	Aboko	Edward Ojwa of Police Fire Brigade
32. Elizabeth Alumu	--	(i) Peter Abe of Uganda Army (ii) Joel Odongo of Uganda Army
33. Erini Angwede	--	Gidion Okabo ASP of P.T.S. Kampala
34.		(i) George Emma Gemb. Chief Kala (ii) William Okabo of Post Office
35. Alice Arango	Koro	Bene Yokasi Omara of Uganda Army
36. Pasimensi Koli	--	Livingstone Okello of Uganda Army
37. Yekuseni Eriti	--	Kosima Ojale of Uganda Army
38. Wikamu Ojongo	--	(i) Pte. Ocen of Uganda Army, Malire. (ii) Pte. Ageta of Uganda Army, "
39. Jelena Nyana	Oger	2nd Lt. Opole of Uganda Army Masindi
40. Richard Atepo	Aboko	No.3491 L/Cpl Elia Olyang.
41. Filida Akulu	Anio	George Ojwal of Uganda Army, MBUYA
42. Heneriko Ojale	Minakulu	Pte Lucas Okello Uganda Army 6127, Malire.
43. Josephat Auna	Inono	John Peter Amoyo Uganda Army 1850 PTE Mb...
44. Beatrice Amongi	Achele-Koko	Sevirino Olala of Uganda Army Moroto
45. Patrick Ocen	Achele-Koko	Jaspa Bua of Uganda Army Malire.
46. Angelo Opio	Ompo-Kala	
47. Tejira Akello	Akia-Adekokwok	

Appendix No. 1.
[Signature]
 Chairman.
 15. 11. 74.

LIST OF WITNESSES WHO GAVE EVIDENCE
TO TURN UP TO GIVE EVIDENCE BEFORE
IN LIRA

<u>MPR NO:</u>	<u>NAME OF WITNESS</u>	<u>ADDRESS</u>	<u>NAME OF MISSING PERSON</u>
147	John Ojuma	Adagapolo Dokolo	Charles Ogera Section Manager of Dokolo Growers.
149	David Onyiko	Alodi Pr.Sch.	Field Marshal John Okello
130	Isaka Ogwang	Adakakwok	Pte. Peter Olat of U.A. Moroto
182	George Okello	Alia E/Centre	I/pl. Okite Opoli of Kibara
160	Lekotomamu Ojuma	Alpota Okolo	Cpl. David Ojuma of Maliba.
172	Boscho Odongo	Gleno Pala	I/pl. Okite of Kibara
144	Cemi Akello	Jekani Alur	Jonathan Ocan of U.A. Moroto
174	Mary Atyang	Lira Hospital	Cpt. Atyang, Satebe Airforce
197	Rose Abang	Alodi Isame	H. Yovani Aboke Garder
198	W. John Ogwal	Okwang Moroto	Ed Allip Nyangochari Okwang
196	Kuranimo Cyit	Aboke High School	P. Chaka S/Major of Kibara.
199	K.E. Esoma	Lango E/Farm Inst.	Albano Ayang of Dist. Farm
123	Margaret Kubita Odongo	Arum E/Centre	David Odong ASP of Prison Kitalya.
136	Aida Agola	Alia-Adakakwok	Pte. Brunayo Ogwal UA Moyo
200	K. Akello	Lira	George Obo of U.A. Kagamega.

Appendix No. 2.

Chairman

16.10.74.

LIST OF WITNESSES WHO HAD REGISTERED WITH THE DEPARTMENT
COMMISSION, FOR THE INTER-CONFERENCE FOR THE 1990s
PEACE NEGOTIATION

NAME OF WITNESS

- | | |
|---|---|
| 1. Valentino Nyeko
Lamola Vill. Gomb. Labongo,
Chua County | Justice Oola, Lamola Vill. Gomb.
Labongo, Chua County. |
| 2. Francis Nido, Lamola Vill.
Gombolola Labongo, Chua County | Morris Oona, Staff Sergeant
Acohol Inn, Gulu. |
| 3. Makarios Chech, Gombolola
Vill. Gomb. Paloni, Agona County. | Cpl. Mwinino Ouing, U.A Mbarara |
| 4. Stefano Ochwana, Lamola Vill.
Gomb. Labongo, Chua County | U.A. 833 Pte. Lt. Army Jolly
Cotton, 1st, 1st Airforce. |
| 5. Gidioni Oringa, Paloni Vill.
Gomb. Labongo, Chua County | UA/162 Capt. Largo Okua,
Mbarara Barracks. |
| 6. Innocente Okello, Lamola Vill.
Gomb. Labongo, Chua County. | UA. 2927 Gabriel Okun, U.A. Mbarara |
| 7. Johnson Ochaya, Ochwana Vill.
Gomb. Labongo, Chua County | No. 444 Pte. Sergeant Samuel
Opiya Opiya Police Kabale. |
| 8. Marta Ochwana, Paloni Vill.
Gomb. Mbarara, Chua County. | Henry Ochwana, Kigoma High School. |
| 9. Rosalia Abalo, Kook Vill.
Labongo Division, Chua County | (1) U.A. Antonio Ochwana, UA Mbarara
(2) Venerable Ochwana, Bank, Kampala. |
| 10. Luceto Lotwil Lukira Vill.
Labongo Division, Chua County | UA. 2408 Sgt. Muciwari Okello,
Mbarara Regiment Kampala. |
| 11. Ezara Ario, Pankolo Vill.
Gomb. Labongo, Chua County | UA. Pte Yoram Opiya, UA. Mbarara. |
| 12. Yonasan Akoko, Lukwira Vill.
Labongo, Acha county. | UA Pte Muciwari Akut Uganda
Army Mbarara. |
| 13. Kandita Laloyo, Ochwana Vill.
Labongo Division. | UA. 1627 Pte. Benasiano Labjel
Uganda Army Jinja |
| 14. Sererak Ayere, Pankolo Ochwana
Gomb. Labongo, Chua County | (a) UA. Pte Yonasi Adong, Mbarara
(b) Sgt Godwin Ochwana, Mbarara-Toro
(c) UA Pte John Olal, Moroto Army. |
| 15. Matayo Nyeko, Lukwira Vill.
Gomb. Labongo, Chua county | UA. 18160741 Sgt. Manuel Ochwana,
Jinja Army barracks. |
| Mori Agira, Lukwira Vill.
Gomb. Labongo, Chua County. | UA. 5414 Pte. Jino Oling, Ochwana |

Appendix No. 3.

[Handwritten signature]
Chawira

THESE ARE THE NAMES OF THE
INDIVIDUALS WHOSE NAMES
APPEAR ON THE LIST OF
INDIVIDUALS WHOSE NAMES
APPEAR ON THE LIST OF

NAME OF INDIVIDUAL	DATE OF BIRTH	WEIGHT
1. J. J. J. J. J. J. OF [illegible] [illegible]	[illegible]	27.5
2. J. J. J. J. J. J. OF [illegible] [illegible]	[illegible]	27.5
3. J. J. J. J. J. J. [illegible]	[illegible]	25.0
4. J. J. J. J. J. J. [illegible]	[illegible]	13.5
5. J. J. J. J. J. J. [illegible]	[illegible]	25.5

Approved by me
[Signature]
2/1/55

STATEMENT/I

(A)

9th January, 1973.

The Security Committee at its Meeting held Saturday the sixth January, Nineteen seventy three, reviewed in details cases of persons who have been reported missing from the country since the Birth of the Government of the Second Republic. A spokesman from the Security Committee has stated that as the country and the world at large will know, when the Government of the Second Republic of General Idi Amin Dada made it clear that there would be no question of political detainees anywhere in the country and as a result all people who were formally detained by the Obote regime, e.g. Ben Kiwanuka, George Magezi, Dr. Lumu Grece Ibingira, Mr. Ngobi, Balaki Kirya, Brigadier Opolot and many other prominent Ugandans were released from detention and became free citizens of this country. Some of them were subsequently given big posts like Ben Kiwanuka who became Chief Justice, Brigadier Opolot was appointed Uganda High Commissioner to Nigeria and Ghana; Grace Ibingira was appointed Uganda Ambassador to United Nations.

The country will however remember that since the Birth of the Government of the Second Republic of Uganda, Dr. Obote who run away to Tanzania and his henchmen have been mounting very intensive propoganda against the Government using all sorts of means, for instance Foreign Radio, Foreign Television and Foreign Press. They also went to the extent of recruiting guerillas from Uganda for training in neighbouring countries to come and fight and overthrow the Government of the Second Republic of Uganda. All these incidents have been publicly reported to the country and in fact eighty Langi who were recruited and were on their way to Tanzania through Kenya were intercepted at Busia in nineteen seventy one and later were pardoned by His Excellency the President at Lira. This was publicly annouced.

Other groups of guerillas who were captured were also released at mekindye. This was also announced.

The spokesman further states that Obote's group and other enemies of this country resorted to another

....tactic,

Statement

The Board of Directors of the United States... the 15th June, 1961, which... several... Council... persons who have been reported... from the country since the... Government of the... Second Republic. A... the Security Committee... has... the country... at... know... the Government of the... Republic of... Uganda... the President... General... there would be... no... political... and... people who were... the... e.g. ... George... Dr. ... Brigadier... were... free citizens of this... country. Some of them were... like... Chief... Officer... High... and... was appointed... to...

The country will... the... of the... of the... Dr. ... has... been... very... the... under... Foreign... they... of... Uganda... to... and... of the... Uganda. All... to... were... Kenya... and... the... of...

Other... the... and...

tactic, i.e. of kidnapping of prominent citizens of this country with a view to creating confusion and confusion in the country. These are a few examples of this and others will be given later. In some cases some of the Agents of Obote and other responsibilities and officials went to the extent of kidnapping some prominent Ugandans so that the blame could be put on the Government. An example of this is the case of Kawagongo which will be elaborated later.

Furthermore, these Agents persuaded some prominent innocent citizens of the country at one time so that they are reported as missing and the blame is put on the Government but such people have later been found well and alive in some countries. Their list is also going to be given below. While others having found their way to guerrilla training camps came back during the recent invasion to find the country. Some were captured, others were killed during the fighting.

The speaker further stated that in some cases a lot of rumors were created in the country with a view to causing confusion and in some of these rumors it was reported that some people were missing while they were well and alive and going about their normal duties. Their details will also be given.

The speaker stated that all the above points are being given in order to show the country that the Government of the Second Republic of Uganda, while maintaining its original objective of not arresting or detaining people unnecessarily, the enemies of the Government have tried to discredit the Government by making people disappear or accusing the Government falsely that people have disappeared while they are alive.

The Government has however done its level best to investigate extensively through the normal Government machinery i.e. Police CID, and other Branch, Military Intelligence and other departments. Intelligence has been used to trace people who were reported missing and were not in the country.

The Government in the course of its operations to the ... of ... These are the ...

- (1) FRANZ BAVIA
Former Minister of Commerce & Industry in the Osta Regime. Investigations have revealed that he is not in the country and nobody knows where he went.
- (2) FRANZ BAVIA
Former Minister of Agriculture & Cooperatives in the Osta Regime. Investigations have revealed that he is not in the country and nobody knows where he went.
- (3) JANUS OCHSIA
Former Minister of Forest Administration in the Osta Regime. Investigations have revealed that he is not in the country and nobody knows where he went.
- (4) JANUS OCHSIA
A former Member of Parliament in British and Deputy Minister of East African Community. Investigations have revealed that he is not in the country and nobody knows where he went.
- (5) JANUS OCHSIA
A former Minister in the Democratic Party Government and reported in the foreign press to have been killed by the ... but ... on ... that he ... very much alive and he ...
- (6) JANUS OCHSIA
Investigations have ... in ...

(7) MR. B. MURRAY, Former Director of Internal Affairs in the Obole regime, was reported missing but investigations have not revealed where he might be.

(8) BEN KIVANSHA, Former Prime Minister in the Democratic Party Government and Chief Justice at Lunin. Detained by the Government and made Chief Justice. He was arrested by three unknown persons on twenty 22nd September, nineteen seventy two at about eight thirty a.m. from the High Court. These three unknown persons were travelling in a saloon car Buick Wildcat four door blue, having registration number UH. 171, once to the High Court Chambers where Ben Kivansha was working, identified themselves as security officers and said that Ben Kivansha was required at their office. They were armed with pistols. They hand-called the Chief Justice and took him with them in their car driving at a very high speed in the direction of the Kampala International Hotel. The men were all dressed in plain clothes and when they took him away most people working in the High Court were looking. When some of these bystanders tried to follow they were threatened to be shot. On investigation, the Government discovered that the people who posed as being security men were not in fact members of the security forces and the number plates of the car five were four one which they were using belongs to a Volkswagen Saloon car of the Uganda Armed Force, P.O. Box Seven Zero Six Nine, Kampala. It is therefore clear that the planner of this plot wanted to confuse the country that the people who arrested Ben Kivansha were members of the Security Forces, using an official vehicle. The Government investigation on this matter thoroughly set up the evidence and went to right up to the arrest of the Chief Justice and where he is.

In this respect, the evidence which to date the nation of the country, to a recent statement appearing in a foreign paper Sunday Post of thirty first November nineteen seventy two where it was alleged that the Chief Justice was tied up in a jeep which was then set ablaze by members of the Security Forces on the Kampala Entebbe Road. The country will realize that Entebbe Kampala Road is an international route where people always pass up and down, night and day, but no one has ever seen the alleged car burning on that road at any time since Kiwuka's disappearance. This is another clear example of the exercises of the country trying to cause confusion in the country.

(9) J. WAKHOLI, former Minister of Public Service and Cabinet Affairs in the Obote Regime. Was put in detention at the beginning of nineteen seventy one along with some other Ministers in the former Government, for their so-called "g. P. Plot". Wakholi, Ghehe and Mr. Apambawa, former Chairman of National Trading Corporation. They were subsequently released by His Excellency the President, General Idi Amin Dada at Kakumbe and went back to their respective work. After a month, Mr. Wakholi was reported missing and later it was discovered that he had in fact travelled to Dar es Salaam where he joined in the training of guerrillas. Later Wakholi was in the contingent that attacked Uganda on seventeenth September, nineteen seventy two. He was captured by Ugandan Security Forces and was wounded during the exchange of fire. He died on his way from Entebbe to hospital where he was being taken for treatment. The circumstances surrounding the death of Mr. Wakholi were publicly announced.

(10) AMEK OBI, former Minister of Education, Uganda and Teacher in the Obote Regime was never detained by the Government at any time. However, he is reported to disappear and later it was discovered that he had travelled to Dar es Salaam to join the guerrillas.

He was one of people who later invaded Uganda during September nineteen seventy two. He was captured by members of the Security Forces and put under detention but later on he escaped together with Captain Oyite and six others who were captured during the invasion.

- (11) R. OROOT, A former prominent politician in the Eastern Region and former member of the defunct General Service Department. He was very much engaged in the recruitment of guerrillas in the Eastern region. He left the country and is reported to be staying in Tanzania.
- (12) FERREDA BAKARUKA, a former Secretary General in the Arhole Local Administration, ran away during the invasion of nineteen seventy two September.
- (13) DR. JIMLEBAZE WAZIB, Former Minister of Education in the Oboho Regime, was never at any one time detained by the Government but he decided on his own to go out of the country. He was subsequently reported by the foreign press as having been killed by the Government and yet his own father reported to the Government that his son and family had left for the United States.
- (14) GEORGE KAMBA, Former Uganda Ambassador to India and West Germany, who was later appointed by the Government as director of the East African Posts and Telecommunications Board was arrested by unknown persons from the International Hotel on extensive enquiries were mounted by the Government but so far nothing has come to light as to who arrested him or where he is.
- (15) GIBBY OCHUO, former M.P. Member of Parliament in the Oboho Regime, reported missing and investigations have so far revealed nothing as to where he has gone.

- (16) EMBRENGI, a former student at Makerere University, Kampala who left the country soon after the military takeover of the Government in January, Embrengi recently has started issuing malicious statements against the Government from neighbouring countries.
- (17) Lt. Col. G. O. OBO, was the Chief Architect of 1971 Invasion, after the military takeover of the Government he followed Obote to Tanzania and became the Chief Instructor of guerrillas and later on attacked Uganda in September, 1972.
- (18) Lt. Col. O. O. OBO, former Commander, the Second Infantry Brigade also ran away to join Obote and became one of the instructors for guerrillas.
- (19) CAPTAIN BYRHO, former O.C. Military Police, ran away after military takeover of Government to the Sudan and became Instructor at Owingi-Khul and invaded Uganda during September, nineteen seven two where he was killed.
- (20) Cpt. H. Okello, former Company Commander, 2UA Moroto ran away after the military takeover of Government to the Sudan to train as guerrillas at Owingi-Khul. He was later among those who invaded Uganda in September, 1972.
- (21) Captain Ogonag, former Company Commander 4UA Karamoja, ran to Tanzania to train as guerrillas and during the September, 1972 invasion he led a company of guerrillas to attack 4 UA Karamoja where he was killed during the fighting.
- (22) Captain Jehomas Langoya, former Quartermaster, School of Infantry - ran away to Tanzania soon after the military takeover of Government and was one of those who attacked the country during the September, 1972, invasion.

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- (23) Capt. G. G. ... 2 14 ... Run away ...
 (24) ... during the height of ...
 (25) Lt. ... of ...
 (26) Lt. ... Former ...
 (27) Lt. ... Former Platoon Commander ...
 (28) Lt. ... Former Instructor in the School of Infantry ...
 (29) Lt. ... Formerly a pilot at ...
 (30) Lt. ... Former ...
 (31) ...

- (31) **CHARLES W. HAYES**, former deputy assistant lieutenant and later acting lieutenant general of the United States Army, reported missing after the military took over of Cameroon and is reported to be with Rwandan people in the mountains.
- (32) **GARY J. HEDGECOCK**, former company commander of Marine Guard (North), reported missing and nobody knows where he is.
- (33) **Identical of Sante**
Former instructor in Fort Belvoir.
Reported missing and extensive investigations were carried out but he has not been found about his whereabouts.
- (34) **Captain Leachin**
Former U.S.G. II.
Arrested by unknown people between the International Conference Centre and the Nile Hotel just before H.E. the President left for G.H. Summit Meeting in Addis Ababa. The country was informed about this incident and extensive investigations were started to reveal who arrested him or where he is. However, his car was found burnt on Konyala/Lanka Road.
- (35) **Identical of Colonel V. Colera**
Was Commander, General Headquarters, Uganda Armed Forces. He was detained by the Government and later released by H.E. the President. After his release, he was reported missing but investigations have so far revealed nothing.
- (36) **Captain Christopher Lubano**
Former Lie of State Research Service, President's Office. During the September, 1972 invasion, he visited Tororo and Mbale where he was reported to have been arrested by unknown persons. The Government issued a statement about his disappearance and extensive inquiries were made but so far nothing has come to light as to who arrested him or where he is.
- (37) **Captain Kapo Lolinga**
Former member, Committee 404
Reported missing and extensive investigations were carried out to find out his whereabouts but so far nothing has been found.

- (38) Isaac Akundi, Former Deputy Commissioner of Police who went to Nairobi during the war, was reported missing in Nairobi. Has recently been reported to have gone to Britain where he has secured a job.
- (39) John Odoni, Former Regional Police Commander (East) reported missing but investigations revealed that he had gone to Tanzania in April nineteen seventy one and joined guerrillas.
- (40) Benjamin Gichoro, Former Commissioner of Police, reportedly captured by the Government and reported missing but investigations have revealed that he is in Nairobi.
- (41) Eric Ngugi, Former ICP Extra Regional Commander, Kenya was recently retired and reported missing but investigations have revealed that he is with Gichoro in Nairobi.
- (42) David KINYAMUSAYI, Former Superintendent of Police in ICP Headquarters reported missing but investigations have revealed that he went to Tanzania in nineteen seventy one in February, where he joined guerrillas.
- (43) Assistant Inspector of Police Isaac Kibaki reported missing but investigations have revealed that he has joined guerrillas in Tanzania.
- (44) W. O. Akiba, Former Inspector of Police was reported missing but investigations revealed that he joined guerrillas in Tanzania.
- (45) S. Akiba, Formerly Superintendent of Police, reported missing after recent invasion of September, nineteen seventy one but is believed to be in Tanzania.
- (46) Gordon Githy, Formerly Superintendent of Police, reported missing but investigations have revealed that he is in Tanzania.

- (48) William Oduro, Former First Lieutenant, Police, reported missing in 1966. It was reported that he had run to one of the neighboring countries.
- (49) Stephen Kete, Former First Lieutenant, Broke to Hill, Ellice Hill where he claimed his one son ran to Sierra Leone through Kenya. It was however reported in the foreign press that he had been killed by the Government.
- (50) Alton Oduro, Former Assistant Superintendent of Police and Director of Kenia, ran to London immediately after the military take-over and has since not returned.

ETHIOPIA

- (51) Degefa Merya, Former Commissioner of Prisons, reported in the foreign press as having been killed by the Government, Merya had in fact been detained by the Government on security grounds and later released. He had since been given a flat located in Harar. Plot No. 106/12, Seventh Street Harar Industrial Area and he is running a business peacefully.
- (52) Sam Odeh, Former Deputy Commissioner of Prisons who had been transferred to Office of the President and H.E. the President, General Idi Amin Dada was about to make him Deputy Minister when he decided to run away to Somalia where he joined the guerrillas. He later issued ambiguous statements against the Government. He is believed to be still in Somalia.
- (53) Peter Odeh, Former A.C. Prisons was reported in the foreign press as having been killed by the Government but investigations have revealed that he ran to Somalia.
- (54) Alton Oduro, Former I.P. It is reported missing but investigations have revealed that he also ran to Somalia.

Chief Executives and Others

- (55) Michael Kawalya Kagwa
Former President of Industrial Court.
The circumstances surrounding the death of Mr. Michael Kagwa were widely reported in the press. On the morning of 10th September, 1971 at about 3.25 a.m. his body was found burnt in his Sports Mercedes Registration No. UMI 230 at Nenge on Kyadondo Road near Nenge Guest House. A Security Officer who saw flames from the car reported the matter to the Police at Old Kampala Police Station. It was alleged that he had left his office in Kampala very late on the previous evening after which he had gone for a swim at the Kampala International Hotel Swimming Pool. It was further reported that when he was travelling left the Swimming Pool alone in the car at about 7.00 p.m. It was further alleged that he was seen to have been followed by two cars. He drove towards Kyaggwe Road and that was the last time he was seen alive. Following the discovery of his body in the burnt out car, the Government offered a reward of Shs. 50,000/- to any one who might have any useful information for the Police regarding the death of Mr. Kagwa but so far no information has been received indicating as to who killed Mr. Kagwa or who burnt out his car and the reward of Shs. 50,000/- still stands.
- (56) Mr. Ezechia
Formerly working with the Coffee Marketing Board has been reported missing but investigations have so far not revealed where he is.
- (57) Mr. Wandera
Formerly working with Coffee Marketing Board Reported missing but up to now his whereabouts are not known.
- (58) Mr. Oyam
Formerly working with Coffee Marketing Board Reported missing but up to now his whereabouts are not known.

- (55) Mr. Ouma
Formerly working with Coffee Marketing Board.
Reported missing but his whereabouts are not known.
- (60) Mr. Charles Kazora
of Kazora Advocates and Company
was reported missing in the foreign press but investigations have revealed that he went to Kenya with Kazora.
- (61) Patrick Ruhinda, of Kazora & Company Advocates reported missing but investigations have revealed that he went to Nairobi to see Kazora.
- (62) Wakuma Kaina, Formerly with Coffee Marketing Board reported missing but investigations have revealed nothing as to his whereabouts.
- (63) Adonia Fiserondwa, Former Director of National Teachers Training College, Kyambogo. He is now known to be in Zambia, reported missing but investigations have revealed that he left Uganda on official duty to Nairobi and decided to come back.
- (64) Dr. Obonyo, of Makerere University Kampala was reported missing but investigations reveal that he is in Nairobi.
- (65) J.P. ABE, former District Commissioner West Acholi, was reported missing but investigations have revealed that he is in Nukia Gurukia, Juba, Sudan.
- (66) Dr. Abner Martin, was reported missing, but investigations revealed that he went in United States of America, but he is now known to be practicing in Nairobi.
- (67) Mr. Wulushiki Mpanga, was alleged by the Foreign Press to have been killed by the Government, but Mr. Mpanga himself issued a statement that he was very much alive and running his business i.e. Alibhai's Garage which was alleged to be run by the Government.

- (68) V. J. Ovonji, Former Minister of Public Service and Local Administrations in the present Government. Reported missing but investigations have revealed that he is very much alive and has recently been allocated to Business in Entebbe.
- (69) John Kannyo, A prominent Lawyer in Kampala was reported missing but before the Government's investigations were carried out as to his whereabouts, Mr. Kannyo started issuing malicious statements from Kampala against the Government. Now reported to be in London. Over Christmas Holiday some persons were arrested by security personnel who were sent by J. Kannyo to come and assassinate prominent people in Uganda. The people were found carrying fifty thousand shillings and pistols in their car.
- (70) Mr. Joseph Kabiru, Former Governor of Bank of Uganda, reported missing. Extensive investigations have revealed no trace as to where he is.
- (71) Lingino Obwal, Former Bank Manager, Uganda Commercial Bank Mbarara was reported killed by the Government but during the recent invasion was captured by the security forces among those who had invaded Uganda. He later escaped from detention together with Alex Ojera and Captain Oyle.
- (72) Ficho Ali, Former Senior Civil Servant, reported missing but investigations reveal that he had run to Tanzania to train as guerrillas. He was one of the group that invaded Uganda in September, nineteen seventy two and was captured by the Uganda Security Forces. He later escaped from detention together with Alex Ojera.
- (73) Frank Kalinuso, Former Vice-Chancellor of Makerere University Kampala, was reported arrested by members of the Security Forces. Investigations have revealed that he was not arrested by members of the Security Forces and his whereabouts are not known.

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11/26/44

11/26/44 - 11/27/44 - 11/28/44 - 11/29/44 - 11/30/44

Information obtained from Missions on Uganda Exiles

12/17/72

1. Uganda Embassy Bonn

Members of this Embassy have no knowledge of any Uganda exiles in West Germany. They are, however, suspicious that Semphala may not have left West Germany. At one time, they had received information that he was in that country. But that could not be confirmed. If there is any exile who has come to the knowledge of the government they wish to be informed.

2. Uganda High Commission - London

Names of Uganda exiles in U.K. are Yemane Kibedi, Paul Kawanga, Geoffrey Binoyisa and Jean Kazorra. More enquiries are being made.

3. Uganda Embassy Paris

Following officers were transferred to home establishment but did not return - Kawanga, Major Oboro, Kasugisha, Tutale.

Following were directed to return home to give explanation with regard to loss of Passports at the Embassy and they failed to return: OMBI and SHATTO. Of these, only one is said to be in France, possibly Paris - Fr. Ombi. KAWANGA is known to be coming to Paris frequently. Miss Ogwang has been transferred to home establishment, but this has not yet been accomplished. May not yet be category of exiles.

Regarding other countries to which accredited, they have no information because of long distances and irregular visits.

4. Uganda Embassy Moscow

Uganda residents in U.S.S.R. are known to the Embassy and are on their records. To the best of their knowledge, none of them is an exile.

5. Uganda High Commission Accra

There are no exiles in Ghana following Mr. Kabali, a former consul. He should have discharged his duty in 1971. He is to be in Ghana.

6. Uganda Embassy Cairo

Best of the knowledge of the Embassy, the only Ugandan there is Ali Banyonga who has been living there since 1968.

7. Uganda Embassy Addis Ababa

There is only one person Ukidi a former official of the Embassy.

8. Uganda Embassy Kinshasa

Following are Uganda exiles in Kinshasa:-

John Edward Ota - former Chairman, Acholi District Public Service Commission, John Charles Oyema, formerly Assistant Superintendent of Police, Odera, formerly Sergeant, Police (special force). There is no up-to-date information of possible exiles in Eastern Zaire. It can be discreetly obtained on the spot and this would necessitate approximately three weeks' visit. Burundi returns Nil.

Ugandans who are believed to be living in U.S.A.
or Canada

1. Mr. Loyd M. ... (Former Minister of Education) believed to be living with his family and employed at the University of UTAH, as a lecturer.
2. Mr. John ... (Former Senior Police Officer.) believed prohibited immigrant by ... reported with his family to U.S.A. last ... of March, 1974. He is now employed as a Security Guard or Official with a private firm in Philadelphia.
3. Dr. Brian ... (Former Chairman of U.E.S.) For the last one year has been a fellow (scholar) at Harvard University where he is believed to be living with one of his teenage daughter who is finishing high school in Boston.
4. Professor Ali ... (Formerly of Makerere University.) Reports of his academic tours in U.S.A., Canada and Europe are received from time to time in the news media, and he is believed to be based in California with some connections with the Northwest University in Chicago.

There are several Ugandans scattered throughout U.S.A. and Canada who either by their marriage to nationals of these countries or through extended academic or technical studies have managed to live and be employed on permanent resident permits. Most of such cases have been out of Uganda for over seven years and do not strictly fall in the "Exile" group. If names and known details of such Ugandans are available, we can compile and provide their names from our country files.

after Appendix No 6. pages 1-2

APPENDIX NO. 7

PART 111 OF THE STUDY BY THE INTERNATIONAL COMMISSION
OF JUSTICE RELEVANT TO THIS INQUIRY

The government's explanation is challenged by several sources who charge that the Adress and legislative officers were thrown into a small room and intentionally killed by the military police by the detonation of explosives.

Nothing could show more clearly the state of fear which resulted from these and others killings and disappearances than the following minute addressed to one of the Ministers by the government on behalf of a number of senior officials:-

"Minister,

1. It was agreed by the meeting of senior officers to consider the policy of your Ministry at 10.0 hours today in accordance with your directive, that I should minute to you separately on the following issues.
2. The problem is one of fear amongst public officers and others and the difficulty of providing guidance to those who ask for it; and of making a useful contribution in the matter of maintaining stability, morale, and confidence.
3. Each of the senior officers has and had been subjected to complaints, petitions and enquiries of the following kind:
 - (a) Enquiries for missing relatives who could not be traced at any known place of detention.
 - (b) Petitions from men who were afraid to go back to their homes or their normal places of work because they feared victimization and apparently have some grounds for fearing it.
 - (c) Enquiries as to the proper channel of communication to obtain guidance on these two issues and on how to deal with unusual circumstances, e.g. when men alleging to be army officers or men wanted to take over funds or equipment or to arrest personnel without any apparent legal backing or other authority.
4. There was no doubt that the continuance of this kind of situation adversely affected morale amongst public officers and it was spreading to members of the public.
5. It adversely affected discipline and control because senior officers were either powerless or as much in the dark as those who were petitioning them. Morale was also affected because the senior staff were not able to provide the protection which their subordinates were entitled to expect.
6. The meeting recommended for your consideration that a system be set up as quickly as possible so that all affected staff knew the place to which such enquiries should be sent. This might be a system set up under the Ministry of Internal Affairs but no doubt was expressed as to whether police morale was now sufficiently high for that organization to be able to do anything effective in the majority of cases.
7. It was agreed that it was not appropriate to have to go to the Head of State every time a case of this kind arises. On the other hand at the present time a system is being set up which officers were to be entitled to find at least was a much more effective one.

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Many of those responsible for this letter were subsequently dismissed, killed or disappeared.

Another reaction in the civil service was a cabinet memorandum, written by senior civil servants suggesting the creation of a procedure for relatives to make inquiries as to missing people. The memorandum also suggested that a single military unit be set up to investigate alleged offences and take the necessary action to expedite the release of those unlawfully detained. The memorandum was blocked, and never formally reached the cabinet but it did prompt this reply from President Amin.

"His Excellency the President, has stated categorically a number of times that he is not in a position yet to state how many people have lost their lives ... he is not able to know how many people have crossed into Tanzania ... while it is possible therefore to provide a list of the persons now in detention, it is going to be very difficult to provide the figures and the names of the persons who have lost their lives ... The persons categorized as "missing" will for some time present a problem to the relatives and others concerned."

The killing began to spread to very segments of the society. In late April Dr. Vincent Kim Bahigye, a professor of ophthalmology at Makerere Medical School and practising doctor at Kampala's Mulago hospital was arrested by army troops at midnight. A government explanation of his disappearance, in January 1973 said only that he was "seen immediately after Military takeover of government in the company of Lt. Col. Oyite-Oyok /a close associate of ex-president Obote/ and has since not been seen". According to one source, he was sent to Makindye Military Prison where he was held for a long period until he was finally killed there.

Troops also surrounded the home of Dr. George N. Ebine, a consultant gynecologist at Mulago Hospital. Using infantry, armed troop carriers and armoured cars, they destroyed his house by shelling. The soldiers were apparently looking for Lt. Col. Cyril Gabaigo officer loyal to ex-President Obote who was killed in the shelling.

Shortly afterwards, Dr. Ebine was seized while performing an operation in Mulago Hospital. He was arrested by soldiers, taken away, compelled to write and sign a statement, and immediately thereafter murdered.

Among others killed in early 1971 are Colonel Mkingi, an Iteso officer, Albert Masarubu, the State House chief driver, and Alfred Oduka, the director of music to the Uganda police and an assistant superintendent of police. An official government explanation of Alfred Oduka's disappearance suggests that he "went to Bombasa immediately after the military takeover and has since not returned." Several sources dispute this account asserting that he was killed by members of the Uganda army. The most detailed account given of his death is as follows:

"It is known that when Oduka was safely away in Bombasa, he had phoned Amin to explain his absence from Uganda, where he feared he might be killed to silence him. Amin had assured him that he was safe, urging him to return.

It was then that Oduka did return. When his presence was known, he was detained ... and taken to Makindye there to be bludgeoned by Amin's savage assassination squad within minutes of his arrival.

"Pressed, Amin later admitted his death, but tried, though unsuccessfully as far as Ugandans are concerned, to explain it away by saying that Oduka had died of fright when he saw soldiers point guns at him."

There has been no further official explanation of his disappearance.

Another incident occurred at the Kileleshwe copper mines where the President of the Uganda Mineworkers Union, Mr. Rurangashonge complained personally to President Amin about labor conditions there. Immediately following the President's visit, Rurangashonge was shot and killed, and his body thrown into the River Nyamwamba near the mine.

In another incident during this period a British journalist, Brian Tetley, and his photographer were attacked by a soldier at a roadblock near Jinja. Tetley described the attack where the soldier "knocked us out of the car with a rifle, struck the photographer several times in the chest with the butt and barrel, and whipped me on the legs and arms. His comrades restrained him when he threatened to shoot us."

It became clear to many people that no one was safe against such attacks. Thus during these early months of 1971 an unknown number attempted to seek refuge in neighboring countries. A large number were apprehended and killed while trying to flee from Uganda into the Sudan, though the number is impossible to determine.

Much of the early killing was done in the military prisons. Several incidents were witnessed by Joshua Makholi, a former Minister of Public Service and Cabinet Affairs, who was arrested and detained in Karch at Makindye Military Prison*. While there Makholi witnessed the murder of 37 army officers in an adjoining cell, a scene which he later described as follows:-

"The prisoners started shouting and wailing and then the cell door was thrown open and we saw three or four soldiers move into it. They started shooting and when they stopped after a couple of minutes there was no sound except for the groans and screams of the wounded. Then they started dragging the bodies out and those who were still alive were killed with pangas (an African long knife like a machete) or shot. They did not seem to be able to kill one officer whom we thought was a military chaplain. He kept preaching and they kept shooting and slashing him. The bodies were loaded into an armoured personnel carrier and as they drove away we could hear the man still shouting Hallelujah!"

* Makholi was later released and went abroad. He took part in the September 1972 invasion, was captured and killed (see Section 5 below)

"The next morning, that was Saturday the sixth of March, about six or one of us was handed either scrubbing brushes or a pail for carrying water and were told to go inside the house where these people were killed. When we entered the house the place was full of worms and old blood. In fact I think the dried blood that was on the floor was almost a quarter of an inch thick, and the whole place was full of pieces of skull bone, teeth, brain tissue and many other pieces of flesh from human beings."

Waholi's account was later corroborated by Lt. Silver Tibinika who was also an inmate in Bahi during that night.

Another account of the killings in Bahi is given by a man who spent 11 days in detention there in February.

"The first night I was there they killed forty soldiers in "Singapore" cell. They were a mixed group of Acholi and Langi officers and other ranks. Two armored personnel carriers arrived from the Malire mechanized regiment after dark. The military police in charge of the prison had been told not to let any soldiers in but they were frightened. The soldiers went into "Singapore" and bayoneted the prisoners. Then they calmly drove away. Those who were not dead were taken to Lusaka for treatment and the bodies (of the dead) were loaded into three-ton trucks and taken away."

Despite these and other incidents of violence the first five months ended with the people of Uganda still hopeful that President Amin's government would begin to return the country to civilian control and to a pattern of increased stability.

Though perhaps several hundred people had been killed in the first five months, the general public was not aware of the numbers, and tended to accept a certain level of violence as an inevitable consequence of the coup. However their hopes for the future were shattered in July when a series of mass killings began, particularly within the armed forces, directed primarily against the Acholi and Langi tribes.

(2) MASSACRES IN THE ARMY IN JULY 1971

In mid-1971 there began a series of clashes within the army, culminating in mass killings at several army barracks in July.

Much of the problem was tribal in nature, with the Acholi and Langi tribes the principle targets. These two tribes had provided the central basis of President Obote's support and were still a large and important segment of the security forces.

The government later explained that the killings in June and July were incited by subunits in the army composed of Langi and Acholi. Incidents also were in turn properly suppressed by loyal government troops, under the direction of army chief of staff General Aruga.

One of President Amin's former ministers disputes this, stating that "in the first year of post-Amin concentration on systematically wiping out the Acholi and Langi in the army, the paramilitary unit (1) and the intelligence service. The Acholi and Langi constituted the majority in the security forces. In addition, as many able-bodied Langi and Acholi as Amin and his henchmen could find in the country were massacred."

According to Lady O'Neill (2) "the series of bloody events started when an Acholi soldier, on the night a group of military Kikuyu recruits were going to kill him, was shot and killed with a light machine gun". While this may have triggered what followed, it is clear that a deliberate effort was subsequently made to isolate and kill the Acholi and Langi members of the security forces.

These killings were at a head when the time that President Amin left for Israel and Great Britain on July 11. The following is a chronicle of some of the incidents that took place during that period.

At Ibarawa barracks no place was sounded. The officers and men assembled without their weapons. The Langi and Acholi were separated from the rest and were backed to death or shot. One semi-official report places the estimate of deaths at 307; another reports as many as 258 killed.

On July 9, at Moroto barracks twenty new recruits were lined up and killed. The following day up to 100 Acholi were killed. An official explanation by the Acting President suggested only that the killings resulted from the actions of a Langi Lance Corporal who had gone mad.

At Jinja barracks there was fighting from July 10-14. Here the violence spread to the local villages. A majority of the 300 Acholi are believed to have been killed or disappeared. Any children living in the villages such as Rubega in Jinja, were also killed. Many of the bodies were simply thrown into the Nile.

One survivor later described the situation at Jinja where Acholi and Langi soldiers were imprisoned in one small building. They were separated from other prisoners and between July 10 and 14 forced to defend themselves with two machine guns against the constant attacks by government guards. While 17 eventually managed to escape, all the others were killed during the four days of fighting.

At Magaraga ordinance depot the Langi and Acholi were also separated, and according to one source 30 were killed.

Other military incidents occurred on a smaller scale at various places throughout the country. Among these were Masindi barracks, Soroti and Kityu.

(1) This refers to the police Special Force Units, armed units for dealing with criminals and other law and order problems.

(2) *Historical Dictionary of Uganda*, 1973, pp. 10-11, 1973

While concentrating on the Acholi and Langi in the army, the July killing also took a tremendous toll on the police. The effect here was twofold; isolating and eliminating the Acholi and Langi Police Officers; and at the same time further destroying the effectiveness of the well-trained and disciplined police force which stood as a major check upon the army's otherwise arbitrary power.

The army's attacks on the police had begun almost immediately after the coup. On March 9, a regional police commander, one of the force's ten most senior officers, had been detained and beaten up by troops. Similar incidents had continued until July and the government had made some preliminary efforts to absorb the 1000 nonpolice special forces into the army, 400 of whom were Acholi.

In July, the army effort against the Langi and Acholi police intensified. At Masindi, the Langi officer-in-charge was shot. On July 15 a directive was issued ordering the police special force units to disband, hand over their arms to the army, and report for duty at the nearest army post. Later that day, an assistant superintendent was murdered on one of the main highways of Kampala.

A contemporary account of the July 15 directive describes the purpose of this operation as follows:-

"The way in which this is being done is a cover for splitting the special forces so that Acholi and Langi in the special forces can be killed in army camps in relatively small numbers, and more conveniently."

In London, President Amin suggested that Chinese experts from Tanzania were partially responsible for the wave of attacks and violence in Uganda. He said that Chinese were known to have taken part in the attacks at Jinja, Nagamaga, and Moroto. These border attacks, he said, had already cost the lives of about 1000 soldiers. To date, the charge that Chinese guerrillas were operating in Uganda has not been substantiated. The body of one alleged such guerrilla turned out not to be of Chinese origin.

In Uganda, the Acting President explained in an interview on July 15 that by the time the army headquarters was able to intervene in any of the incidents at these various army outposts, it was always too late. He concluded that the situation was in fact out of control with the different tribal groups at each others throats.

In 1973, former President Obote, in a letter to heads of state of the Organization of African Unity, charged that the killings of thousands of Acholi and Langi soldiers and civilians in 1971 amounted to genocide.

(3) THE MURDER OF STROH AND SIEDLE

Another well-publicized incident during this period occurred at Mbarara barracks where numerous reports of continuous killing and torture had received considerable attention in Uganda. In early July two Americans, Nicholas Stroh, a free-lance journalist working for the Philadelphia Evening Bulletin and Robert Siedle, a sociology lecturer at Makerere University, went to investigate reports that as many as 200 Acholi and Nandi soldiers had been killed at Mbarara. The two Americans were killed several days later by members of the Uganda Army's Sirba battalion.

After nine months, as a result of a concerted effort by the U.S. Government on behalf of the families of the two men, an official inquiry into the disappearance was undertaken. The Commission of Inquiry was headed by a Uganda High Court judge, David Jeffreys Jones.

Despite numerous obstacles, which will be examined later, the commission investigation managed to piece together the circumstances of their killings. An affidavit by one Uganda Army officer who was stationed at Mbarara, Lt. Silver Tibihika, was accepted as truthful and accurate. It gives a detailed account of the events that surrounded the killing, and is quoted here in its entirety.

"Affidavit:

I, Silver Tibihika make this oath and says

1. In July, 1972, I was a Lieutenant of the Sirba Battalion of the Uganda Army stationed at Mbarara. The commanding officer was Lt.-Col. Mili and the second in command was Major Juma.
2. On the 8th of July, 1972, I was outside the Battalion Orderly Room with Lt. Toban the then Intelligence Officer in the Mbarara Barracks and saw a fairly heavily built white man with a slight beard come to the office block. He enquired for the Adjutant. The Adjutant later told me and others present that the man was a journalist who wanted to interview the Commanding Officer. The Commanding Officer was not in the barracks. It was then about 10.00 a.m.
3. On the same day I had lunch at the Agip Motel in Mbarara. I sat with Captain Mukasa. At another table sat some Ministers and at another the journalist. I noticed a priest there whose name I did not know. Mr. and Mrs. Heyle who manage the Motel know me well. The journalist left before I had finished my lunch.
4. On the next day, that is the 9th of July, the journalist came again to the barracks, I think at about 9 o'clock in the morning. I saw him drive in and stop at the Quarter Guard. I was at the Quartermaster's building nearby. About 15 minutes later I saw the car still there but did not see the journalist. About lunch time I saw him with his clothes covered in mud being forced by two Military Policemen to run with his hands above his head towards the Orderly Room. He went into Major Juma's office.

5. I never saw him again but later heard officers in the mess say that the European was "killed" which is a term used by Nubians to indicate that a person is dead. I do not know whether this statement is true or not. I remember that among the officers present in the mess were Lieutenant Moses Sali of "A" Company, Lt. Samwale also of "A" Company and Lt. Stephen Taban who was then Intelligence Officer.
6. I had shortly before this heard Major Juma say that "the Uzungu /British/ think that we /Nubians/ are shenzi /rotten/". He said that the European, by whom I understood him to refer to the journalist, had threatened to hit him, but the Major did not say what they had quarrelled about.
7. On the afternoon of 9th July, Major Juma drove the journalist's car. Lt.-Col. Alli was annoyed and told him not to do so.
8. About four days later I was instructed by Lt.-Col. Alli to go with the Intelligence Officer Lt. Taban to burn the car. Battalion Regimental Sergeant Major Stephen drove the car accompanied by Motor Transport Sergeant Major W.O. Il Linden and another person whilst Lt. Taban and I travelled in my personal car. We went to Rugsala Military Training Area 50 miles away and there burned the journalist's car using eight gallons of oil and 20 gallons of petrol. Lt.-Col. Alli had told us that to soak the upholstery first with oil and then pour the petrol would be more destructive. We waited until it was burned but still smouldering and then left it.
9. Lt.-Col. Alli told us about two days later after he had been to Kampala that the matter of two missing Americans had become serious. He told Lt. Taban and myself to collect the remains of the two Americans and burn them to ashes. He told us to do our best to see that everything was destroyed. I had not myself seen any European other than the one journalist in the barracks at any time. Lt.-Col. Alli did not tell us where to find the remains but Lt. Taban directed me where to go. I drove with Lt. Taban and two recruits to a place pointed out by Lt. Taban approximately 10 1/2 miles from Mbarara on Fort Portal Road. We then turned down a track on the left and stopped. Lt. Taban walked about 20 yards further and called me. I saw the rib bones of a person on the surface of a sand pit. The recruits used shovels and dug up the remains of two persons. There was some flesh on some of the bones which appeared to have been burned.
10. We collected the remains in two sacks and drove to the barracks. It was about ten at night and no one was in the mess. We burned the remains behind the mess using oil and petrol. The remains were almost entirely reduced to ashes except that next morning I saw a piece of arm bone and other small pieces of bone when we again put the ashes into sacks. We put the sacks into a room in the mess. That night Lt. Taban and myself took the sacks to the river which flows under the bridge just before the Kikagati turning off the Kabale road on the outskirts of Mbarara. After passing over the bridge we turned down a track to the right which went down to the river. There is a place where the river is shallow and which is a good crossing. We went down the track to the river, towards the bridge we stood on a log and emptied the sacks into the river.

11. The following evening we collected the burned car on a three-ton military lorry, breaking off the engine and gear box. I was then with Lt. Taban and P. M. Simpson in my car. There were twenty recruits in the lorry. We took the parts of the car to the barracks and it was kept under guard at the R.T. yard for the night. The lorry canopy was closed. Lt.-Col. Alli came and looked at the car.
12. At 9 o'clock next night the same twenty recruits with the lorry and myself in my car leaving the way, drove through Fort Portal to a place about 26 miles along the road to Pandibugyo. I know this road well from the time when I was an intelligence officer. The lorry stopped and the parts of the car were pushed over the bank of a steep valley with dense forest. The recruits had to go a short distance down the slope because the body of the car became stopped by a tree and had to be pushed again further down the valley.
13. We returned to Fort Portal after turning at the H.O.U. camp. It was then daylight and I was afraid the troops of the unit stationed there might regard us as enemies, so I decided to report to the Commanding Officer. I did so at the former Omukona's palace. I reported to the Adjutant who called the Commanding Officer from his quarters. I told him what I had done. He knew me by name. He was Lt.-Col. Toloko who I believe is now in Tororo. He did not believe my story, so I asked him to telephone Lt.-Col. Alli. He did so and afterwards the recruits were given breakfast at the new barracks on the road to the airfield. The Lt.-Col. took me to these barracks and showed me round the barracks which were then being put up. Also with us was the second in Command, Major Juma Doka, who I believe is now at Tororo. At lunch time we had drinks in the Officers' Mess at Fort Portal and among those present were Captain Ruchogoza, Captain Pangalaco, 2nd Lt. Keshundo, the Adjutant, Lt. Groite and a 2nd Lt. whose name I do not know but who is now, I believe Adjutant at Fort Portal.
14. After lunch I returned to Mbarara accompanied by the lorry and recruits. I reported to Lt.-Col. Alli who gave the recruits four days off duty.
15. In respect of the use of my car on these operations I made claims for mileage allowance from the Command Pay Office.

S. Tibihika, Lt.

Sworn at Dar es Salaam, Tanzania, this 18th day of April, 1962, before me. R.C. Gandel, P.O. Box 116, Dar es Salaam.

In his concluding comments Judge Jones writes:

"There was positive evidence disclosed in Lt. Silver Tibihika's affidavit which I have accepted as true, that they are dead. ... From paragraph 9 and 10 of the affidavit, it is obvious that the two Americans died an unnatural death. They were in fact murdered by one or more of the Shaba Battalion of the Uganda Armed Forces".

Judge Jones concluded that "His Excellency the President has publicly stated that anyone responsible, whether highly placed or not, would be brought to the bar of justice. I am sure he will honor his promise."

The official response stated:

"The government accepts the findings of the Commissioner that Mr. Nicholas Strich and Mr. Robert Mladic went to Ibarara on the 7th July, 1971 and that they did not leave Ibarara alive, having met their deaths somewhere in Ibarara on or about the 9th day of July, 1971 at the hands of unidentified persons. The government further accepts that Lieutenant Tabilika may have more to do with the deaths than he cared to divulge (Paragraph 122, 131 and 142)."

In 1973 the government finally admitted responsibility for the killings and paid compensation to the relatives of the two men in the United States. Yet, to date, no action has been taken nor further investigation made into the evidence uncovered by Judge Jones' inquiry.

Difficulties encountered by the Jones Inquiry

Jones Inquiry is perhaps the most extensive official investigation of violence in Uganda in the past three years. The problems it encountered, as later described in Judge Jones' detailed report, are illustrative of some of the difficulties that plague the judicial process and make serious criminal investigation virtually impossible in Uganda.

To begin with, the commission received little support from the police force which now finds itself subordinated to the military. Commenting on this, Judge Jones wrote "It was no surprise when one of them / the police officers / admitted that the police had made no inquiries. There seemed to have been a sinister wall of fear enveloping most of these civilian and police witnesses."

As to the military witnesses, Judge Jones stated "The commission ran into some serious difficulties when dealing with these. Some were administrative troubles, some were due to the personalities of the witnesses." He explained that some difficulties developed when summons were required to be sent through the military rather than the police. "The frustration became almost intolerable, and the impatience and annoyance with the tribunal by the army became a sore point with the military personnel. It was becoming apparent that the army considered themselves to be above the law."

In mid-April, Mr. Justice Jones went to Fort Portal as part of the investigation into the killing. This was, in fact, to obtain confirmation of information contained in Lt. Tabilika's affidavit concerning the disposal of the car of the two missing witnesses. This trip was publicly criticized by President Amin who claimed that the Judge was not keeping the government informed of his activities, thus conducting the inquiry in secrecy. In reply to this, Judge Jones wrote "As a matter of fact, no mission could have been less secret, and from the word 'go' the Minister of Justice and the President's own office knew about the journey, if not the reason for it".

In May, the commission became aware of the important evidence which Lt. Silver Tibihika could give. Because Lt. Tibihika was in Tanzania, and afraid to come back to Uganda, the commission sought to obtain permission to hear his evidence on excursions in Tanzania. Before the application was even submitted, an article appeared in the Uganda Argus quoting a statement by an unidentified government spokesman. The statement reads:

"All High Court judges appointed by the President have the power according to the law to preside and hear cases within Uganda and judges of the High Court of Uganda have no jurisdiction to hear cases outside Uganda. This statement is issued for the information of all the judges in Uganda and must be adhered to."

Commenting upon this, Judge Jones wrote: "It was a further example of a disturbing feature of the government's attitude to this inquiry, i.e. of sending notices and orders to the judiciary via the press." As a legal issue, the government statement was inaccurate in that Judge Jones wanted to take the evidence in his role as Commissioner of the Inquiry and not as a High Court judge.

He observed in his report that "these periodic incursions into the press could well have been taken as an interference with something which was 'sub-judice' - almost directives. It is something I had never experienced before, and I hope never again. To say that it made my task extremely difficult, if not impossible, would be an understatement." Shortly thereafter, the Minister of Justice directed Mr. Justice Jones to complete the inquiry within ten days.

A subsequent government statement on the inquiry explained this action:

- "As has been observed earlier, there was an urgency about the commission which it is felt was not appreciated by the commissioner. The government therefore felt it imperative to impose a time limit. Such limits are not inappropriate or unusual in commissions of inquiry. With hindsight, the government now regrets that such a limit was not imposed when the commission was first set up, having regard to the urgency of the inquiry."

Judge Jones concluded that "I was set a difficult task and had very little or no cooperation. In spite of his excellency the President's directions, about the production of all books asked for, I got none except a guard roll. The whole thing is unbelievable." He concludes by saying "I lay down the heavy burden with relief. Never has any inquiry been beset with such obstruction and confrontation as this."

The obstruction was so great that Judge Jones resigned from the High Court and secretly left Uganda, fearing for his safety. The report was ultimately sent to the government by post.

A government white paper, issued shortly thereafter, attacked Judge Jones for his prejudicial attitude in handling the inquiry. The white paper concluded that "The government finds little necessity to add that in Uganda the independence of the judiciary is not only protected by the Constitution but is a matter of fact. No person in the course of study the day to day affairs of the country since January 1972 will find a single instance of interference by the executive in the workings of the judiciary."

(4) AUGUST-DECEMBER 1972

The killings continued throughout the second half of 1972. In August one victim was Martin Cheliga, a former member of parliament.

In September Richard Kaggwa was found burned to death in his car. Mr Kaggwa was the Chief Justice of the High Court and then the President of the Industrial Court.

An official government statement later explained that

"Following the discovery of his body in the burnt car, the Government offered a reward to 50,000 shillings to anyone who might have any useful information for the police regarding the death of Mr Kaggwa but so far no information has been received indicating as to who killed Mr Kaggwa or who burnt out his car and the reward of 50,000 still stands".

This, like many similar statements, disclaims any responsibility on the part of the authorities. Other information suggests that the police investigation was in fact blocked by the army.

In early November, Mathias Genge, formerly of Uganda T.V. was called out of a meeting by several unidentified men. He was driven off in a Peugeot and is reported to have been killed the same day at Makindye. The official explanation of his disappearance is that he was "reported to have been arrested by unknown persons". Investigations have revealed no trace of him. Several sources reject this explanation, stating that Mr Genge was in fact arrested by Uganda Army troops and subsequently killed.

In another incident, the commercial manager of Uganda Television, Mr James Muti was also killed during this period.

(5) THE MASSACRE AT MUTUKULA- JANUARY 1973

By December, 1972 there remained a large number of detainees under civilian custody at Lusira prison (formerly Bushyiron Bay Prison) near Kampala. Police investigations indicated that there was no kind of evidence against any 500 of these men. After rejecting representations that they should be released and that their continued detention was illegal under the Government's own decrees, President Nadio ordered them to be moved into army custody in Mutukula prison on the border with Tanzania, and under the charge of Major Mbarika.

Included in this group were some high-ranking police officers and about 50 members of the General Service Department. The latter were to sell out Lugri soldiers. They represented the last of the detainees from these two tribes to survive the first half of the 1972-73 period.

Among the police officers transferred to Butukula were Ibrahim Mohamed Hassan, the head of the C.I.D., and his deputies Faris Mawyo and Ocupyi. Hassan and Mawyo had headed the year-long investigation into the killing of Brigadier Okoro in 1976, which ultimately uncovered evidence at least indirectly implicating General Amin. Hassan had been imprisoned several weeks after the coup "purely for his own safety" according to President Amin.

The transfer from Luzira to Kutukula took place on December 28.

David Martin later interviewed 19 of the 23 army prisoners who managed to escape from Butukula into Tanzania, and the interviews were recorded on tape. From his records and others is drawn the following account.

One of the survivors has described the transfer to Kutukula from Luzira prison. An officer at Luzira told us 'Today you are leaving this place.' He did not tell us where we were going but we thought that we were going to be released, though we were not sure of what was going to happen. He told us to pack the prison's provisions and to leave them there in the yards. We did that and then in the afternoon we were all told to go to the reception room where we met soldiers all at arms standing on guard. A few of them started tying us with strings and then taking us to buses and lorries".

Another of the escapees added "We were originally transferred to Butukula at about 3 a.m. and then in the morning of the 29th Major Favella who is the commanding officer of the Military Police addressed senior officers and NCO's, that is from Major up to Corporal, gathered them outside in groups, and told them that the purpose of coming to Kutukula was for court-martial and that the officials for the court-martial would be coming in about a day or two to hear our cases. He told us to wait and indeed we waited but we could not see any of the officials because none was around. Then about the sixth of January some of what they call G-branch came from Kampala to write our statements. They asked us to write how we were arrested, whether we knew anything before the General went to Cairo, or were we in league with other big people to kill the General, that is before the 25th of January 1971/ or were we with the General Service Department. We had to write all of this down. These statements went on for several days until the twelfth. That's when the statements ended and they started taking senior officers ... moving them from Butukula prison.

"During the process of removal we were told to close all of our windows, but we could see from a crack over the windows how these people were taken out. When they passed the last gate their hands were tied together with strings and they were taken away. How that taking continued down the ranks, that is from Major --- next they came to Platoon and Sergeant-Majors. The next day they took 19 and then the next day they came and took Sergeants. After the removal of the Sergeants came the removal of those who came from Jirja and the Malire regiment, that is of all ranks now.

"We could see how all of these people were tied and conclude that was happening to them. Their ankles were tied and their hands were tied double. They were marched out. We were told that there was a line behind the main enclosure Butukula but that there was a way through the fence through a window

that the last group, instead of being led to where the trucks were, were being led outside in a different direction, where people had been coming from with spades and picks where we believe that the graves were being made. These people were being taken away in that direction and that was not facing the direction of the trucks.

Several days later, about 20 Acholi and Langi military handsmen were taken away, allegedly to practice for the 1st year anniversary of the second Republic on 25 January. The other prisoners were told that only a few of the officers would be court-martialled and the rest released on January 25.

During this period the General Service Department prisoners were asked to dig a series of trenches between 500 yards and 1 mile north of the prison. These trenches were, in fact, the burial place for the soldiers who were to be killed at Butukula.

One source, whose father was among those killed at Butukula explains that at this point "the Uganda army started a calculated and systematic operation of eliminating the detainees".

The General Service Department prisoners were the first to realize that the killing was going on. As one of the 23 escapees explained, "We heard from the G.S.D. that those who were being taken were killed. The first group taken were all officers and included Major Oyet, Captain Agug, Flight-Captain Atyang, and Flight-Lieutenants Okello, Chalo and Odro. They were taken with their hands tied behind their backs and our windows were closed so we could not see anything".

Several days later these prisoners tried to escape. Two were shot down in full view of the other prisoners. The other was killed before reaching the Tanzanian border.

On January 24 eleven prisoners were taken out. Included in this group were Corporals Pius, Lolo, Santo, Aldo and Privates Odongo, Black, Odong and Omara. Their hands were tied behind their backs and they were shot in full view of the remaining prisoners.

By January 25 all twenty-five of the officers had been killed as well as between 200-250 NCOs. On that very day, the first anniversary of the coup, President Amin announced a general amnesty for all detainees, who were to be released immediately, with the exception of 15 who, he said, would be held pending further investigations.

One of the escapees described the final ten days at Butukula. "On the twenty fourth, the day before the celebration there were a number of reinforcements in from Kampala. They told us that they were going to take five from each room for the celebration, and they took eleven people. These people were taken outside on the front and just about twenty yards from the front they were shot dead which we could see from our room. They were first fired with their hands and as they began running they were shot.

"The second killing that we could see came on the third /of February/. They came in the morning and asked for ten more people to be taken for fatigue that is for work. Then just as they were removed from our houses about ten or twenty yards from our buildings we saw these guys shoot and then those who didn't die on the spot were beaten with blms to the head to finish them off. This is what we saw directly from our window.

"The next day was the fourth. They told us that we are not going to eat and we overheard them outside saying that this was to be our last day of life so we knew we were going to die the next day".

A third man who was also able to escape from Mutukula describes the breakout that was attempted by the one hundred and forty Langi and Acholi prisoners who were still alive on February 5. "We made a hole in the wall of our room and at about 1.30 we broke through the passageway and we pushed one man out and he went and opened the door for the rest and they did the same thing in the other room ... We all tried to burst out but there was a tremendous machine-gun fire across the compound and at the door and also through the fence and through the barbed wire where people were running to get out.

"Many people were shot immediately in the compound and at the door, many also at the foot of the barbed wire".

Only 23 of the Acholi and Langi army prisoners managed to escape into Tanzania. Those few that had not tried to escape, numbering between 10 and 20, were killed the next day. These included C.I.D. Chief Mohammed Hassan.

The G.S.B. officers who were housed in a different barracks and thus not involved in the escape attempt, were ordered to collect the bodies for a mass burial. They counted 117.

The Langi and Acholi G.S.B. officers had already been taken away and killed. The remaining 69 G.S.B. officers were finally released.

On February 6, the following remarkable account of this incident was broadcast by Radio Uganda. It would seem that the only accurate statements it contains are that the incident occurred at Mutukula involving former army and GSD personnel and that some people fled to Tanzania.

"President Amin disclosed that there was a minor incident at Mutukula prison two days ago. The fifteen remaining detainees who consisted of former army personnel and former members of the General Service Department who are detained there pending court martial, he said, overpowered a guard, and there was an exchange of fire during which some of them managed to escape after wounding the guard. They fled to Tanzania where they were arrested by the Tanzanian Security Forces and handed back to the Uganda Armed Forces at Mutukula. These men who were handed over was Mohammed Hassan, the former head of the C.I.D. General Amin expressed his personal and Government's gratitude to the Tanzanian Security Forces at the border for their prompt and friendly action in escorting /only/ the escapees".

(6) JANUARY-DEATHS

There were other killings in January 1972, apart from those at Mutukura prison. The victims included Will M. Kalege, Minister of Commerce and Industry under Obote, who suddenly disappeared on January 20. It is reported that he was kidnapped and later killed by military police. The official government explanation of his disappearance stated only that "Investigations have revealed that he is not in the country and nobody knows where he went".

On February 23, Mulaga, the District Commissioner of Bukedi District and Nshakanabo, hotel manager of the Rock Hotel at Tororo, both disappeared. They were taken away by army troops following a dispute between Nshakanabo and some of the troops over payment for their drinks. Nshakanabo had called Kulekezi to help him enforce his claim for payment.

It is now well-established that the local Commanding Officer, Lt.-Col. Tolcho ordered their removal. Indeed, in late 1972 the President acknowledged publicly that Tolcho was responsible for their deaths, but no action appears to have been taken against him. In early 1974 he was reported missing.

In February three employees of the Coffee Marketing Board named Kakyi, Oyaa and Osana, disappeared. The government's only comment on their fate was that they were "reported missing" but their "whereabouts are not known". It will be remembered that it was on May 8, 1972 that the government issued a Decree which placed the army beyond the reach of the law (See Part II).

A week later, on May 14, a prominent Asian lawyer, Anil Clerk, a former member of the Ugandan Parliament and once legal advisor to ex-President Obote was arrested by two men in civilian clothes, who identified themselves as officers of the state research department. He was subsequently killed. It seems that the reason for his arrest was that his name had been mentioned in a letter sent to the London Observer's African correspondent which fell into the hands of the police.

A government statement about Anil Clerk's disappearance was issued on May 26, 1972. It said that after receiving requests to investigate the situation from the British High Commissioner, Mr Richard Slater, "The Ministry of Foreign Affairs promptly informed the Uganda Security authorities who in turn immediately started investigations. These investigations are still going on". Nothing further has been heard of the case.

On June 7, Makumbi Kyungu, the chief coffee grader at the Coffee Marketing Board disappeared. According to the official government explanation he has been "reported missing but investigations have revealed nothing as to his whereabouts".

Two days later, an army officer called Captain Andria disappeared. The official government explanation states that he was "detained by unknown people between the International Conference Centre and Nile Hotel just before H.E. the President left for Gulu en route to Rabat. He was found

was informed about this incident and extensive investigation have failed to reveal who arrested him or where he is. However, his car was found burnt on Kampala/Madaka road.

Another source gives this version of his disappearance.

"Captain Avudria, a Lt. Col. from Amin's own West Nile District, was drinking with friends in the Nile Hotel attached to the new International Conference Centre in Kampala. Avudria had expressed concern to his friends over the way in which Amin appeared to be filling command posts in the armed forces with Muslims. By June 1972 there was widespread public expectation that Avudria's Lugbara wife, still strong in the army, would move to alter what had already become an impossible situation. Avudria was approached by one of Amin's personal bodyguards, who asked for help. Avudria gave him the lift for which he asked, to where he said his car had broken down a couple of hundred yards away. A car was indeed parked at the side of the road with the bonnet and boot open. Avudria drove up behind it, any exit was blocked by a third car which drove up behind him. He was seized, beaten up, thrown into the boot of the first car. The boot and the bonnet were closed, and he was driven off. His own car was driven off - later to be found, burnt out, sixteen miles away. He has never been seen again".

On June 29, George Kamba was apprehended while attending an official cocktail party at the International Hotel. Mr Kamba was a former Uganda Ambassador to India and West Germany who was later appointed by the Amin government as the director of the East African Posts and Telecommunications Corporation.

One account of his arrest describes the events of that evening.

"He walked out of the hotel at about 10.p.m. only to come running back, terrified. He was seen and heard by numerous people shouting for help; he was followed by identified members of Amin's state research Department, one of whom carried a gun. Despite some attempts to help him, he was dragged off by this group".

Another source adds that :

"Many leading personalities in Kampala, including ministers, had been at that reception. Three men with dark glasses walked into the reception, seized Kamba by the arms, and dragged him out, amid Kamba's loud shouts for help. 'Help! Help! They are taking me! They are going to kill me! Help!'

"Everyone at the reception had witnessed the kidnapping that had preceded Kamba's death. No one could have done anything to save Kamba, not even the people who were sipping the drinks in the bar on the first floor, where Kamba, going into a lavatory, had loudly appealed for help. Everyone in the hotel had been aware that the kidnappers were coming. No one had wanted to commit suicide.

After being dragged from the reception he was put in the boot of a car which was found a couple of miles north with one door and a window broken. He has not been seen since.

The government's official explanation of his disappearance states that he was "arrested by unknown persons from the International Hotel and extensive inquiries were mounted by the government, but so far nothing has come to light as to who arrested him or where he is".

Thus far, the government's extensive inquiries have produced no suspects or clues relating to Kibuka's disappearance.

(7) THE SEPTEMBER 1972 INVASION AND ITS CONSEQUENCES: CHIEF JUSTICE KIWANUKA

On September 17, 1972, an invasion of Uganda was launched by supporters of former President Obote. The attack was mounted from Tanzania where Obote and many of those loyal to him had sought refuge after the coup.

While it appears that the Tanzanian government was at least indirectly aware of the planned attack, the Tanzanian army played no part in the fighting. The invasion was quickly put down by the Ugandan army.

There were several immediate effects inside Uganda. First, it re-inforced President Amin's control of the country and especially of the armed forces. Secondly, it led him to mount another major internal campaign aimed at eliminating his potential enemies within the country.

On September 21, the Chief Justice of Uganda, Benedicto Kiwanuka, was arrested in his chambers by members of the Ugandan army. According to one report Kiwanuka had approached one of his friends the night before he was taken away to whom he revealed: "I am expecting them to come and take me soon. There is nothing to do but wait".

Kiwanuka, a leader in the Democratic Party, became the first African Chief Minister of Uganda in 1961 and Uganda's first Prime Minister at the granting of internal self government in 1962. Appointed to the position of Chief Justice by President Amin in 1971, Kiwanuka's abduction and subsequent disappearance went totally unreported by the Uganda press and radio for more than 24 hours. A detailed explanation was finally given by the government in January 1973. It states that he "was arrested by three unknown persons on September 21, 1972, at about 8:30 a.m. from the High Court. These three unknown persons were travelling in a saloon car Peugeot 504, light blue, bearing registration No. UUU 171, came to the High Court Chambers where Ben Kiwanuka was working, identified themselves as security officers and said that Ben Kiwanuka was wanted at their office. They were armed with pistols. They handcuffed the Chief Justice and took him with them in their car, driving at a very high speed in the direction of Kampala International Hotel. The men were all dressed in plain clothes when they took him away. Most people working in the High Court were looking. When some of these bystanders tried to follow, they were threatened to be shot.

"On investigation, the government discovered that the people who posed as being security men were not in fact members of the security forces, and the Peugeot 504 in which they were riding had false number plates. The number of that UUU 171 in fact belongs to a Volkswagen saloon car of the British Armed Forces P.O. Box 7039, Kampala. It is, therefore, clear that the abduction of

this plot wanted to confuse the country that the people who arrested Ben Kiwanuka were members of the security forces, using an official vehicle. The government investigated this matter thoroughly but so far no evidence has come to light as to who arrested the Chief Justice and where he is.

"In this connection, the spokesman wishes to draw the attention of the country to a press statement appearing in a foreign paper "Sunday Post" of December 31, 1972, where it was alleged that the Chief Justice was tied up in a jeep which was then set ablaze by members of the security forces on the Kampala/Entebbe Road. The country will realize that Entebbe-Kampala Road is an international route where people always pass up and down, night and day, but no one has ever seen the alleged car burning on the road at any time since Kiwanuka disappeared. This is another clear example of the enemies of this country trying to cause confusion in the country".

Kiwanuka had made several rulings against the government in the weeks before he was abducted. On August 28, 1972, one month before he was arrested, he granted bail to a man, warning "As I have said in many cases, the police should wake up and start to realize the importance of a citizen's freedom. Men should not be held in custody longer than is absolutely necessary".

On September 8, Chief Justice Kiwanuka granted an application for a writ of habeas corpus for a detained British businessman, He Bourld Stewart. In issuing the order requiring the Attorney-General and the officer in charge of Makindye Military Prison to appear, the Chief Justice stated: "There was a prima facie case of wrongful detention that is required in a case of this kind". He added: "The military forces of this country have no powers of arrest of any kind whatsoever". (As noted earlier, President Amin subsequently signed a Decree on October 4, 1972, which retroactively granted broad powers of arrest to the military forces).

About a month before his arrest, President Amin referred publicly to a prominent Masaka citizen with a big job in government in whom the government had lost confidence. This was understood to be a reference to Chief Justice Kiwanuka.

The real reasons for Kiwanuka's arrest are a matter for speculation. His courageous decisions on the bench may have contributed. Also, it may have been thought that if the September invasion had succeeded, he would have been appointed President. There have been reports that President Amin learned that Chief Justice Kiwanuka had been in touch with Dr Chote in Tanzania. Whatever justification there may have been for his arrest, there can be none for the manner of it or of his subsequent execution without trial.

After his arrest he was taken to Makindye military prison. One eye witness account reported in "Brand", April 1974, states:-

"It was in September 1972, at Makindye, that I saw the former Chief Justice of Uganda, Benedicto Kiwanuka at night. He was brought in wearing an army uniform. By that time he had lost weight, he was unshaven and bare-foot. He looked very dirty. Some of the prisoners, particularly the Baganda, recognized him at once and crowded around him to talk to him.

By midnight he was taken out of the common cell and pushed into his own cell and instructions were given that nobody should approach that place.

On August 29, 1972 he was brought into our cells for his last day ... he was killed by a bullet through the back. Some Senior army officers watched the killing including Major A. The body was removed and placed in a jeep for disposal.

This account has been confirmed as accurate by a person who at the time was holding an important position in Uganda, in which he would be likely to know the true facts.

Mekuria Enyanga, a former Secretary-General in the Ankole District administration, also disappeared about this time. According to one source, "this man's three sons and himself were killed and the family house destroyed. Another reports that "Mekuria and his three sons were murdered by Brigadier Ali Fadhul Karim and his soldiers of the Giba battalion". The government explanation of his disappearance is that he "ran away during the invasion of September 1972".

Another who disappeared was Paul K. Batariganya, a former Minister of Internal Affairs. He is reported to have been "found hiding in a convent in Fort Portal after the September invasion and killed, and his head was exhibited in Mbarara barracks". Another report says that he was tortured and murdered". The official government report states only that he "was reported missing but investigations have not revealed where he might be". So far the government investigations have revealed nothing. Several close associates of Mr. Batariganya who are also reported to have been killed during this period include: Mr. J. J. Nyanja, the Administrative Secretary of the Ashali, and Messrs Katungira, Ishyamba, Eckunda, Mr. Mvonyore, Kibuharere, Mwaga, Bitariganya, Eshyamba, Kamukama and Parungu.

Also missing was Joseph Mubiru, the former Governor of the Bank of Uganda. The report states that "this man was threatened in a speech by the President of the Bank after his resignation as Governor of the Bank of Uganda". Another explains that Mubiru had written a letter about his resignation which was published in the government controlled newspaper "The People". "It was a minor issue but one which apparently stung Amin. He immediately issued a further statement in which he threatened that Mubiru would be detained 'under cold water'." This is a reference to a method of torture, where a detainee is held under cold water for hours. Another adds that "Mubiru, having been publicly threatened with cold water by Amin, was killed in Kabirye Military Police Barracks in October 1972". The Uganda government's report states that he was "reported missing". Extensive investigations have revealed no trace of where he is". Thus far Mubiru remains a missing person in Uganda, and the government's extensive investigations have revealed nothing.

This date is clearly erroneous and should probably read "September 29".

The scope of the violence during this period extended into every segment of the society. One prominent figure in Uganda's academic community, Frank Kalimuzo, the Vice-Chancellor of Makerere University in Kampala, was yet another victim. In August 1972, General Amin had asserted publicly that Kalimuzo was a spy for Israel. He had also publicly stated that he hoped to replace Kalimuzo with a "real Ugandan", implying that Kalimuzo was not. The circumstances of Kalimuzo's disappearance are well-established. He was arrested and subsequently detained in early September. Then on a day when he was attending a wedding of a member of the academic staff at Makerere, and was seen openly by some 100 people, Radio Uganda announced that he had disappeared with a number of other "enemies" of the state. As he left the wedding, someone told him about the announcement, but he refused to flee. He was arrested at his home the next day by members of the security forces. One source described the following by a number of individuals to intercede on his behalf, which continued a little while longer. Two or more guests who had been at the wedding again attempted to combat the accusation that Kalimuzo had, even temporarily, gone into hiding. But the man's fate seemed irrevocably sealed. An early newspaper report that he was in London proved inaccurate. It seems clear that Mr. Kalimuzo was killed. The government explanation of his disappearance in January 1973 states that he "was reported arrested by members of the security forces. Investigations have so far revealed that he was not arrested by members of the security forces and his whereabouts are not known". Nothing further has been heard of him.

Another striking person in September was Peter Oketta, Assistant Commissioner of Prisons. The government report states that he "was reported in the foreign press as having been killed by the government but investigations have revealed that he ran to Tanzania". One Ugandan source, not a journalist writes this account:

"Oketta was on his way to the Prisons Headquarters early in the morning on a fine day in September 1972 just after he dropped his child at a day-school, when he was overtaken by a Peugeot 500, in which were three men. The Peugeot cut in front of him, and he was forced off the road. As soon as he had stopped, having nearly avoided an accident, he was grabbed by the men from the Peugeot, thrown into the boot of his car, and taken away, in full view of many people, who recognized the men as being some of Amin's bodyguards. Oketta has not been seen since then".

There were many others reportedly killed during this period, among them Simeon Peter Crown, the Administrative Secretary of the Acholi District Council; Ben Siga, the leader of the local administration in Lango district; and Francis Bala, the former Mayor of Masaka. Several prominent Ugandans living in exile write that a week or hours after his arrest "Malugenbe was cut into pieces in the market in full public view by Lt.-Col. Malyamungu. This murder, which was one of the most heinous, was witnessed by people we know".

Another to disappear was Dr. Joseph B. B. B., a self-employed chemist and a brother-in-law of the former Prime Minister. The government explanation of Bala's disappearance is that he was arrested because "it is believed he went to join the East African Liberation Forces in Tanzania". One source

explains that "while he was arrested at Gaffin Ujika, Kampala, after he had packed a Mukasa shirt and was packing insecticide in a shop". Another confirms that he was killed.

The invasion from Uganda killed many more lives, including many members of the Ugandan government, many were killed in the fighting. Others were arrested and held in custody by the army at the Kiwira Mechanized Regiment headquarters at Entebbe. In early October, the government reported that five of these detainees had been killed while awaiting at Kiwira. Among the seven prisoners who had been released was Griffin Oyle, a cousin of former President Obote. Other sources indicate, however, that Mr Oyle was also killed, probably at Gaffin Ujika in Kampala.

Another who was arrested and was released was Alex Ojima, Minister of Information, Broadcasting and Public Order under Obote. A government account states that he "was never employed by the government at any one time. However he decided to drop out and later it was discovered that he had travelled to Dar-es-Salaam to join a rebellion. He was one of the people who later invaded Uganda during September 1972. He was captured by members of the security forces and put under detention but later on he escaped with Captain Oyle and six others who were captured during the invasion". Several sources dispute this, maintaining that he was displayed at a diplomatic reception at the State House when on British television and then killed. His body was later dumped over the rocks by Uganda army personnel.

Another prominent Ugandan killed in September was Joshua Mubhozi. An official government report stated that Mubhozi was shot while participating in the September invasion from Tanzania and taken on his way from Butaleja to hospital where he was being taken for treatment.

This account can hardly be accurate in the light of the fact that after being captured he wrote a lengthy plea for clemency which was published in The Uganda Argus newspaper.

Another example of this period was Lt. Col. V. Gehina, Commandant of the armed forces general headquarters. According to one account, Gehina has been a prime mover in the "attempts to set up a tribunal to examine the cases of those Ugandan soldiers, personnel and civilians remaining in detention throughout the period of his influence, Gehina had tried to introduce some process of law for the detained troops. The result: he was imprisoned, released, re-arrested, killed".

Another statement adds that "Odhiambo was picked up, apparently with Rubanga (the former Secretary for Defence) and allegedly shot in Kabindye by Ali Towili of the police".

The government explanation of his case is that "he was detained by the government and later released by the British. After his release, he was reported as the last Ugandan to be captured by the rebels without".

Mr H.A. Puhanga, the former Secretary for Defence, who was reportedly arrested with Ochola, is also believed to have been killed. The government report on Mr Rubanga states simply that he "was reported by his wife as having disappeared but investigations have revealed nothing". Again, nothing further has been heard of this case.

In November, James Ochola, the former Minister of Local Administrations, disappeared. One report says that he had paid members of the army large sums of money before his disappearance. Another states that he was arrested and murdered at Tororo barracks. The official government explanation for his disappearance says only that "investigations have revealed that he is not in the country and nobody knows where he went".

John Kakonge, a former Minister of Agriculture and Cooperatives, also disappeared in November. Mr Kakonge was abducted in broad daylight from his wine shop in Kampala, is where he was taken to Malire barracks and subsequently killed. The government report on this case states simply that "investigations have revealed that he is not in the country and nobody knows where he went". No further report of this case has been made by the government.

In early December Mr John Kagaga was reported missing. He was a representative of the Uganda American Insurance Company. He is reported to have been dragged from his car at Entebbe Road on December 2, 1972. The government explanation states that "he was reported missing but investigations as to his whereabouts have proved fruitless". Nothing further has been heard of him.

Another incident in December involved Patrick Ruhinda, a barrister, and Charles Karuka, head clerk, both of the law firm of Mr John Kazzora, a leading advocate in Kampala. According to one government report, its investigations revealed that by December both of these men had left Uganda to join John Kazzora in Nairobi. Several sources dispute this. One states that they were "arrested by military police dressed in civilian clothes, who were led by a man named Major Baker". (This would appear to be Major Baker Traore who disappeared in November 1972). Several statements confirm that Ruhinda was taken to Magulu Prison and beaten to death. Nothing more has been heard of Charles Karuka.

(9) THE GOVERNMENT REPORT OF JANUARY 1973

On 9 January, 1973, the government published the results of its investigations into the disappearances of 85 prominent Ugandans. This followed a meeting of the security committee on January 6 where the details of these reports were reviewed.

A spokesman from the security committee stated that "as the country and the world at large will know, when the government of the 2nd Republic of Uganda came to power, i.e. the President General Idi Amin Dada made it clear that there would be no question of political detainees anywhere in the country and as a result all people who were formerly detained by the Obote regime, e.g. Een Kiwanuka, George Mapezi, Dr Lemu, Grace Jijungira, Ho Ngobi, Balaki Kirya, Brigadier Opet and many other prominent Ugandans were released from detention and became free citizens of this country".

Blaming the disappearances on the guerrillas loyal to former President Obote, "the spokesman further stated that Obote's group and other enemies of this country resorted to another tactic, i.e. of kidnaping some prominent citizens of this country with a view to creating discontent and confusion in the country. There are a few examples of this and cases will be given below. In some cases some of the agents of Obote and other Imperialists and Zionists went to the extent of murdering some prominent Ugandans so that the blame would be put on the government".

The statement concluded by saying that "the government has, however, done its level best to investigate extensively through the normal government machinery, i.e. Police, C.I.D., Special Branch, Military Intelligence and sometimes using international assistance to trace people who were reported missing and were not in the country."

The list of 85 includes 11 former ministers, 22 army officers, 12 police officers, 6 former politicians, four prison officers and 30 civil servants and other citizens.

Of the 85, only six were said to be alive and at liberty in Uganda. Three were said to have died in the guerrilla invasion from Tanzania in September, 1972. Another 39 were said to have fled the country and the remaining 38 to have disappeared or died in unknown circumstances.

Commenting on this report, one former Amin Minister raises these points:

"1. Despite the numerous acknowledged disappearances without trace, there is not a single case where the police arrested, let alone prosecuted, an abductor. Why?

2. Abductions like that of ex-Chief Justice Mwanuka were effected in broad daylight and were the subject of extensive international comment. The official explanation here is patently hollow".

(9) THE EVENTS OF 1973

Even as this list was published, more cases of disappearances were reported. On the same day, David Ocaya, Acting Secretary of Uganda's Lint Marketing Board was abducted. According to a report obtained by David Martin he "was seized at midday by five soldiers in civilian clothes at Namowo petrol station. Ocaya was thrown in the boot of a BMW car, registration UUV 520, and never seen again".

On January 12, Haji Shah a Mbari a former Minister of Works, Communication and Housing was arrested at Jinja. According to one source his body was later recovered near the Nile. Radio Uganda reported only that he had fled the country.

In another incident, Rev. Father Ples at Plesgely, editor of the Roman Catholic Daily newspaper *Lumen*, was found dead in his front out door on the edge of a forest about 14 miles from Kampala. A post-mortem report later revealed that he had been shot and that the bullet had entered his chest.

One statement, by a former Minister in President Amin's own Cabinet explains that Kiggundu "was brutally shot and burnt in his car by Amin's henchmen, for daring to report the complaints, weans and groans of women whose husbands were mysteriously 'disappearing' or being publicly tortured and then murdered". This is a reference to the coverage Father Kiggundu gave in his newspaper to a women's conference held in Kampala in late November at which the government was repeatedly criticized for failing to control the continued violence in Uganda.

Others who disappeared during this period were H.G. Serbecuwa, a former member of Parliament and a medical practitioner, and Dr Edward Kizito, acting head of the dental school at Makerere University.

As mentioned earlier in Part II, by the beginning of 1973 the government began to move against a new guerrilla organization in Uganda, calling itself "FRONASA" (The Front for National Salvation). After the reported discovery of a Fronasa camp, a military spokesman warned on Radio Uganda:

"Villages in whose district guerrillas are found will be burned down. Taxi drivers who give guerrillas lifts will be blown up in their cars and house owners hiding them will be blown up in their homes. People hiding guerrillas will lose children and never see them again. Any person whose son is convicted of hiding or feeding guerrillas will not see that son any more because that son will be dead".

In another reaction to the guerrilla movement, the government expanded the role of the military tribunals and began carrying out a series of public executions, for the first time in 75 years.

In related incidents there were numerous killings by the armed forces reported in the town of Phale in the Eastern region, and in Kirozi district in the Western region where in one incident nine men were buried alive.

In March there were additional incidents of mass killings reported in Busoga district in the Eastern region.

In these and other incidents, the victims were by no means all prominent people. The great tragedy in Uganda is that innumerable innocent and harmless citizens on whom suspicion has fallen have been senselessly and brutally murdered.

The ordeal of one man who subsequently escaped perhaps conveys some sense of the sufferings of these humble victims during this period. He states:-

"There was a search for me. Monday two soldiers demanded to see me ... After a long wait they departed mentioning that they would come back ... Tuesday night in my house I received two telephone calls from persons who refused to identify themselves. ... Wednesday a messenger advised me not to go back to my office again, because 'the soldiers' were looking for me and trying to break in ... there were eight men who had come in an Army Land-Rover and a Peugeot and two other civilian-looking cars ... I saw six men, two in Army uniform and four in civilian; - all appeared to be trying at my door ... I slid down the back staircase and drove off. They spotted me somehow

(apparently they had stationed somebody to watch the car) and gave me a chase. I branched off ... and drove ... back to town ... Eight well-armed men ruthlessly hunting down a poor and fragile little 'Dudu' (used generally to indicate an unimportant person) as myself. I have never lived in this state of mind of extreme fear and morbid anxiety in my life ... I abandoned the car ... I took another (a friend's) and had the intention of driving to B and hide there in a cousin's house ... Unfortunately this did not work. I was picked up at a check-point ... I was then driven away, of course in the 'usual' way, in the back of a Peugeot 504. I cannot say the ride was uncomfortable for my mind was preoccupied with the thought of torture they might start administering on me. All my life I have feared torture (pain) more than death itself. The thought of torture alone drew more sweat out of me, I am sure, than any of their hottest boots could do ... I was driven to a house ... I was locked in a room by myself ... There were very many people there, some were chained, some appeared to have been bundled together, etc. All appeared to be waiting their turns for 'interrogation'. I could hear cries and yelling coming from other rooms ... It was soon dark, no food, no water. I was very tired and thirsty. I stretched myself, bare chest (my clothes had since been removed) on the cold cement floor. My body temperature gradually dropped and thirst decreased and despite the noise (human and vehicles driving in and cries and mourning from outside my room) I fell asleep ..."

Many other examples are contained in a letter which President Obote wrote in May to the Assembly of Heads of State and Governments of the Organization of African Unity. He also quotes from a memorandum written by one of Amin's former Ministers:

"Too many nations regard what is happening in Uganda as an internal matter. Is systematic genocide an internal matter or a matter for all mankind? The Sharpeville massacre was condemned by the entire civilized world, but nobody has yet condemned the wholesale killings and disappearances of innocent people in Uganda".

At this meeting of the Organization of African Unity, President Nyerere of Tanzania demanded an explanation for the murder of 24 Tanzanians in Uganda, as a pre-condition for his meeting with President Amin. At the last moment before the Conference began, President Amin publicly accepted the blame for the 24 murders. This was a remarkable volte face as, until then, President Amin had denied all knowledge of these murders and suggested they were committed by guerrillas working for ex-President Obote. This must call into question the many other denials which have been given of responsibility for or knowledge of innumerable other cases in which people have disappeared.

The killings continued through the summer. In August, Lt. Col. Kakuhikire, of the President's Office, was abducted from the Central Post Office. There had been reports of his disappearance in 1972 but the government announced in January 1973, that he was "alive and attending a course at the Institute of Public Administration in Kampala." After his arrest in August 1973, he was killed and his body was reportedly found at Lugazi.

Another incident in August involved the former Mayor of Kampala, Mr Makibinge. On July 11, the government-owned newspaper, the Voice of Uganda reported that a "scandal involving top men stealing government property was yesterday revealed to a party of the Public Safety Unit by workers of Lapezi Sugar Factory". Among those said to be involved were Mr Makibinge, who was the new personnel manager of the Uganda Sugar Factory at Lapezi. The article concludes that "all of the men involved in the alleged plot to put the government property to their private use have been put under arrest pending further investigations by members of the Public Safety Unit".

According to one source, he was arrested and charged with sabotaging the sugar production and stealing. After being detained he was released, but arrested again in August and killed without trial. A statement made by several former high ranking officials in President Amin's government asserts that "the former Mayor is now dead. His mutilated body was found on a public highway outside Kampala two weeks after this news item reporting his arrest. The charges were almost certainly false".

Another casualty in September was Paul Bitature, a prominent public servant and businessman who was arrested by the security forces and later found dead on a road near Kampala. According to one account "a ransom of 10,000 Uganda shillings had to be paid by his family to the murderers before they could release the body for burial".

On October, Godfrey Niggala, an official in the Foreign Ministry was apprehended by members of the Uganda armed forces and driven out to a forest and shot. His body was found there shortly afterwards.

In December the reign of terror was extended out of Uganda as "Jolly Joe" Kivunuka, a former leading politician, was seized in Nairobi. He was brought to Makindye Prison, where he was chained up, and later taken to the Naguru.

In another similar incident, two Lushara officers Captain Kenneth Onzima and Captain Justin Sam Anwa were also seized in Kenya on 10 December, 1973. Captain Anwa was the man who read out the 18 reasons for the coup over Uganda Radio in January 1971. According to several sources, they were both taken into Uganda between 17-20 December 1973 and later killed. Onzima was seen chained at Makindye, and one statement suggests that he may have also been shot at Naguru Police Station.

(10) PURGES WITHIN THE ARMED FORCES

It is not only civilians who have been the victims of these arbitrary arrests and executions without trial. In the past 3 1/2 years President Amin has, through a number of purges, eliminated virtually all of the military leaders who directed the Armed Forces in the initial phase after the coup.

David Martin has shown that of the twenty-three officers of the rank of Lt.-Colonel and above at the time of the coup, only four are still in the service including President Amin, the Paymaster and the Chief Medical Officer. Thirteen others have been murdered. Two escaped into exile in Tanzania. One is a Minister, and of the remaining four who were dismissed, there is some doubt whether two of them are alive. He then provides a

detailed description of the manner in which the thirteen were killed, which may be summarised as follows:-

- Brigadier Sukhman Hussain, Army Chief of Staff was captured in Kampala on 29 January 1971 and taken to death at Luzira prison in front of warders.

- Colonel Memon A. Ansh, Commander, 1st Infantry Brigade was arrested at Jinja and subsequently tortured and beaten to death.

- Colonel Abdulaziz Hamroza, Commandant, School of Infantry, Jinja, was arrested with arms and died with stomach split open with a machete.

- Lt.-Colonel M. Singh, Commanding Officer, Malive Mechanized Regiment was arrested and beaten by troops when the coup began and finally beaten to death on the following day.

- Lieutenant-Colonel Ojok, Commander, Bwera Battalion, Jinja, went into hiding after the coup but telephoned his wife asking her to bring his briefcase with personal papers to the Silver Springs Hotel in Kampala. The call went through his unit's exchange and was overheard and he was arrested at the hotel. He was severely beaten at Luzira with Brigadier Hussain but it is not certain whether he died then or was one of the thirty-two officers blown up at Makindye on 5 March.

- Lieutenant-Colonel Tom Loyira, Commanding Officer, Moroto Battalion was on leave at Kitgum on the night of the coup and went into hiding. He answered President Amin's call to all troops to report back, promising they would not be victimised. A few days later he was arrested and was one of the thirty-two blown up at Makindye.

- Lieutenant-Colonel Abwola, Commander, 'Tiger' Battalion, Echenda wanted to fight after the coup and made contact with Lieutenant-Colonel Ojok who was in hiding in Kampala, but his unit was poorly armed and in early February he decided to flee to Tanzania. He went home to collect his family. He was finally persuaded to go to Kampala where he surrendered to the Inspector General of Police. The police officer telephoned the President and was told to bring Abwola to the military Command Post in Kampala. Abwola was never seen again.

- Lieutenant-Colonel Aboma Ayumu, Commander, Border Guard, based at Fort Portal, was arrested in hiding at the home of his brother-in-law and taken to Luzira. He was one of thirty-two officers blown up on 5 March.

- Lieutenant-Colonel Khiring, Staff Officer, Army Headquarters, was taken from his office by a sergeant and six privates. His body was found floating in Lake Victoria the next day and the sergeant's and private's bodies were found nearby.

- Lieutenant-Colonel John Elity, Commanding Officer, Ordnance Depot, Mbaraga, was arrested the night of the coup and blown up at Makindye on 5 March apparently because he had reported just before the coup that private stores missing from the Bagawana Storehouse.

- Lieutenant-Colonel Pririmo Chol, Staff Officer, Army Headquarters, refused to obey an order to give Lt.-Col. Ekiring a private burial. A few days later he is said to have been poisoned at the Rock Hotel at Tororo. An inquest was refused and the hotel manager, who was believed to have known what occurred, was subsequently murdered by troops.

- Lieutenant-Colonel Emmanuel Ogun, Commanding Officer, Artillery Unit Masindi, went into hiding in the camp and was in contact with Ojok and Abuola. He went to the house of his cousin, Dr. George Eping. A European is believed to have given him away. The house was surrounded by the army. Ogun refused to surrender and was finally killed when a tank blasted in the side of the house. Dr. Eping was dragged from the operating theatre of the hospital and beheaded to death. His patient also died.

- Lieutenant-Colonel Ekuhikin, a staff officer who was working on the history of the Uganda Army, was killed during 1972. He earlier had a fortunate escape in December 1972. He was arrested and the story appeared in the London Observer listing him as missing. In order to refute the story, he was released and publicly presented by President Amin as a serving officer.

Following these purges the Uganda Army today is increasingly dominated by Meslem Nubian soldiers, who come from the West Nile region of Uganda and the Southern Sudan. The Nubians who were initially recruited into the various special security forces, have now taken leadership positions throughout the army.

By 1973, the Lucharas constituted the largest major counterbalance to the Nubians in the Armed Forces. Many of the Luchara officers had actively participated in the coup and were an important source of support to President Amin during his first two years in power. However for some reason, perhaps because they were becoming too powerful, they began to fall under suspicion, and by late 1973 every Luchara officer had been removed from a command post in the army. The following are some of these who were removed during this period in addition to Onzira and Aswa already referred to in the last section:

- Lieutenant-Colonel Kusa, the former Commandant of the Malira Mechanized Regiment who is said by the government to be "on leave".

- Major Baker Tretin suddenly disappeared in November 1973 and has not been seen since.

- Lieutenant-Colonel Ozo President of the Military Tribunal, was removed from the army and made a provincial governor.

- Lieutenant-Colonel G.H. Tete, an Air Force Commander, was sent to Nairobi to work for East African Airways as Director-General.

In addition to these Luchara officers, Lt. Colonel Tebe, a Badi, was reportedly taken out of the armed forces in Kampala and killed. Another

(1) This is the officer who was alleged to be responsible for the deaths of District Commissioner Muldoon and hotel manager John Teako (see section 4 above).

Major Officer, Major Opi, the former head of the Security Service was dismissed and is now missing.

In late February Lieutenant-General Richard Oduga, another Lushaba, was relieved of his post as Foreign Minister. The government issued a report stating that he had been assigned other duties. On March 2, 1974, Radio Uganda reported that his body had been found in the Nile. President Amin suggested that "his death was a tragedy" and he ordered a full investigation by the Ministry of Foreign Affairs.

Oduga's death increased suspicion of his hostility among the Lushabas who were still left in the camp. Many of them refused to accept the official explanation of his death and demanded a vigorous investigation. Realizing that they were the best target for suspicion, they tried to persuade President Amin to name Brigadier Bura in Baselle area, as acting army chief of Staff, but taken on much of the responsibility for carrying out the part of the dissident leadership.

The confrontation came to a head on March 23, 1974, when fighting broke out at the Kaduha military barracks in Kampala. The source reports that the Lushabas and other non-Ugandan soldiers were trying to force barracks out and were intercepted by troops loyal to General Amin. Another source suggests that "the fighting had been instigated by President Amin in order to purge the army of dissident officers who were trying to overthrow him".

A prolonged gun battle ensued with General Amin ultimately successful in restoring order, after which the soldiers again demanded that Brigadier Marella be relieved of his duties. President Amin acquiesced and retired Marella to his home in the West Nile District.

About this time the much feared Senior Superintendent of Police, Ali Towilli, was also reported to have been relieved of his command as head of the Public Safety Division.

The official government explanation of the March fighting was that it arose from an attempted counter-coup led by Pauline Charles Aruba. The Government's military spokesmen asserted that Aruba, a Christian member of the Kakva tribe, had committed suicide, shooting himself in the head after realizing the coup's failure. The official hospital report, later confirmed by subsequent government statements, shows that Aruba, dressed in civilian clothes, was shot twice in the stomach before being pushed to the hospital. The fact that he was dressed in civilian clothes raises some serious questions as to whether he was really involved in an attempted coup, and the fact that he was shot twice in the stomach strongly suggests that he did not commit suicide.

Following the fighting of March 23, there were now reports of killing of members of the Lushaba tribe, especially in the supposed town of Phale in Eastern Uganda, and in the West Nile District. Several reports also indicate that at least fifty army officers were killed in a purge of army dissidents.

In early May 1974 President Amin once again ordered a "full and impartial inquiry into the recent disappearance cases, including that of Chief Justice Mwanuka in September 1973".

(11) GOVERNMENT INVESTIGATIONS

One of the most disturbing features of the situation in Uganda has been the failure to investigate and take appropriate measures to end the violence that has paralyzed the country since 1971. There has been little official explanation for the frequent disappearances, killings and other terror, though it seems clear that much of this lawlessness has, in fact, been carried out by members of the army and of the public safety unit of the police. To date, there has not been a case where a member of the security forces has been charged and convicted in connection with the death or disappearance of any civilian. These dismal records have been variously blamed upon ex-President Obote, Chinese mercenaries, the Tanzanian government, and Zionists, as well as various tribes in Uganda, but none of these charges have been substantiated.

In 31 years, the government has produced only one detailed report, in January 1973, which described the findings of its own investigations into the disappearances of 75 prominent Ugandans. The report was unable to clarify the situation, explaining only that in 38 instances the people had fled the country, while conceding that 28 others had, in fact, disappeared in unknown circumstances, with no further explanation given. As of mid-1974, there has not been a single arrest made in any of these cases, even in cases like that of Chief Justice Kibuka, where the victims were abducted in broad daylight.

In the few isolated instances where the government has finally made a determination as to who is responsible for a disappearance or murder, little or no action has ever been taken. One example was the February 1972 killing of Mulekezi and Nalekanabo. In that case, President Amin publicly charged that Lt.-Col. Toloko had ordered their removal and was, in effect, responsible for their murder. Despite this allegation the government failed to undertake a more thorough investigation or begin any legal proceedings in the case. As has been seen, Lt.-Col. Toloko is now reported to have been killed, but without any trial.

Another example arose out of the killing of the two Americans, Stroth and Seidic, in July 1971. The government's commission of inquiry under Mr Justice Jeffrey Jones, clearly implicated the two senior officers of the State army battalion, Lt.-Colonel Ali and Pajor Juma. Yet, no proceedings have been begun against them.

(12) REACTION TO THE TERROR - VOLUNTARY EXILE

The atmosphere of constant violence has caused many people to flee the country. The scale of this voluntary exile is not known. There are understood to be over 2,000 Ugandan refugees who have been given permission to live in Kenya, as well as many others in Tanzania and Zambia and in other countries further afield.

Describing this situation in 1973, one prominent Ugandan living in exile wrote that "many indignant Ugandans have since the coup witnessed the most barbarous murders being committed by members of the armed forces on African civilians. In some cases clear warnings that they are marked men have been broadcast on the government controlled radio and television, in other cases

physical attempts have been made to capture them, and in other cases they have been tipped off that their days were numbered. Those who have been lucky to leave the country before the axe fell have done so and have sought refuge in the neighbouring countries or abroad. This group consists of ordinary workers and peasants as well as men and women with various skills and experience most of them doing their training to the Uganda employers. They have been forced to make the important decision of leaving their country without hope of returning to it as long as General Amin and his henchmen are in power. Uganda like all developed countries, is rich in skilled manpower, but Amin's regime has forced a good number of such people to flee the country for their personal safety".

The resignation and exile of one prominent Ugandan was prompted by an incident in January 1973, when Ugandan troops went into the Kamukama office of the East Africa Railway Corporation and seized the railway's resident Director of Uganda, Henry Isomanga, the regional Supplies Officer, a Kenyan, John Okech-Omara, the Regional Personnel Officer, Gaur Gungu, and the Regional Industrial Relations Officer, Tumungu, from their offices. The four men subsequently disappeared and are now believed to be dead. As a result of this incident, Edwina Nabudere, the Ugandan Chairman of the Corporation, resigned in protest and shortly thereafter moved to Tanzania. In tendering his resignation to the Secretary-General of the East African Community, Nabudere said that he "fought it, pained to justify myself as chairman of the Corporation both morally and legally" because of the disappearance of these men and the fact that no official inquiry had been made into the matter.

Mr Nabudere said that when the four men vanished he had hoped that the Uganda government had a matter of routine state inquiry would have made some effort to establish the whereabouts of these individuals, but it is quite clear that no such inquiry was either contemplated or is indeed taking place. This indeed has been the situation in Uganda for some time now, where even the disappearance of the Chief Justice of the country has never been investigated".

Several newspapers reported that following the abduction of the four officers, "about 100 Kenya Railway staff also fled from Uganda".

In early 1973, Edward Mwangi, Uganda's Minister of Education, also resigned his post and left the country. His letter of resignation to President Amin states:

"The reasons for my resignation are purely personal and moral and are based on the fact that I have found it increasingly difficult to fulfil my duties in the atmosphere that prevails in our country today. ... I wish you the courage to preserve this, the vision to know that man cannot create himself at will, the knowledge to understand that man's mission here on earth (including yours) is to preserve, improve and prolong life; and to be certain that what we do today will determine the destiny of the nation. It is our responsibility will judge us by our actions of today"

According to one source, Edwina Nabudere felt his conscience would no longer allow him to be identified with the dictatorship in Uganda by remaining in the country. He had previously been in Uganda by a number of years on a part-time basis.

Following the resignation of Rujumayo and several other high government officials, President Amin on February 27, 1973, ordered that "all ministers, secretaries and personal secretaries to ministers must go on leave for 30 days, starting from Monday, so that they can become fresh again".

In early May, Prof. O. Ali Hamdi, Head of Makerere University's Political Science Department, led a protest against increasing restrictions on academic freedom and lack of security for faculty members and students.

At this same time, John P. Harinyo, Uganda's Ambassador to West Germany, resigned accusing General Amin of complicity in the murders of hundreds of innocent Ugandans, including his brother Patrick Puhinga who had died one month earlier. The following are the terms of his letter of resignation:

"Your Excellency,

It is with deep regret that I have to inform you that after careful consideration I have decided that owing to the tyranny and oppression that now exists in Uganda I can no longer represent your government as Uganda's Ambassador to the Federal Republic of Germany and the Holy See.

The reign of terror that has been established in our beloved country has shocked the conscience of all men of goodwill throughout the world. While innocent people continue to be brutally and savagely eliminated your people has failed to bring to justice the perpetrators of these crimes. Indeed eye witness reports and circumstantial evidence tend to implicate you and your henchmen in these barbarous acts which show complete disregard and contempt for human life.

In these circumstances therefore I have no alternative but to hereby tender my resignation for this I believe is the only way I can listen to the dictates of my conscience and to universally held principles of civilized conduct.

John P. Harinyo.

H.E. General Ydi Amin Dada,
President of the Republic of Uganda,
State House Entebbe."

Several weeks later, the British Foreign Minister and President Amin's new in-law, Yegor Kijagi, resigned while in a wheelchair and made a statement saying he did not believe that he could lead during a time of innocent people without any adequate investigation. He stated that the majority of the victims were, in fact, members of the government and that as a politician, an officer of the law and a person of high standing, he could not remain silent and take no action, especially after he had taken the oath of office as a member of the

(13) THE SCALE OF THE TERROR

It is impossible to give any reliable estimate of the number of people who have been arbitrarily arrested since January 1971. Estimates received range from 25,000 to 250,000. All that can be said is that they are to be numbered certainly in thousands and very possibly in tens of thousands. With the exception of a handful of high officials, the Africans are particularly fortunate to have been spared.

While this report has presented detailed accounts of the killings and disappearances of some prominent citizens, what cannot be told are the circumstances of tens of thousands of countless other anonymous victims, most of them ordinary citizens who have disappeared without attracting any attention. For these people there were no investigations, no commissions of inquiry, no reports and no help has been provided to their families.

One Ugandan living in exile best concludes this examination of the reign of terror. Like so many others, he has lost his father in the repressive atmosphere that characterizes Uganda today:

"Now, one may ask, can the present Ugandan authorities ever be forgiven for the atrocities and suffering and misery caused by them, to both my father and me. There were and still are many like him and equally there are many like me. The blame and guilt for all the misery caused to thousands of widows and orphans rest on the shoulders of the Ugandan authorities, and in particular on the shoulders of the President who has made no effort to stop it but has licensed it, and has ruined the lives of thousands, both Asians and Africans."

PART IV - CONCLUSIONS

The following is a summary of the principal conclusions reached in the course of this study:-

1. During the past 3 1/2 years the Ugandan Government has either suspended or violated most of the fundamental human rights. By a series of decrees overriding all constitutional safeguards, and by a system of arbitrary repression operating outside any legal framework, there has been a total breakdown in the rule of law.
2. Though some emergency measures may have been justified, particularly in the aftermath of the coup in January, 1971, and at the time of the attempted invasion from Tanzania in September, 1972, there are certain minimum judicial safeguards for the protection of human rights which are to be expected even in a time of emergency. These safeguards have been lacking.
3. While the government has nominally affirmed the Ugandan Constitution its principles have been overridden expressly or by implication by a series of arbitrary decrees. All political activity has been suspended. The National Assembly and the local elected authorities have been dissolved. No steps have been taken to return to the promised democratic government. No mandate has been sought from the electorate to validate the seizure of power in January, 1971. All the basic freedoms of association and assembly, freedom of the press, freedom of expression, freedom of education and trade union freedom are in abeyance.
4. The independence of the judiciary has been undermined by direct attacks on individual judges, by the repeated interference of the armed forces, and above all by the arrest and subsequent murder of the country's Chief Justice, Benedicto Kiwanuka, in September 1972. The authority of the civilian court has been further undermined by the transfer of important parts of their jurisdiction to try civilians to a Military Tribunal.
5. The Armed Forces have been put beyond the law and have been given almost unlimited powers of arrest and search, without any form of judicial control. These powers were granted in order to fight "kondos" (armed robbers). In practice, they have been largely used to arrest, detain, torture and kill thousands of civilians from all walks of life, who for one reason or another have been suspected of opposition to the present regime. Only a very small percentage of those arrested on these grounds have been given any form of trial.
6. The repeatedly announced investigations by the Ugandan security authorities to trace those responsible for these disappearances and deaths have yet to result in bringing the culprits to trial. Some of those against whom the complaint has most frequently been made have recently been transferred to other posts or, occasionally, have themselves disappeared and been reported killed without trial. This failure to bring the offenders to justice has itself contributed to the state of lawlessness.

7. The expulsion of the Asians from Uganda in 1972 involved serious violations of human rights:-

- (a) The expulsion of Asians non-citizens was an act based on an explicit policy of racial discrimination.
- (b) The failure to provide adequately for compensating those who had been expropriated was a violation of Article 17 of the Universal Declaration of Human Rights.
- (c) The sudden and brutal manner in which the mass expulsion of Asian non-citizens took place was a breach of the principles of good neighbourliness enshrined in the Charter of the United Nations.
- (d) The denial of Ugandan nationality to many Asians who were entitled to it was a violation of the right to nationality under Article 15 of the Universal Declaration of Human Rights.
- (e) The banishment of all Asians recognised as Ugandan citizens to a remote and unfamiliar rural life was an act of racial discrimination which had the (no doubt intended) effect of driving almost all of them out of the country.

8. The effect of these massive and continuing violations of human rights has been to create a reign of terror from which thousands of people from all walks of life, Africans as well as Asians, have sought refuge in voluntary exile. Those remaining are in a constant state of insecurity.



end of Appendix 7

THE COMMISSION OF INQUIRY

(Cap. 56)

A Commission.

WHEREAS it is alleged that some people have disappeared from Uganda since the Military take-over on 25th January 1971:

WHEREAS some of these alleged missing persons are thought to be dead and others still living whether in Uganda or elsewhere:

NOW THEREFORE,

IN EXERCISE of the powers conferred upon the Minister by section 2 of the Commission of Inquiry Act 1, An Hon. GENERAL ID: AMIN DADA, V.C., D.S.O., M.C., and Commander-in-Chief of the Uganda Armed Forces also holding the portfolio of the Minister of Defence, DO HEREBY appoint the following Commissioners.

1. Mr. Justice Mohamed Said *Chairman*,
2. Mr. S. M. K. Obiinya, *Superintendent of Police, Member*,
3. Mr. A. Esau, *Superintendent of Police, Member*,
4. Captain Haruna of the Uganda Armed Forces *Member*.

AND I DO HEREBY direct that Mr. C. C. K. Ndundu, a legal advocate, shall be the Secretary to the said Commission, to inquire into all aspects of the disappearance of the persons in Uganda, and in particular, but without limitation, the identity of the foregoing,

- (a) to inquire into and establish the identity of the persons who are alleged missing;
- (b) to establish whether such persons are dead or alive;
- (c) for those persons believed to be living outside Uganda, the reasons and circumstances that led to their quitting Uganda as far as such reasons and circumstances can be ascertained;
- (d) for those proved dead, how, when, where and in what circumstances they met their death.

Appendix 8 (9)

- (e) whether there are any individuals or organisations of persons, whether within or outside Uganda, who are criminally responsible for the disappearances or deaths of the missing persons and what should be done to the persons criminally responsible for such disappearances or deaths;
- (f) what should be done to the affairs and families of the missing persons bearing in mind the provisions of Decree No. 20 of 1973;
- (g) what should the Government do to put an end to the criminal disappearances of people in Uganda;

AND I DO HEREBY prescribe that the said Commissioners shall conform with the following instructions, that is to say,

- (a) that any person desiring to give evidence before the Commissioners shall do so in person; but the Commissioners may in their absolute discretion receive in evidence any written memoranda from a person who is unable to give evidence in person if the Commissioners are of the opinion that such evidence will be valuable to their enquiry;
- (b) that hearsay evidence which adversely affects the reputation of any person or tends to reflect in any way upon the character or conduct of any person shall not be received;
- (c) that the expression of opinion touching upon the character, conduct or motives of any person shall not be received in evidence;
- (d) that any witness who gives evidence before the Commissioners may, if he so desires and requests, give evidence in camera and his name shall be kept secret. Such witness shall not be subjected to cross-examination by the person adversely affected by the evidence given by such witness, so however, that the person adversely affected by such witness' evidence shall be given the opportunity to reply to the allegations made against him without being supplied the name of the witness;

Appendix 8

3

that subject to the immediately preceding provisions, any person who, in the course of the Commission's, or otherwise, is adversely affected by evidence given before the Commission, shall be given an opportunity to cross-examine the person giving the evidence,

except in so far as the Commissioners consider it essential for ascertaining the truth of the matter into which the Commissioners are commissioned to inquire, not to depart from the following instructions:

AND I DO HEREBY direct that the said Inquiry may be held at such times and in such places as the said Commission may, from time to time, determine and may be held in public or in private or partly in public and partly in private as the said Commissioners may, from time to time, determine; provided that where the public interest so requires the President may direct that certain evidence be given in public in the presence of the Press, Radio and Television;

AND I DO HEREBY direct that any matter touching the security of the State shall be excluded from evidence;

AND I DO HEREBY direct that the Commissioners give due consideration to the local and national events in the aftermath of the take-over as well as the events pertaining and ancillary to the defence of Uganda when the nation was invaded on the 17th day of September, 1972;

AND I DO HEREBY direct that the enquiry shall not extend to any person expelled from Uganda under any authority conferred by law or who has suffered a sentence of death imposed upon him under due process of law. Nor shall the enquiry extend to persons of Asian origin or extraction who though claiming to be citizens of Uganda either remained outside Uganda or at anytime ran away from Uganda for any reason whatever;

AND I DO HEREBY direct that the said Commissioners shall start on 1st July, 1974, and shall execute the said Inquiry with all due diligence and convenient speed to make their report to me without undue delay (not later than 30th September, 1974):

AND I DO HEREBY require all other persons whom it may concern to take due notice hereof and to give their assistance

Appendix S (12)

and assistance to the witnesses and Commissioners accordingly.

Dated this 30th day of June, 1974.

GENERAL AL-HAJI IDI AMIN DADA, V.C., D.S.O., M.C.
*President and Commander-in-Chief of the Uganda Army
 Forces (holding the portfolio of Minister of Defence).*

Date of publication: 30th June, 1974.

1/ Follows Appendix 8

A. 1. IX.....

(A)

1001110

20th June 1974

DISPATCHED.....

The President's Office has issued the following statement:

"The public will recall that a couple of weeks or so ago, His Excellency, the President, General Al-Bajji Idi Amin Dada, V.C., D.S.O., M.C., Commander-in-Chief of the Uganda Armed Forces, also holding the

Portfolios of Minister of Defence and Minister of Home Affairs, announced the

appointment of Mr. Justice Mohamed Saïed as the Chairman of the

Commission of Enquiry to probe the disappearance of persons in Uganda.

Now His Excellency the President, Commander-in-Chief of the Uganda

Armed Forces also holding the Portfolio of Minister of Defence has

by legal notice appointed a full Commission of Inquiry into the

disappearance of persons in Uganda. The Chairman of the Commission

is Mr. Justice Mohamed Saïed and the members are:

Mr. B.M. Kyafalurya, Superintendent of Police; Mr. A. Esau, Superintendent of Police; and Captain Haruna of the Uganda's Armed Forces. The Secretary to the Commission is Mr. C.C. E. Naciroho, a Kampala Advocate and a Lecturer at the Law Development Centre.

The President has stated that he has given full authority to the Commission to have access and authorized to obtain all evidence regarding the disappearance of persons in Uganda. He has the full confidence in the Commission and calls upon every citizen of Uganda who feels that he has a contribution to make to this enquiry to come out without fear or favour to give evidence to the Commission.

The President has directed all persons in authority of whatever form who may be called upon by the commission for assistance to give the commission their utmost co-operation in order to facilitate the commission's assignment and speedy action.

DISAPPEARANCE....2

30-6-74.

The President expects that all Ministers, Civil servants, heads of parastatal organisations, governors and all members of the Security forces will co-operate with the Commission in its endeavour to establish the truth about the disappearances of the persons in Uganda.

It will be recalled that time and again His Excellency the President, expressed horror and grief over a number of prominent persons who have disappeared from Uganda and is greatly perturbed by the malicious propaganda waged by the imperialists in order to perpetrate a smear campaign to damage the name of Uganda purely because of the declaration of the Economic War which undermined not only the prestige and the economics of those imperialist countries but has also awakened the Third World to resist exploitation in all its forms.

His Excellency the President has come out to explain the reasons as far as they are known to him of the disappearances of persons, a large number of whom are known to be living in some countries as paid agents of the imperialists, used by the imperialists to isolate Uganda and to make the Economic War fail.

The public is also aware of the very skilfully contrived plan to defeat the Economic War when on the very day the non-citizen Asians were to leave Uganda, Uganda was attacked by external forces. However the gallant soldiers of Uganda who rescued her from the dark days which preceded the Military take-over, beat off the invasion and thus once again saved lives of millions of Ugandans and consolidated her independence and sovereignty.

DISAPPEARANCE.....3

30.6.74.

While by-gones should be by-gones, it is in this context inevitable to mention that President Amin came to power as a result of a counter coup which had been planned by Obote who contrived a scheme to wipe out large numbers of tribes in Uganda for reasons which need not be repeated here. Naturally when this plan failed, Obote and his collaborators were bitterly disappointed and they resorted to all sorts of contrivances and atrocities to wage vengeance against the persons who made their plan fail and also to unleash a reign of terror and fear in Uganda not only to discredit the Military Government but also to blackmail it desperately hoping that these machinations will so outrage public opinion as to topple the Military Government. In the process a large number of people were scared to continue living in Uganda and ran away while so many of the collaborators also had to run out of the country either for fear of being found out and brought to justice or in order to regroup and carry on guerrilla activities from outside Uganda.

These disappearances have been the concern of everybody in Uganda and have caused untold misery to a number of families and relatives in addition to draining Uganda of the badly needed skilled and unskilled manpower which is so vital to the success of the Economic War. Because of all this and more His Excellency, the President has decided that in the interest of justice, fairness, security and social tranquillity, the Commission of Inquiry be set up to probe the reasons of the disappearances, to uncover the truth and to bring the culprits to justice. It is therefore in this spirit that he has directed the President's appeal to everybody who has any information to bring it to the Commission to come out and give evidence.

...../4

DISAPPEARANCE....4

Evidence may be taken in absolute secrecy for those who fear to be known and the Commission is empowered to accept such evidence. But this should not be used as a cover to soil the names of innocent persons through malice or personal hatred. The President appeals to all prospective witnesses to tell the truth and the truth only and wishes to assure every witness and to guarantee the protection from molestation, personal safety of the commissioners, their staff and witnesses.

Should anyone whether civilian or military personnel in any way try to interfere with the proceedings of the Commission or with any witness such person however high-ranking, should either be reported to the Security Forces or direct to His Excellency the President at telephone number two-two-four-one, Entebbe. The reporter will receive immediate protection and assistance and the person interfering will be dealt with severely.

The Commission is starting its job on the first July, nineteen seventy four in the National Assembly Chambers, Parliamentary Buildings and will be assisted by a team of investigators and secretarial staff as the occasion will demand. The staff attached to the Commission are directed to work with all due speed and diligence in order to assist the Commission to produce its report in the shortest possible time.

The Commission will issue relevant announcements regarding its sittings and proceedings from time to time.

XXXXXXXXXXXX

(1)

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