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Public Statement

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Detainees tortured during incommunicado detention

Amnesty International today condemned acts of torture committed by members of the Rapid Response Unit (RRU) of the Uganda police force on some of the 41 individuals who were held in incommunicado detention from 13-17 August. Amnesty International demands that the Ugandan government promptly conducts an independent and impartial investigation into this incident, and that any RRU officers suspected of involvement in the torture of these individuals, be suspended from active duty without prejudice to any judicial proceedings.

On 13 August 2007, 41 individuals were arrested by Ugandan police officers from the RRU. They were either walking along the Musajalumbwa road in Kampala or in nearby premises at the time of their arrest. During these arrests, police officers beat the detainees with batons and rifles butts, breaking the arm of one of them, Emmanuel Tumukende, in the process. A police officer also kicked Congolese refugee and human rights activist Masudi Titi in the groin. The individuals were collected in two police patrol pickups and an unmarked car and were taken to the headquarters of the Rapid Response Unit in Kireka, Kampala.

The 41 detainees included nationals from the Democratic Republic of Congo, Kenya, Tanzania, Rwanda, and Somalia. Some Ugandan nationals were also arrested. At the RRU headquarters, they were strip searched, and all items of value that had not been previously confiscated were taken from them. During this search, one of the detainees, a Congolese asylum seeker, was beaten, kicked and trampled on by police officers.

I asked that they include in their list the items that were taken from me when I was arrested. They got annoyed and said that I had no right to tell them what to do. They started beating [me] up, kicking, and trampling me uncontrollably till I started spitting blood. Another officer who was looking intervened. They stopped and took me to the cell where others were locked. I spent 5 days with others without any medical treatment in appalling conditions with no proper food or drink. (Kahindo Balile, Congolese asylum-seeker)

Kahindo Balile is suffering internal injuries as a result of this beating.

Whenever I go to the toilet or I cough, I see blood. I have also become impotent as a result of being kicked many times in the groin.

The 41 were held in incommunicado detention for 5 days, with 23 individuals being held together in a 3 metre by 3 metre cell. The detainees told Amnesty International that some of them were held in cells together with Ugandan army soldiers, who beat them and demanded that they mop the cell. Police officers watched without intervening.

The Congolese detainees were particularly targeted for torture and abuse by the RRU. Kahindo Balile and at least three others were beaten repeatedly during their detention. A number of the detainees told Amnesty International that Congolese nationals were targeted because the police officers were trying to extort money from them, or to prevent them from complaining about items stolen from them.

All the 41 detainees were denied contact with their families and their lawyers, who were turned away from Kireka on 13, 15 and 16 August. They were only presented to court late in the afternoon of 17 August, after pressure on the police hierarchy from the Refugee Law Project and Amnesty International. They were remanded to Lugazi prison in Kampala, where they were also beaten by prison guards. They were granted bail on 23 August.

The medical doctor at the African Centre for Treatment and Rehabilitation of Torture Victims who examined three of the detainees told Amnesty International in each case that *"we conclude that from the knowledge*

of regional practice for torture, that this client was tortured as alleged."

This is not the first instance of torture by the Rapid Response Unit that Amnesty International has documented. This unit, until recently named the Violent Crimes Crack Unit, is chaired by the Inspector General of Police. It was created in 2003 after the end of Operation Wembley, an elite squad formed to crack down on crime and which was widely condemned for an unofficial shoot-to-kill policy and the use of torture and other ill-treatment and incommunicado detention.

These instances of torture are in breach of the Ugandan Constitution, the UN Convention against Torture and other Cruel Inhuman or Degrading Treatment or Punishment (UNCAT) and the International Covenant on Civil and Political Rights (ICCPR), to which Uganda is a party. These violations are also a breach of the UN Code of Conduct for Law Enforcement Officials.

In accordance with the Ugandan Constitution and international law, torture and other forms of ill-treatment are absolutely prohibited at all times. As an important safeguard against such abuse, detainees must be given prompt access to a lawyer, doctor and family members.

Amnesty International calls on the Ugandan government to promptly carry out an independent and impartial investigation into the incidents of torture and other ill-treatment, the findings of which should be made public, and to bring to justice those responsible for the torture and other ill-treatment of the 41 detainees.

Background

Since July, the Uganda police has been arresting numerous individuals suspected of engaging in criminal activities, in advance of the Commonwealth Heads of Government Meeting to be held in Kampala in November 2007.

The RRU, formerly the Violent Crimes Crack Unit (VCCU), is a unit chaired by the Inspector General of Police. It was created in 2003 after the end of Operation Wembley, an earlier elite squad formed to crackdown on crime that was widely condemned for an unofficial shoot-to-kill policy, use of torture and other ill-treatment and incommunicado detention.

The VCCU has been condemned by Amnesty International and the Uganda Human Rights Commission for numerous incidents of torture and other ill-treatment and prolonged and arbitrary detention of suspects.