



# INTERNATIONAL COMMISSION OF JURISTS

Commission internationale de juristes - Comisión Internacional de Juristas

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## PRESS RELEASE - COMMUNIQUE DE PRESSE

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### **Uganda - ICJ concerned over attempted intimidation of judges and arbitrary detention of defendants released on bail**

**IMMEDIATE RELEASE**

**2 MARCH 2007**

The International Commission of Jurists (ICJ) today called on the Ugandan authorities to respect the independence of the judiciary by ceasing the intimidation of judges and lawyers in proceedings related to the trial of Dr. Kizza Besigye and twelve co-accused and by immediately complying with the court order to release the twelve co-accused on bail.

The ICJ expressed its deep concern over the deployment on 1 March 2007 of scores of armed police outside the High Court in Kampala as a judge inside considered an application for the bail of twelve men held since November 2005 on charges of treason and conspiracy.

Although the High Court adjourned the hearing of the application to 7 March 2007 and granted bail to the accused, police prevented the men from leaving the court buildings and then rearrested them. A defence lawyer who was reportedly assaulted by prison guards whilst assisting his client to complete bail papers required hospital treatment.

"This is the second time since November 2005 that the Government has sought to intimidate judges and lawyers and prevent them carrying out their duties", said the ICJ.

"The police have ignored the ruling of a judge of the High Court and the twelve co-accused who are now back in prison are being arbitrarily detained. They must be immediately released on bail as the court has ordered. This episode again seriously undermines the rule of law in Uganda and the constitutional independence of the judiciary", stated the ICJ.

The International Covenant on Civil and Political Rights, to which Uganda is a party, obliges States to ensure that criminal trials are fair, including that trials take place before independent and impartial courts. The UN Basic Principles on the Independence of the Judiciary affirm this principle by emphasising that there shall be

The ICJ is an international non-governmental organisation comprising sixty of the world's most eminent jurists and has a worldwide network of national sections and affiliated organisations

33, rue des Bains, P.O. Box 91, 1211 Geneva 8, Switzerland  
Tel: +41 (0) 22 979 2900 Fax: +41 (0) 22 979 2901 Website: <http://www.icj.org> E-mail: [info@icj.org](mailto:info@icj.org)

no inappropriate interference with a court's legal authority by the executive branch and that judgements of courts are not subject to revision by the executive.

All twelve accused men were returned to Luzira Prison despite being granted bail, some were forcibly removed from the High Court building. The ICJ is also concerned that three of the accused were held incommunicado for nearly a day after being taken into police custody and were only returned to Luzira prison late on Friday afternoon.

On 16 November 2005 members of a special counter-terrorism security force entered the High Court buildings in Kampala and reportedly prevented 14 of the defendants in the same case from being released on bail as ordered by the court. The action resulted in the withdrawal of a judge from the case and the frustration of the High Court bail orders.

*For further information, please contact Stephen Coakley at +41 (0) 22 979 3800 or +41 (0) 79 516 2053.*

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