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July 15, 2016

Gen. Kale Kayihura  
Inspector General of Police  
Uganda Police Force  
Kampala, Uganda

Dear General Kayihura,

We write to you to express our concern about the recent violence in Bundibugyo and Kasese in February through April of this year. Human Rights Watch documented the killings of 50 individuals. These include at least 17 killed by government security forces.

Human Rights Watch calls on the government to effectively investigate all these killings and in particular to address allegations that of the 17 cases in which government security forces were involved, 13 of the victims were unarmed and posed no imminent threat at the time of their death. Uganda's regional and international legal obligations require that such investigations are carried out.

Our concerns are based on research we conducted in April and May 2016 in Bundibugyo and Kasese districts. Human Rights Watch interviewed more than 111 people, including survivors, victims' relatives, eyewitnesses, community members, medical staff, police, and journalists in Bundibugyo and Kasese. Human Rights Watch gathered and viewed evidence such as post-mortem reports, photographs, medical and mortuary records, video footage and visited internally displaced persons camps and sites of killings, burials, and destroyed homes. (See Annex below for a list of names, dates, and locations of killings, as documented by Human Rights Watch.)

We recognize that several interviewees told us that the police and UPDF played an important role in restoring security in the Rwenzori region. We also look forward to the publication of the findings of the investigations by

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the Parliamentary Committee on Defense and Internal Affairs and the Uganda Human Rights Commission to further establish a record of the violence.

We write to express our concern however that the efforts to restore peace and address the inter-ethnic violence are undermined by unaddressed instances of security forces killing unarmed civilians. Commensurate efforts should go to investigating unlawful behavior, including extra-judicial killings by both security forces and civilians alike.

As you are aware, the violence in Bundibugyo district began on February 27 when several men attacked two neighboring homes in Busengerwa-IV village in Busaru sub-county, killing Nickson Bwambale, a nurse, and injuring Ithungo Dorothy, a shopkeeper. Both Bwambale and Ithungo are ethnically Bakonzo. Their neighbor, a local council secretary, named Tadeo Mugisha, an ethnic Mwamba is alleged to have been one of the attackers. We understand that Mugisha was arrested and is awaiting trial.

In retaliation, on the same night, a group of attackers killed Tadeo Mugisha's four daughters, ranging in age from 4 to 16, and injured his wife, Nsonihyabo Goretti. Attackers, armed with pangas and spears, then killed six other Bamba individuals shortly thereafter in Mukudungu, Katumba, Kirumya-II, and Ntandi villages. The violence then spread to five sub-counties; Ntotoro, Kirumya, Kasitu, Ngamba and Busaru. Some victims' family members allege that the attackers were moving in groups armed with pangas, spears, and knives.

In Kasese, violence broke out on March 10, when an alleged group of armed Bakonzo civilians stabbed and injured four UPDF soldiers in Kikonzo, Hima Town Council following contested local government elections. In response, on the following day, Police and the army shot and killed four men in Kasenyi, whom they suspected to be conspirators involved in the previous night's attacks.

### **Extra-judicial killings allegedly by security agencies**

In response to the violence, the cordon and search operation known as "Usalama Rwenzori [Bring Peace to Rwenzori]" was formally launched on April 6 though clearly, security forces were operational in the region before then. While some interviewees credited the operation with restoring security to the region, survivors and victims' families also alleged that security forces shot and killed innocent and unarmed people, in some instances, in attempts to apprehend alleged suspects.

Eyewitnesses and surviving family members alleged that at least 13 of the 50 people killed were unarmed at the time of their deaths and posed to imminent lethal threat. The

government should carry out investigations into all fatal shootings by security forces and determine why lethal force was used in each circumstance, and if it was lawful. If security forces used disproportionate force, including during arrests, or during operations generally in the region, they and/or their commanders should be held to account for their actions.

For example, according to multiple eyewitness accounts, on the evening of March 23, UPDF soldiers shot and killed three individuals in Bulama-2 village in Bundibugyo district: Mbusa Sedurak, Mbatanguli David, and Musondibwa James. Eyewitnesses told Human Rights Watch that UPDF soldiers from nearby barracks arrested the three men, along with a fourth man, who had been seated and conversing with others in the busy trading center. One soldier beat them with the side of a panga. The soldiers escorted them down the street and forced them to crouch down in the road, facing the ground. Eyewitnesses said that some villagers threw stones at the soldiers, who then shot into the crowd in response. One man, the sole survivor, managed to run away. Soldiers immediately shot the remaining three. Two died immediately, while the third, Sedurak, crawled to a nearby house. He was transported to a clinic by villagers where he died later that night.

One eyewitness told us, “The way I see it, the soldiers didn’t do a good thing. Instead of killing, they should have arrested them, taken them to the barracks and interrogated them. Even now, I’m living in fear until I close the door for sleep. We’re not sure of the next minute.”

In another incident, around March 24, a group of security forces in blue uniforms, attempted to arrest five individuals who were resting after working in a cocoa field in Bundimukererwa village, Bundibugyo district. The security forces asked the men what they were doing. A witness to the incident said that one man, stood up because the soldiers cocked their guns and he was immediately shot. The survivor said that he ran away as soon as he saw the shooting. The security fatally shot three men during this incident: Baluku Musoke, Bwambale Godfrey, and Busesi Katsirombi Barinda.

Around March 23, a group of policemen accompanied by Bamba people carrying bows and arrows, reportedly shot at a group of Bakonzo people at Buhundu Kisenyi village Kanyansiro parish, Ntotoro sub-county. One of them, Baluku Muhalaba, was allegedly shot and killed by security forces as he swam across the Ntotoro River. One witness told Human Rights Watch, “I saw him being shot at by police. I can identify the policeman. I knew him because he was deployed at Kirumya police post. I had seen him before and I had known him for a month.” Baluku had a single gunshot wound to the back of his head.

Around March 25, Syipuma Mughoma Yonasani was fatally shot in the back by police officers security forces in a cocoa field in Bundimwali 2 village, Ntotoro Parish, Ntotoro sub-county. An eyewitness said that a large group of security forces, police and UPDF, arrested a group of men who were harvesting cocoa. When Syipuma saw the other men being arrested, he fled. One security officer followed him and shot him in the back, and he died instantly.

In Kasese, on March 11 in Kasenyi village, a journalist captured video footage that was aired on television and circulated on social media of soldiers and police shooting a stick-wielding individual. During that incident, four men, believed to be royal guards of the Obusinga bwa Rwenzururu kingdom, were shot and killed by security forces: Kake Ezekiel Saleri, Bwambale Sajin Nasson, Wayakwa James, and Kirerembwa Jokas Musalera. Three eyewitnesses told Human Rights Watch that none were armed with lethal weapons at the time of their deaths.

A relative of one of the men said, “These four who were killed, if government knew they had a case, is it difficult for so many soldiers to arrest and take them to court?”

When a local leader from Kasenyi sought help from police to document their deaths, local police officials told him to bury the bodies. No post mortems were carried out. Community members alleged – and the video footage captured – a government agent, a Gombolola Internal Security Officer (GISO), at the scene pointing out the four men who were subsequently killed. The GISO has not been arrested.

The relative of one of the victims said, “They made investigations and told us to list people who lost houses and crops, but they didn’t want a list of the dead and how the wives and children will be assisted and yet they’ve been asking us to reconcile. But they don’t bring the person who was pinpointing [the GISO]. How do we reconcile in the absence of that person?”

Also in Kasese, outside Shauriyako market on March 31, multiple eyewitnesses stated that security forces dressed in civilian clothing and traveling in two unmarked white vehicles shot and killed an unarmed man named Matte Mugomya and arrested another. Witnesses and other community members alleged that the assailants were members of the Flying Squad, a unit within the Uganda Police Force. According to multiple witnesses, Mugomya was unarmed, and that he had only a 5,000 Ugandan shilling note in his hand when he died.

We are concerned that the government's use of disproportionate force has exacerbated tension in the region. As one interviewee said, "Suppressing by using the military and police is not right. It is just removing a log, but the fire remains."

The majority of killings in Bundibugyo and Kasese were of civilians by other civilians. The police have undertaken some investigations and arrested hundreds of individuals under Operation Usalama, charging at least 13 with crimes connected to the violence in Bundibugyo and another 10 in Kasese.

However, many family members of victims and eyewitnesses who met with Human Rights Watch said that police have not sought to gather statements, nor had police communicated with them about ongoing investigations, arrests, or prosecutions involving the deaths and injuries of their relatives at the hands of community members. The father of one victim said, "Police have neglected us. Those killers are not in the IDP camps. No one has bothered to find them."

One local government official alleged that local police were not carrying out investigations. He said, "Those ones organizing [Bakonzu militia] have leaders. Police is aware. The problem is the police who've stayed a long time. Even the police fear. They are not making solutions. They don't act." Several people told Human Rights Watch that the local police appeared reluctant to respond to their pleas for help. One man said, "I ran to the police post in Katumba to alert them that my brother had been killed. The officer told me wait until the army comes back."

Human Rights Watch requests the Uganda Police Force to continue to interview victims' family members and eyewitnesses and to pursue investigations. We urge the police to maintain continuous contact with victims' families to keep them apprised of ongoing efforts to bring suspects to justice.

Families in Kasese said that the Ugandan Police Force provided some monetary compensation, around 3 million UGS (approximately \$900 US) to cover burial costs for their loved ones during a meeting. They stated that police assured them that investigations into the circumstances of their killings would continue. While monetary compensation will aid the families, it does not displace the obligation to ensure justice and accountability for crimes against them.

The mother of one victim killed in Kasese by government forces said, "I've wanted to know who killed my son, why he was killed, so that I can take legal measures and see if anyone can assist me. I had high hopes for my son."

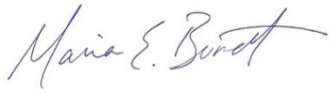
## Recommendations

Human Rights Watch calls on the Ugandan government to undertake an effective, independent investigation into the killings. Human Rights Watch calls on the police to continue to conduct investigations and to maintain dialogue with family members about ongoing efforts to investigate, arrest, and prosecute suspects.

We urge the police and military to abide by the UN Basic Principles on the Use of Force and Firearms, which provide that law enforcement officials should apply nonviolent means before resorting to the use of force. Under these principles, the government should ensure that instances of “arbitrary or abusive use of force and firearms by law enforcement officials is punished as a criminal offence under their law.”

We look forward to discussing these and other cases with you.

Sincerely,

A handwritten signature in cursive script, reading "Maria E. Burnett".

Maria Burnett  
Senior Researcher, Human Rights Watch

CC: Medi Kaggwa, Chairman, Uganda Human Rights Commission  
Uchenna Emelonye, Country Representative, Office of the High Commissioner for  
Human Rights

**Annex Attached**

# ANNEX:

## Individuals killed in Rwenzori region between February and April 2016

### *In Kasese*

1. Bwambale Nasson, allegedly shot by military in Kikonzo, Hima Town council around March 10
2. Mumbere Nyaminji, allegedly shot by military in Kikonzo, Hima Town council around March 10
3. Kake Ezekiel Saleri, allegedly shot by government security forces in Kasenyi Kitswamba sub-county around March 11
4. Bwambale Sajin Nasson, allegedly shot by government security forces in Kasenyi Kitswamba sub-county around March 11
5. Wakyakwa James, allegedly shot by government security forces in Kasenyi Kitswamba sub-county around March 11
6. Kirerembwa Jokas Musalera, allegedly shot by government security forces in Kasenyi Kitswamba sub-county around March 11
7. Donald Muhindo, allegedly shot by police in Kidodo police post Kasese town around March 23
8. Maate Mugonya, allegedly shot by Flying Squad at Shauriyako Market Kasese town around March 23
9. Kule Munyambara Obed, allegedly shot by military at Obusinga bwa Rwenzururu palace on April 3

### *In Bundibugyo*

10. Baluku Muhalaba Musokyi, allegedly shot by military near Ntotoro River around March 24
11. Bwambale Godfrey, allegedly shot by police in Bundimukererwa around March 24
12. Busesi Katsirombi Barinda, allegedly shot by police in Bundimukererwa around March 24
13. Baluku Musoke, allegedly shot by police in Bundimukererwa around March 24
14. Mbusa Sedrak, allegedly shot by military in Bulama Kirumya sub-county around March 24
15. Mbatanguli David, allegedly shot by military in Bulama Kirumya sub-county around March 24
16. Musondibwa James, allegedly shot by military in Bulama Kirumya sub-county around March 24

17. Syiyapuma Mughoma Yonasani, allegedly shot by police in Bundimwali II Ntotoro Parish, Ntotoro sub-county around March 25

Individuals killed in inter-ethnic violence, all in Bundibugyo

1. Kalungi Jane, allegedly killed by Bakonzo attackers, Mukundungu Busaru sub-county around February 27
2. Katusiime Blessing, 2-year-old girl, daughter of Kalungi Jane, allegedly killed by Bakonzo attackers in Mukundungu Busaru sub-county around February 27
3. Bwambale Nickson, allegedly shot and killed by Bamba attackers in Busengerwa around February 27
4. Nasitazia Harriet, 7-year-old girl, allegedly killed by Bakonzo attackers in Busengerwa around February 27
5. Katayikabwo Silvia, 16-year-old girl, allegedly killed by Bakonzo attackers in Busengerwa around February 27
6. Ruth Katangwa, 13-year-old girl, allegedly killed by Bakonzo attackers in Busengerwa around February 27
7. Lydia Nsoni, 4-year-old girl, allegedly killed by Bakonzo attackers in Busengerwa around February 27
8. Anna Kuguma, allegedly killed by Bakonzo attackers in Katumba Kirumya sub-county around February 27
9. Kasabaya Kambayaya, allegedly killed by Bakonzo attackers in Katumba Kirumya sub-county around February 27
10. Alozio Kahuta, allegedly killed by Bakonzo attackers in Kirumya-II Kirumya sub-county around February 27
11. Samson Tumusiime, allegedly killed by Bakonzo attackers near Ntandi Primary School Kasitu sub-county around February 28
12. Robert Magezi, allegedly killed by Bakonzo attackers in Bundimasooli Kasitu sub-county around March 11
13. Muswaga Maritha, allegedly killed by Bakonzo attackers in Busengerwa Busaru sub-county around March 22
14. Atuhairwe Aaron, 10-year-old boy, allegedly killed by Bakonzo attackers in Bundimwali Kasitu sub-county around March 24
15. Kajoina Florence, allegedly killed by Bakonzo attackers in Busendwa-I Kasitu sub-county around March 24
16. Maliyabwana Wilson, allegedly killed by Bakonzo attackers in Busendwa-I Kasitu sub-county around March 24



17. Bwambale Robert, allegedly killed in Buhanda Bubukwanga sub-county around March 24
18. Kubomwe Edison, allegedly killed in Bukisi-1 around March 24
19. Nkwirabusa Augustine, allegedly killed in Bukisi Trading Center, around March 24
20. Monday Sam, 17-year-old boy, allegedly killed near Ntandi Primary School Kasitu sub-county allegedly by Bakonzo attackers around March 26
21. Basaliza Isaac, allegedly killed in Matongo Ntotoro sub-county around March 25
22. Nyamayabo Robert, allegedly killed by Bakonzo attackers in Ngamba-II Ngamba sub-county around March 25
23. Bamutunguba Yoweri, allegedly killed by Bakonzo attackers in Ngamba Ngamba sub-county around March 25
24. Tibejuka Charles, allegedly killed by Bakonzo attackers in Ngamba Ngamba sub-county around March 25
25. Monday Sulaiti Alias, allegedly killed around March 25
26. Muhindo Jajale, allegedly killed in Nyansolo Ntotoro sub-county around March 25
27. Kyomuhendo John, allegedly killed in Bundikeki Kirumyasub-county around March 25
28. Mwerwa Yolonimu, allegedly killed by Bakonzo attackers in Ngamba-II, Ngamba sub-county date unknown
29. Nguru John, allegedly killed in Ntotoro sub-county, date unknown Ntotoro
30. Siigwa Amos, allegedly killed by Bakonzo attackers in Bundimasooli, Kasitu sub-county date unknown

#### Security forces killed, all in Kasese

1. Geoffrey Kasimba (identified in some media articles as Charles Kasimba), police, allegedly killed by panga at Kidodo police post around March 23
2. Lance Corp. Joseph Balyeke, military, allegedly killed by panga at Obusinga bwa Rwenzururu palace on April 3
3. Tumwesigye Edmond, military, allegedly killed by panga at Obusinga bwa Rwenzururu palace on April 3