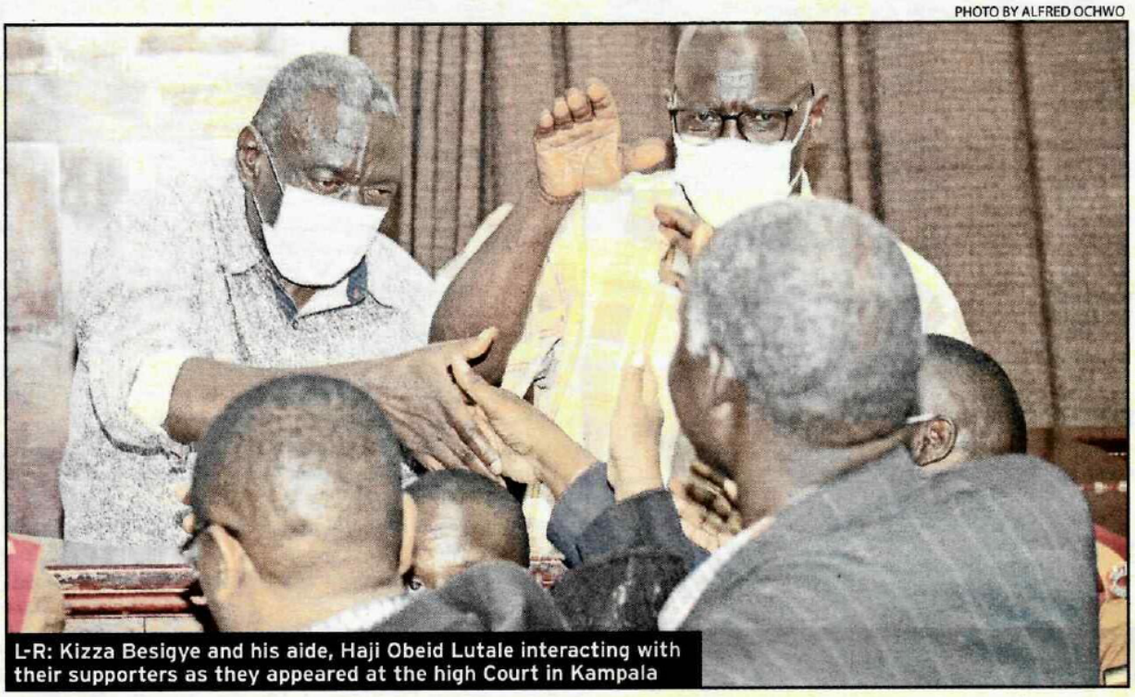
BESIGYE TREASON CASE: STATE SEEKS PROTECTION FOR SIX KEY WITNESSES

By Barbra Kabahumuza and Michael Odeng

PHOTO BY ALFRED OCHWO



L-R: Kizza Besigye and his aide, Haji Obeid Lutale interacting with their supporters as they appeared at the high Court in Kampala

The Office of the Director of Public Prosecutions (ODPP) has asked the court to grant protection to six key witnesses in a case in which four-time presidential candidate Kizza Besigye, his aide, Haji Obeid Lutale and Capt. Denish Oyaa Oola, a Uganda Peoples' Defence Forces officer attached to the Armoured Brigade are accused of treason and misprision. The offence attracts a maximum sentence of death upon conviction.

When the case resumed yesterday, the assistant director of public prosecutions, Thomas Jatiko, told the court that the state had filed an application to Justice Emmanuel Baguma of the criminal division of the High Court to allow delayed disclosure of the witnesses' identities. Jatiko was being assisted by Chief State Attorney Richard Birivumbuka. He informed the court that the prosecution served the defence team with five witness statements on March 11, 2026.

Jatiko, however, stated that the statements were submitted without the witnesses' personal details such as names, places of residence, age and occupation.

"The omission was deliberate because it seeks their protection," Jatiko said. He added that the witnesses were identified as A, B, C, D, E and F in the statements.

"My lord, save for the names and other personal particulars of the witnesses, the statements are complete," Jatiko submitted.

DEFENCE TEAM OBJECTS

However, the defence team led by Kenyan lawyer Martha Karua opposed the application, accusing the prosecution of acting in bad faith and failing to comply with earlier court directions on full disclosure of evidence they intend to use during trial.

Other defence lawyers include Erias Lukwago, Earnest Kalibbala, Fred Mpanga, Bayern Turinawe, Farouk Kamulegeya, Abubakkar Ssekanjako, Kato Tumusiime and Simon Nsubuga.

Lukwago argued that the state had previously committed to making full disclosure of all evidence, but instead served statements without the necessary particulars.

Lukwago further argued that the prosecution had had the statements since March 2025, wondering why they had delayed their disclosure, until now.

"My Lord, this is disingenuous and dishonest. The prosecution had these statements for a long time, but chose not to disclose them," he argued.

The defence lawyers said they only received the documents on March 11, noting that the service was made to their law firms in the evening when some of them had left their offices.

They asked the court to declare that disclosure has been completed so that the trial can proceed without further delays.

DIRECTIVES

The judge ordered the prosecution to serve the application for protection of witnesses to Besigye, his co-accused, together with their lawyers.

Following the service, the accused persons and their lawyers have been given up to March 26 to file their reply.

The prosecution will then have the opportunity to file a rejoinder, if any, by March 30.

The matter was consequently adjourned to March 31, when the case will come up for mention.

THE CASE

Prosecution alleges that Besigye, Lutale, Oola and others still at large, between 2023 and 2024 in various countries, including Switzerland, Greece, Kenya and in Kampala, contrived to overturn the Government of Uganda by force of arms. According to the charge sheet, the accused, knowing that another person intended to commit treason, did not give information to Ugandan authorities to prevent the commission of treason, which tantamounts to misprision of treason.

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