

ocratic Change party, which sponsored his candidature, have rejected the results declared by the Electoral Commission on Feb 20, which showed that President Museveni won the

how your Lazarus is. Today we are in a very sick country; sick political system, sick financial system; sick judicial system, sick education sys-

REV DR KIZZA BESIGYE...
toral Commission...let me stop there. There so many other areas where we are sick. We need an intervention of

Dr Besigye has been held at his home since Friday last week. Inspector General of Police Gen Kale Kayi-

Kira Road Police Station before being driven back to his home.

Besigye turns to court to seek his freedom

BY ANTHONY WESAKA
awesaka@ugnationmedia.com

KAMPALA. Forum for Democratic Change (FDC) presidential candidate Dr Kizza Besigye has petitioned court to seek orders to evict police officers and other security personnel who have laid siege at his home since election day.

Dr Besigye's lawyers last Friday petitioned Kasangati Magistrates' Court in Wakiso District protesting the continued presence of police who they say their client wants withdrawn from his residence with immediate effect.

However, by press time yesterday, it was not clear when the court will convene to hear the application.

"What I can confirm to you is that there is an application filed before Kasangati court seeking to free Dr

Besigye... The application is seeking similar orders like the earlier ones we filed before the same court in 2011," said Mr Ernest Kalibala, one of Dr Besigye's lawyers in a phone interview.

Police have camped at Dr Besigye's home in Kasangati, Wakiso district since election day. He has been blocked from leaving and whenever he tries, he is promptly arrested only to be returned in the wee hours of the morning.

Yesterday, he left his home to attend a church service at All Saints Cathedral in Nakasero but was arrested again after he and police disagreed on what route to use after the service.

The police chief, Gen Kale Kayihura, has defended the police action saying it's a direct response to Dr Besigye's declared "defiance campaign."

The confinement of Dr Besigye at his home by police started a day

before the Electoral Commission announced the official presidential results in which Dr Besigye participated and was returned as the runner up with 35 per cent of the total votes cast against the incumbent President Museveni who was declared winner with 60.7 per cent of the total votes cast.

In the past

A similar application was filed after the 2011 general election after police pitched camp at Besigye's residence for one week also under the guise of 'preventive arrest'.

The police led by the then Kampala North metropolitan regional police commander Stephen Tanui, had arrested Dr Besigye for attempting to participate in the second phase of Walk to Work protests that rocked the city in protest of Museveni's vic-

tory in 2011 presidential elections in which Dr Besigye participated and was also declared a runner-up.

Dr Besigye had in the previous application, sought court orders to be immediately and unconditionally released from detention.

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He was also seeking compensation for the damages caused during his detention, claiming he had incurred losses in his businesses since he was not allowed to leave his house to check on them.

To that effect, court then presided over by Grade One Magistrate Jessica Chemeri, in her ruling in 2011, held

that it was unlawful for the police to confine Besigye at his residence on grounds that his home is not a gazetted detention centre in the law.

"His detention was unlawful as he was not kept in a lawful detention centre and this was beyond the constitutional 48-hour period," ruled Magistrate Chemeri.

Further in her ruling, Magistrate Chemeri criticised the police for infringing on people's rights and freedoms.

"In my view, the police officers in carrying out their duties, must uphold the rights and freedoms of others. If they don't know what to do, they should seek advice," she ruled.

While the court was making its orders to have the police withdrawn from Dr Besigye's residence, the police acted ahead of the court ruling and withdrew their officers.

After the ruling, Dr Besigye walked back home in the company of his jubilating supporters and commenced his normal life without police blocking or restricting his movements.