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TOP POLICE OFFICERS TO FACE ARMY COURT

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PHOTO BY MEDDIE MUSISI

Seven policemen, including two senior officers, accused of kidnapping and repatriating two Rwandan nationals have asked the army court to release them on bail.

The policemen together with a Rwandan, Rene Rutagungira (an army officer from Rwanda), filed the bail application at the General Court Martial (GCM) based in Makindye, a Kampala suburb, on Friday.

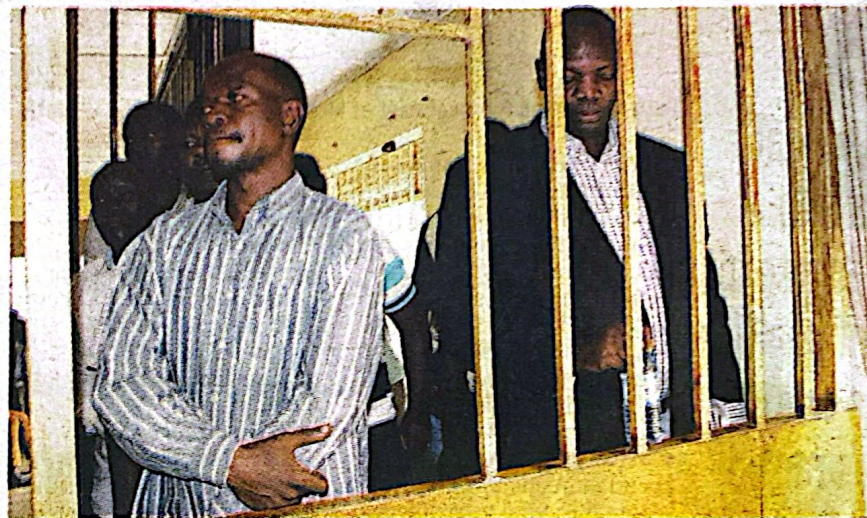
Meanwhile, a Congolese, Pacifique Bahati Mugenga alias Ilunga Monga, also battling similar charges, did not apply for bail.

The officers are Joel Aguma, the commandant of the Police's Professional Standards Unit; Nickson Karuhanga Agasirwe, the former commandant of Police's Special Operations Unit; James Magada, Benon Atwebembeire, Abel Tumukunde, Faisal Katende and Amon Kwarisima.

Prosecution, led by Maj. Raphael Mugisha, alleges that the nine accused persons unlawfully kidnapped Jackson Kalemera alias Ndinga and (lieutenant) Joel Mutabazi and delivered them to Rwanda without their consent. Mutabazi was a former bodyguard of Rwandan President Paul Kagame. Rwandan officials have remained silent on the matter.

Prosecution states that on October 25, 2013, at Kamengo in Mpigi district on the Kampala-Masaka Road, while in unlawful possession of firearms and grenades, ordinarily a monopoly of the Uganda People's Defence Forces, the accused persons conveyed Kalemera and Mutabazi to Rwanda.

The policemen asked to



Police officers Joel Aguma, (left) Nixon Agasirwe (in black jacket) and others facing the General court Martial in Makindye on November 20

be freed on grounds that the offences they are facing are bailable and that they have a constitutional right to apply for bail before the same court.

The officers also stated that they have fixed places of residence, substantial sureties and no pending charges before court. Aguma stays in Goma division in Mukono district, while Magada at Nabweru, Wakiso.

Agasirwe did not disclose his place of abode, but revealed the people who he intends to use as sureties to secure bail. Agasirwe said he is the sole breadwinner for his family.

The sureties are Andrew Kaggwa, a senior superintendent of Police (SSP); Fortunate Sahabyar, the commissioner of Police Laban Muhabwe, retired commissioner of Police; Aloysius Muhangi, his brother and a cousin Dez Atwebembeire.

Agasirwe further stated that he is ready and willing to abide by the terms and conditions court will set for bail.

Background

The court case came after the Chieftaincy of Military Intelligence arrested the Police officers over a wide range of cases, including the murder of former Assistant Inspector General of Police, Andrew Felix Kaweesi.

Police Chief Gen. Kale Kayihura has since the arrest of his once trusted Police officers remained silent on the matter.

In his bail application, Rutagungira says he has no criminal record and that he has hypertension.

Aguma, Agasirwe and Magada are currently under custody at Makindye military barracks, while the rest of the suspects are in Luzira prison.

The move to detain Aguma, Agasirwe and Magada at

Makindye followed pleas from their lawyers, who said the accused were serving Police officers who investigated criminals, some of whom are currently serving sentences at Luzira prison.

The accused persons are slated to appear in court tomorrow for the hearing of their bail applications.

Lt. Gen. Andrew Gutti is presiding over the case while state prosecutors Maj. Raphael Mugisha and Lt. Ambrose Baguma is prosecuting the case. The accused are being represented by Caleb Alaka, Evans Ochieng and Frank Kanduho.

At the first court appearance, on October 27, Alaka and Ochieng refused their clients to enter plea while in contest to the jurisdiction of the GCM and the defective charge sheet.

But they later agreed to plead to the charges after their lawyers informed court that his clients had dropped the earlier objections and are willing to take plea. They denied the charges.