

According to prosecutors, if the court okays its request, the witnesses would instead testify under pseudonyms identified only as A, B, C, D, E, and F.

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The State has asked the High Court in Kampala to allow it to conceal the identities of six key witnesses expected to testify in the treason trial of Opposition figure Kizza Besigye, citing security concerns.

In an application filed ahead of today's court session, the Directorate of Public Prosecutions (DPP) requested permission to withhold the identities of the witnesses and delay disclosure of evidence that could reveal who they are.

"Take notice that this honourable court shall be moved on the 12th day of March at 11 am... or soon after counsel for the applicant shall move court for the following witness protection and delayed disclosure orders; the concealment of the identities and non-disclosure of any material that is likely to reveal the identities of six prosecution witnesses; A, B, C, D, E and F before their testimonies in court," reads part of the application before the court.

The prosecution argues that revealing the identities of the witnesses at this stage would expose them and their families to danger.

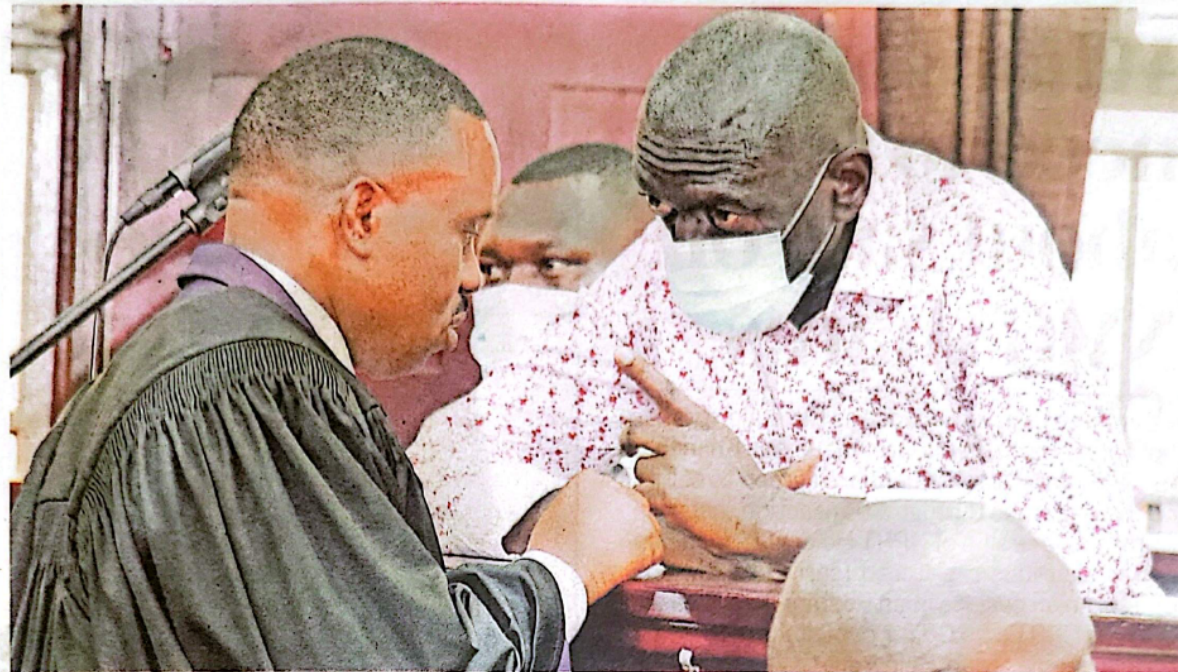
"There is a security threat against six witnesses who are the subject of this application, and if their identities are disclosed at this stage, their lives and those of their loved ones would be in danger," the application states.

According to prosecutors, the witnesses would instead testify under pseudonyms identified only as A, B, C, D, E, and F.

In an affidavit supporting the application, Chief State Attorney Joseph Kyomuhendo said the law requires the prosecution to disclose evidence and witnesses to the defence before the trial begins.

However, he argued that complying fully with this requirement in the current case could endanger the witnesses.

"One of the prosecution witnesses has



Veteran politician Kizza Besigye (right) consults his lawyer Erias Lukwago at the High Court on February 24. PHOTO / ABUBAKER LUBOWA

State asks court to hide 6 witnesses in Besigye case

already been threatened by the respondent's accomplices. Investigations reveal that Frank Kihehe, who is an accomplice to the respondent, threatened to harm the witnesses in this matter," Mr Kyomuhendo states in his affidavit.

He adds that disclosing their identities now could lead to interference, intimidation, or harm against the witnesses

or their relatives.

The prosecution further contends that granting the orders would not prejudice Dr Besigye and his co-accused, Hajj Obeid Lutale and Denis Oola, who are also facing treason charges.

About two weeks ago, presiding judge Emmanuel Baguma directed the prosecution to make full disclosure of the evidence and witnesses it intends to rely on before the trial commences, in line with the principle of a fair hearing.

Background

The State alleges that Dr Besigye, Lutale, and Capt Oola, together with others still at large, between 2023 and November 2024, plotted to overthrow the government by force of arms.

Prosecutors claim the alleged meetings took place in several locations, including Geneva in Switzerland, Athens in Greece, Nairobi in Kenya, and Uganda.

The charges stem from the arrest of Dr Besigye and his political aide in November 2024 in Nairobi, where they had travelled to attend the book launch of Martha Karua.

In a previous treason case against Dr Besigye in 2021, then Director of Public Prosecutions Mike Chibita said the case collapsed partly because some witnesses who allegedly attended Besigye's swearing-in as President declined to testify or failed to appear in court.

Uganda has not yet enacted a full witness protection law to guide how to protect witnesses in court while testifying in sensitive cases. A draft bill has existed since 2015, but has not been passed into law. Because of this gap, witness protection is mainly ad-hoc and handled on a case-by-case basis.

2024
BESIGYE IS
ARRESTED