

**STATEMENT BY THE HON. MINISTER OF FOREIGN AFFAIRS TO THE DIPLOMATIC
CORPS ON THE “WALK TO WORK” DEMONSTRATIONS
10 MAY 2011**

Your Excellencies,

I warmly welcome you all to the Ministry of Foreign Affairs and to this briefing on the “**Walk to Work**” Demonstrations.

Concern has been expressed about Police action in response to what is being referred to as a “**Walk to Work Campaign**” against the current costs of food and fuel. I want to inform Your Excellencies that Government is equally, if not more concerned about the high costs. This is why Government has stated on several occasions that the matter is under active consideration and action will be taken.

The walk to work campaign however has nothing to do with the current high prices. The intentions of those organizing the demonstration and procession are clearly different. If the **Walk to Work Campaign** was genuine, there are clearly spelt out methods and procedures to follow.

As you may be aware Your Excellencies, Article 29(d) of our Constitution guarantees freedom to assemble and to demonstrate, together with others, peacefully and unarmed and to petition.

Article 43(1) guides on how those freedoms can be exercised. Article 43(1) states that

“in the enjoyment of the rights and freedoms prescribed in this chapter, no person shall prejudice the fundamental or other human rights and freedom of others or the public interest”.

Secondly, it is the duty of the Police to ensure that law and order are maintained. This is clearly spelt out in Article 212 of the Constitution. Under this Article, functions of the Police include:

- (a) To protect life and property.
- (b) To preserve law and order.
- (c) To prevent and detect crime.
- (d) To cooperate with the civilian authority and other security organs established under this Constitution and with the population generally.

I must also mention the fact that in performing its functions, the Police is always guided by section 32 of the Police Act. While it is true that part of that Act was struck out by Court,

Court, in its wisdom re-iterated peoples' freedom to assemble but at the same time emphasized the role of the Police to regulate the assemblies and demonstrations. I must add that these decisions are in line with the International practice. In all Jurisdictions, the Police must regulate assemblies and processions. This is necessary for the maintenance of law and order.

So while walking to work as a demonstration is legal, the Police is mandated to regulate the action. It is in view of this matter that the Police requested the organizers to inform Police for coordination. Unfortunately the organizers turned down the Police request. They went ahead; organized the demonstration, and assembled. The Police, with mandate to protect life and property, had no choice but to come in to restore order.

Your Excellencies, the refusal by the organizers of the recent demonstrations to follow established procedure confirmed intelligence reports that suggested that the intentions were not to demonstrate against the high prices. The formation of a committee for change and the institution of **Activities For Change (A4C)** confirm that the organizers had other intentions.

It should be recalled that a few months before the February 2011 elections, Dr Kizza Besigye while still campaigning to be elected President, vowed to resort to the popular masses in the event of losing the electoral contest. Therefore, Dr Besigye and group were not demonstrating for increased food and oil prices per se but were executing a pre-planned political agenda to cause disruption.

Regarding events of 27th and 28th April 2011, Your Excellencies will recall that on 27th April, Dr. Besigye was granted bail from the Nakasongola Court. One of his bail conditions clearly stated that he should **not involve himself in unlawful assembly and processions** as it would attract crowds within Kampala city disrupting the peace, security, and possible loss of life and property.

On 28th April 2011 at 6.30am, Dr. Besigye started walking from his home, Sseninde Road, Kasangati, accompanied by seven **foreign journalists and three local journalists**. Clearly, this violated section 65 of the Penal Code. Under this section, when 3 or more people assemble, it is an assembly calling for Police intervention.

Three senior Police officers advised Dr. Besigye to follow the Court directive by Her Worship the Chief Magistrate Justine Atukwasa, to avoid unlawful assembly and processions for at least seven months. He responded by challenging the Police to buy him fuel for his car.

Dr. Besigye moved on while the Police tried keeping order on the road especially at strategic locations towards Kalerwe market area. At the market he got through the roof top of his vehicle and beckoned the crowd to join him. The crowd kept building up. I wish to add that by then, he had a convoy of 8 vehicles. Clearly this was a procession that required Police regulation.

Dr. Besigye reached Kubbiri around 8.00am and insisted on driving towards Wandegeya Centenary Bank. The Police blocked him at this point for two major reasons:

1. The route to Wandegeya has many people of different characters some of whom have potential to turn violent with intention to loot.
2. Police had intelligence reports that Dr. Besigye wanted to divert through Makekere University to attract university students to boost the size of the crowd with increased chances of causing chaos. Intelligence information indicated that his agents had mobilized students to join him into the city centre.

Consequently, Dr. Besigye was advised to go through Mulago round about and get to any Centenary Bank branch. **If all his intentions were genuine, he would not have refused Police's humble advice. He remained standing through the roof top of his car chatting with foreign journalists** and issuing instructions to his agents for about an hour.

Thereafter, he took the left turn towards Mulago round about. As he drove he kept beckoning the crowds to follow him. The mob started throwing stones at Police who responded by chasing them away using batons and shields, without using tear gas at all.

Dr. Besigye drove to Mulago round about and parked his car in the middle of the road after Police blocked him from driving towards Wandegeya. He was directed to drive through Yusuf Lule road. **He stayed in the middle of the road for another three hours from 9.30 am to half past midday; disrupting traffic flow despite repeated advice from senior police officers.**

All this time, police acted with extreme restraint, keeping at bay the crowds from Katanga and Wandegeya who were being called in by Dr. Besigye. The crowd began showering stones at the police; **one stone hit the right eye of a Police Constable.** At one time, the crowd surged and wanted to grab the policeman's gun from him. Other Police Officers saved his gun and the injured constable was rushed to hospital.

At this time, **a Senior Police Officer** approached the left window of Dr. Besigye's car urging him to drive off. The officer was sprayed with a can of pepper spray by one of the associates of Dr. Besigye who was seated with him in the car. Your Excellencies, pepper spray is a commodity that is readily available on the market. The fact that Dr. Besigye's associate had it is not surprising. The act must have been pre-planned. While this was going on, Dr. Besigye was giving press interviews.

By this time, it had become evidently clear that:

- Dr. Besigye was disrupting traffic intentionally
- He had defied Police advice for 3 hours

- ☒ He and his group in the car had clear intentions to do harm to the Police. This was exemplified by the equipment of the pepper spray used by one of his aides to spray the eyes of the Police Officer **while he, himself was handling a hammer threatening police with words, “I will hammer you..”**
- ☒ The crowd following him had become more militant and violent to other road users by throwing stones.
- ☒ Dr. Besigye was blatantly disobeying one of the conditions given to him while being granted bail at Nalasangola Court the previous day.

Basing on the circumstances at the time, and keeping in mind the degeneration of the situation, it became justified to use appropriate force to effect the arrest of Dr. Besigye and his accomplices. They were driven back to Kasangati Police Station en-route to Court.

While at Kasangati Police Station, Dr. Besigye was offered the services of the police surgeon which he refused. He instead asked for his sister Dr, Kobusingye. The Police contacted Dr. Kobusingye and brought her. She, together with the Police Surgeon, gave him first aid. His lawyers and Honourable Alaso had access to him.

Late in the afternoon, Dr. Besigye, his driver Kato Fred, Kavuma Robert, Mugumya Sam, Kalanzi Geoffrey, Mwijukye Francis and Byomuhangi Martin were charged with taking part in an unlawful assembly C/S 65, sub-section 66 of the Penal Code Act and assaulting a Police Officer C/S 238 (d) of the Penal Code Act,

Dr. Besigye was bailed out while his accomplices were remanded to Luzira Prison.

Last Friday, the 29th April 2011 beginning around 9.30 am, some rowdy groups began forming up at different places trying to block access roads to the city centre. This was after a false report that Dr. Besigye had died was purposely circulated. The Uganda Police, with assistance from the Military Police within its constitutional mandate, again restored law and order and removed blocks from the roads, opened the roads, and disengaged the crowds to ensure peace within our city.

Your Excellencies, it is true that Dr. Besigye was not conducting himself in a proper manner. Had he acted in a proper manner and followed established procedures as repeatedly advised by the Police, all this would not have happened. Government condemns in the strongest terms possible perpetrators of unlawful assemblies, processions and riots such as those that took place on Thursday and Friday.

We cannot rule out the possibility of one or two Police Officers acting outside the operational guidelines issued on specific occasions; the activities of these officers are now under investigation. Appropriate action will be taken on all those who will be found to have

committed operational mistakes. Government regrets any loss of lives that occurred during these incidents and will compensate the families that lost their loved ones.

Your Excellencies, we have noted a growing tendency to condemn the Police force all round for the acts of an individual. This is not fair. Investigations into the Nyendo incident concluded that the officer responsible for the act acted outside the operational guidelines for the day. He was therefore arrested and the matter is in Court. Investigations into the Kireka incident revealed that the culprit is not a Police Officer. Efforts are being made to identify him. Once this is done, he will be arrested and produced in Court.

Lastly, as you may be aware, we have an Inter-Political Party Organizations Dialogue (IPOD) mechanism whose chairmanship rotates among political parties. National Resistance Movement (NRM), which is currently holding the chair, recently called an IPOD meeting. However, Forum for Democratic Change (FDC) has so far refused to attend. Despite this, we are still committed and will continue to pursue dialogue.

Government assures the country that the situation is under control. The Police and other security agencies call upon the public to work hand in hand with them to ensure that law and order are maintained all the time. Every citizen should go about his/her way and anyone who disturbs the peace should be reported to the authorities for prompt action. Government will do whatever it takes to protect lives and property.

Your Excellencies, I thank you very much for your attendance and attention.

Henry Oryem Okello

**MINISTER OF STATE FOR INTERNATIONAL AFFAIRS
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