

The logo for the New York City Bar, featuring the text "NEW YORK CITY BAR" in a bold, serif font, centered between two horizontal blue bars.

NEW YORK  
CITY BAR

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December 8, 2005

His Excellency President Yoweri Museveni  
c/o The Embassy of the Republic of Uganda  
5911 16th Street, NW  
Washington DC 20011

Re: Dr. Kizza Besigye

Your Excellency:

I am writing on behalf of the Association of the Bar of the City of New York (the "Association") to express our grave concerns over the arrest and detention of political opposition leader Dr. Kizza Besigye. We are deeply troubled by the circumstances surrounding the upcoming trials of Dr. Besigye and his co-defendants in civilian and military courts.

The Association is an independent non-governmental professional organization with a membership of more than 22,000 lawyers, judges, law professors and government officials, principally from New York City but also from throughout the United States and 50 other countries. Founded in 1870, the Association has a long history of dedication to human rights, notably through its Committee on International Human Rights, which investigates and reports on human rights conditions around the world. The Association also closely follows legal developments in Africa through its Committee on African Affairs.

The Association is concerned that the circumstances surrounding the arrest and detention of Dr. Besigye may constitute a grave violation of his right to a fair trial, and that Uganda may be in violation of its obligations under the International Covenant for Civil and Political Rights (the "ICCPR") and other international legal commitments. The Association is further concerned that the proceedings by which Dr. Besigye was charged may not meet minimum standards of fairness and due process. The right of an accused to have his guilt or innocence fairly determined through a process that meets minimum standards of due process and fairness is a fundamental right of all people, memorialized in Articles 10 and 11 of the United Nations Declaration of Human Rights, and is one that the Association monitors carefully. Uganda is obligated under Article 14 of the

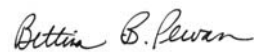
ICCPR to protect that right. In particular, we are troubled by the lack of transparency relating to the military court martial under which Dr. Besigye has been charged with certain offenses. We note with some disquiet reports of the expulsion from those proceedings of the Danish Ambassador to Uganda, Mr. Stig Barlyng. The Association calls on Uganda to respect its obligations under international law regarding the right to a fair judicial process.

We join our professional colleagues at the Uganda Law Society and the East Africa Law Society in protesting, in the strongest possible terms, the events of Wednesday, November 16, when a squad of heavily armed men not in regular uniform (reportedly members of the Ugandan Army's anti-terrorism unit known as the "Black Mambas Urban Hit Squad") converged on the High Court where a number of Dr. Besigye's co-defendants were appearing for a bail application hearing. We are concerned by the strong indications that this action, which has been likened to Idi Amin's tragic interference with the Ugandan Judiciary (and the notorious abduction of Chief Justice Benedicto Kiwanuka from the very same court), was aimed at subverting the course of justice and creating a climate of fear and intimidation. Such actions undermine the independence of the Judiciary, violate the doctrine of separation of powers and thereby weaken the rule of law in Uganda. We urge you to fulfill your constitutional and international obligations to uphold the rule of law and to ensure judicial independence in Uganda.

Finally, we would respectfully request that your government ensure that Mr. Yusufu Nsibambi and his legal team be allowed to exercise their professional responsibilities as defense counsel to Dr. Besigye and his co-defendants free from the types of crude intimidation and state interference demonstrated on November 16. We respectfully remind Your Excellency of his government's obligations under international law to do so.

We thank you for your consideration and hope for your prompt attention to these serious concerns.

Respectfully yours,



Bettina B. Plevan  
President

cc: Hon. Justice Benjamin Odoki, Chief Justice, Republic of Uganda  
Hon. Dr. E. Kiddhu Makubuya, Attorney-General, Republic of Uganda  
Moses Adriko, Esq., President, Uganda Law Society  
Bahame Nyanduga, Esq., President, East Africa Law Society

Amb. Jendayi E. Frazer, Asst. Secretary, Bureau of African Affairs, U.S.  
Dept. of State  
Fred Eckhard, Spokesman for U.N. Secretary-General Kofi Annan  
Louise Arbour, U.N. High Commissioner for Human Rights