

Ugandans to the rescue



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Imprisoned at the age of 102



Bwambale having lunch at Mubuku government prison in Kasese district. Posted by Musa

After we learned of his story we sent one of our reliable informers to check out the truth behind this. Humiliation. Am sorry to report to you that it's true, this old grandpa was falsely accused of this heinous crime by a neighbor with whom he had a land dispute, as a result he ended up here. I want you to ask yourself, Between a 17 year old girl and a 102 year old who is more stronger? And again who is more likely to take advantage of the other? For more read. True this grandpa is even impotent.

For a man his age, Saul Bwambale would be surrounded by a family taking care of him in his old age. Bwambale, however, is serving time. **Felix Basiime** visited him in Mubuku Prison and tells the other side of his story. It is a sunny and windy day at Mubuku government prison in Kasese district. Several inmates, men and women paint the compound yellow. Some are busy working in the gardens, while others are seated waiting for a workshop. Those in the workshop can understand some English and are ready to learn and train other inmates on their rights. This is one of the workshops conducted by the Judicial Service Commission (JSC) countrywide to various prison inmates on their rights and court processes.

But sitting on a veranda of a uniport lonely in the compound, is Saul Bwambale, 102 years old. Beside him is his walking stick. He is holding a plastic bowl, eating beans and posho as several flies disturb him. He is so weak that he cannot move to the kitchen to pick his meals so fellow inmates help bring his food. He munches his food slowly. He struggles to lift himself up to go wash his hands after a meal. Because other inmates are aged between 18 and 40 years, he has no company. Due to his age and weakness, the

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prison authorities say they give him milk from the prison farm daily. He takes three meals and sleeps on a mat like other inmates in the same dormitory. At Mubuku, a farm prison, Bwambale does not labour in the fields like other inmates because he is weak and old. Bwambale was convicted of defiling a 17 year old girl in Bwera, Kasese District near Uganda-DRC border by the High Court in Fort Portal two years ago. He is serving a three year sentence which according to the officer in Charge at Mubuku, Mr Albert Ziraba, will end in early 2012. Up to now, Bwambale asserts he was framed.

“We had land disputes with my neighbours and they framed a defilement case against me and I was jailed so that they could take my land,” Bwambale sadly says. He is not visited in prison because he says he lost several relatives during the civil war between government forces and the rebel Allied Democratic Forces in the 1990s. “I now have one child but I don’t know where he is,” says the sorrowful Bwambale. He wants to appeal after he heard of the prisoners’ rights and court procedures by JSC.

Bwambale is not the only one who feels he has been unfairly treated. Several inmates at Katojo prison in Fort Portal and Mubuku asked JSC officials several questions about defilement. They say that cases were trumped-up against them and they are not satisfied with court decisions. At the government prison at Katojo in Fort Portal, an inmate asks, “Really how can court convict an impotent suspect over defilement? Many of us here are languishing in prison over framed cases.” In response, the JSC’s Registrar Education and Public affairs, Mr Michael Elubu says, “It is possible because there is sexual assault of a minor be it by hands or any other object.”

Defilement cases used to grab land

According to The Daily Monitor of September 8, 2009, court officials say the people of Kyenjojo District use defilement as a tool to chase their neighbours off their land. The then resident state attorney, Kyenjojo, Mr Kizito Aliwaani while addressing human rights activists, local leaders, community development officers and paralegals urged them to be on the lookout for such cases. He said, “As local leaders and human rights activists, you need to keep on the look out to differentiate between genuine defilement cases and framed ones.” He revealed that in 2009, court instructed police to hunt for three men who framed a defilement case against Mr Stephen Kaahwa, a resident of Karuruga village with an aim of chasing him off his land.

He said that the suspects grabbed a young girl and pushed her into Kaahwa’s bedroom who had a land dispute with them and police instead arrested Kaahwa on suspicion of defilement. Kaahwa was later released after the Resident State Attorney discovered loop holes in the case. The girl also confessed that she was defiled but by another person a year ago.

Not serving alone

Although we are supposed to find justice in the courts of law, Bwambale feels he has only found sadness and he does not know where to start his life after prison. But Bwambale is not the only elderly man to be imprisoned. According to the Deccan Herald, an online magazine, 108-year-old Mr Brij Bihari could very well be the oldest prisoner in the world serving a life sentence in a prison in Uttar Pradesh’s Gorakhpur

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townin India. Bihari, a resident of Barahara Mahant village, has spent about 24 years in the jail on the charge of killing four people along with 18 others.