

Hon. UN Special Rapporteur on the Independence of Judges and Lawyers
United Nations Working Group on Arbitrary Detention
Office of the United Nations High Commissioner for Human Rights (OHCHR)
Geneve.

Submitted by:
Madrid Bar Association (ICAM) Human Rights Section
World Jurist Association (WJA) Human Rights Institute

Urgent Appeal Concerning State Interference with the Defence Team Representing Dr. Kizza Besigye and Hajji Obeid Lutale, and the Persecution of Ugandan Lawyer Erias Lukwago

I. Introduction

The Madrid Bar Association (ICAM), through its Human Rights Section, and the World Jurist Association (WJA), also through its Human Rights Institute, respectfully submit this communication to draw the urgent attention of the United Nations to a sustained course of state conduct directed at the defence team representing Dr. Kizza Besigye and Hajji Obeid Lutale in treason-related proceedings before Ugandan courts. We focus principally on the case of Mr. Erias Lukwago, lead defence counsel, whose arrest, incommunicado detention, prosecution, and reported ill-treatment have become emblematic of a broader pattern of intimidation and interference directed at the legal profession in Uganda.

That pattern, however, long predates Mr. Lukwago's arrest and cannot be understood in isolation. When the incidents affecting Rtd. Maj. Ronald Iduuli, Mr. Eron Kiiza, Senior Counsel Martha Karua¹, and the subsequent attempt to impose state-selected counsel upon unwilling accused persons are considered together, they disclose a progressively intensifying pattern of interference with the accused persons' right to legal representation of their own choosing and with lawyers' ability to perform their professional functions free from intimidation, hindrance, harassment, or improper interference².

This communication is therefore directed, in the first instance, to the Special Rapporteur on the Independence of Judges and Lawyers, because the facts described raise grave concerns regarding reprisals against lawyers for the discharge of professional duties, destruction of attorney-client relations, and state interference with the independence of the Bar.

¹ See document annexed 1. "*State Interference with Defence Team*".

² See document annexed 2. "*Received Letter Dr. Besigye State Imposition of Counsel*"

II. The Case of Erias Lukwago

On 15 June 2026, heavily armed personnel reportedly belonging to the Special Forces Command of the Uganda People's Defence Forces (UPDF) forcibly entered Mr. Lukwago's residence in the Wakaliga neighbourhood of Kampala and removed him without a warrant or explanation ³, and for more than 48 hours his whereabouts remained unknown ⁴. General Muhoozi Kainerugaba, Chief of Defence Forces, is reported to have ordered the operation and subsequently published a series of posts on social media publicly claiming responsibility for Mr. Lukwago's capture, including photographs showing him blindfolded, stating that he had been taken to his "basement," and issuing explicit threats against his physical safety, also, Mr. Lukwago's family has reported that he was beaten while held incommunicado ⁵.

On 17 June 2026, Mr. Lukwago was formally charged with misprision of treason under section 25 of the Ugandan Penal Code, an offence carrying a potential sentence of life imprisonment, for allegedly failing to disclose information relating to the very case in which he serves as defence counsel and was remanded to Luzira Prison. Since then, proceedings have been repeatedly adjourned amid mounting concern over his deteriorating health: his bail application on medical grounds was denied on 23 June 2026; a further hearing scheduled for late June 2026 was adjourned into early July after prison authorities reported that he was undergoing specialized medical investigations and treatment ⁶; and on 16 July 2026, appearing visibly frail before the Makindye Chief Magistrate's Court, Mr. Lukwago told the court, "You see me here standing but I can just drop dead," warning that continued denial of specialized treatment could prove fatal ⁷. That same day, the court declined his request to travel to India for medical treatment, citing lack of jurisdiction following his committal to the High Court and on 17 July 2026, Mr. Lukwago was formally committed to the High Court of Uganda for trial on the misprision of treason charge and remains on remand ⁸.

³ Lawyers for Lawyers et al., "[Serious Concern over the Enforced Disappearance, Detention and Prosecution of Advocate Erias Lukwago](#)" Lawyers for Lawyers, July 2, 2026,

⁴ International Federation for Human Rights (FIDH), World Organisation Against Torture (OMCT) and Observatory for the Protection of Human Rights Defenders, "[Uganda: Enforced Disappearance and Arbitrary Detention of Lawyer Erias Lukwago](#)" FIDH, July 9, 2026.

⁵ Human Rights Watch, "[Uganda: Military Seizing Government Critics](#)," Human Rights Watch, July 16, 2026,

⁶ New York City Bar Association, "[Condemning the Arbitrary Arrest, Abduction, and Unlawful Detention of Human Rights Lawyer Erias Lukwago](#)," New York City Bar Association, accessed July 17, 2026.

⁷ Monitor, "Lukwago Case Adjourned to July 9 over Deteriorating Health," Monitor, July 2026, <https://www.monitor.co.ug/uganda/news/national/lukwago-case-adjourned-to-july-9-over-deteriorating-health-5513614>.

⁸ Sanyu FM, "[High Court to Try Lukwago on Misprision of Treason Charge](#)," Sanyu FM, July 17, 2026

The circumstances of Mr. Lukwago's arrest, the nature of the charge, and the public conduct of senior military authorities all strongly suggest that his prosecution is inseparable from his role as defence counsel in politically sensitive proceedings. At minimum, these facts raise compelling concerns that the criminal process is being used as a form of reprisal against a lawyer for the lawful exercise of professional duties.

III. The Case of Martha Karua

On 22 June 2026, Mr. Lukwago's co-lead counsel, Kenyan Senior Counsel Martha Karua, travelled to Kampala to attend the ruling on his bail application and to coordinate the defence. Upon arrival at Entebbe International Airport, she was denied entry, held incommunicado, and had her telephones confiscated before being returned to Kenya without explanation; a fellow Kenyan advocate travelling with her for the same professional purpose was admitted without difficulty⁹. Ugandan authorities subsequently declared her *persona non grata*, a designation with no evident basis in Ugandan domestic law for counsel acting in a professional capacity and ordinarily associated, under the Vienna Conventions, with accredited diplomats¹⁰.

The treatment of Senior Counsel Karua appears directly relevant to the mandate of the Special Rapporteur because it involves exclusion of a lawyer from representing clients in ongoing proceedings. It is also of regional legal significance, since the facts appear closely analogous to those considered by the East African Court of Justice in *Samuel Mukira Mohochi v. Attorney General of Uganda*, in which the arbitrary denial of entry to a visiting Kenyan advocate at the same airport was held to contravene the Treaty for the Establishment of the East African Community¹¹.

IV. A Documented Pattern Preceding Mr. Lukwago's Arrest

On 10 December 2024, a joint detachment of military and police personnel raided the residence of Rtd. Maj. Ronald Iduuli, a retired UPDF officer, qualified advocate, and member of the same defence team, at approximately 4:00–5:00 a.m. and took him into custody. Members of the defence team characterised the operation as an abduction, emphasising the use of military personnel, the irregular hour, and the proximity of imminent proceedings in which he was expected to participate as counsel; the Uganda Law Society reportedly condemned the operation, while state authorities attributed it to a private dispute involving alleged rent arrears and threats of violence.

On 7 January 2025, human rights lawyer Eron Kiiza, also a member of the team, was physically barred from the section reserved for defence counsel during a sitting of the General Court Martial,

⁹ The EastAfrican, "[Uganda Deports Martha Karua, Declares Her Persona Non Grata](#)" The EastAfrican, June 2026,

¹⁰ BBC News. *Basillioh Rukanga and Alfred Lasteck*, "[Former Kenyan Justice Minister Blocked from Entering Uganda. Lawyers' Body Say](#)" BBC News, June 22, 2026,

¹¹ East African Court of Justice. (2013, May 17). *Samuel Mukira Mohochi v. Attorney General of the Republic of Uganda*, Reference No. 5 of 2011 (First Instance Division).

assaulted when he protested, and summarily convicted of contempt without a formulated charge, a hearing, or representation, and sentenced to nine months' imprisonment. Colleagues who visited him documented bruising and injuries consistent with torture or other ill-treatment, and he spent approximately eighty-eight days in detention before being admitted to bail on 4 April 2025, on condition of surrendering his passport. The lawfulness of that conviction is further undermined by the subsequent ruling of the Supreme Court of Uganda in *Attorney General v. Kabaziguruka*, which held that the General Court Martial lacks jurisdiction to try civilians; a tribunal without such jurisdiction could have no lawful power to convict a civilian advocate of contempt in the summary manner described ¹².

These incidents matter not merely as isolated episodes affecting individual lawyers, but because they reveal a chronology of escalating interference against members of the defence team from the early stages of the proceedings onward. The documented sequence suggests a pattern in which lawyers representing politically sensitive defendants are exposed to arrest, prosecution, exclusion, intimidation, and physical abuse.

V. The Imposition of State-Appointed Counsel

The consequences of this campaign became concretely visible in July 2026. With Ms. Karua deported and Mr. Lukwago in custody, the trial of the remaining accused opened on 13 July 2026 without the presence of their chosen lawyers ¹³. On 15 July 2026, the court's proposal that the accused select representation from a list of state-provided advocates was declined, with one defendant telling the judge that "the absence of our lawyers was occasioned by the state itself," and Mr. Kiiza observing publicly that the defence team's chosen counsel had been "deported, abducted and terrorised," and that the court had been reduced to "an instrument of the very power it exists to restrain."¹⁴ The hearing was thereafter adjourned to 29 July 2026.

This issue is illuminated further by a letter dated 16 July 2026 addressed by Mr. Eron Kiiza to three advocates whom he described as "state-imposed counsel" upon Dr. Kizza Besigye and Hajji Obeid Lutale against their express will. In that letter, Mr. Kiiza argued that the right to counsel of choice belongs to the accused and not to the State; that no valid advocate-client relationship exists without instructions; that representation imposed against the client's express refusal is incompatible with Article 28(3)(d) of the Constitution of Uganda; and that the lawyers invited to accept the brief were

¹² Supreme Court of Uganda. (2025, January 31). *Attorney General v Kabaziguruka* (Constitutional Appeal No. 2 of 2021), UGSC 1. Kampala: Supreme Court of Uganda. <https://ulii.org/akn/ug/judgment/ugsc/2025/1/eng@2025-01-31>

¹³ Agence France-Presse, "[Uganda Opposition Leader Treason Trial Starts without Lawyers](#)" France 24, July 13, 2026.

¹⁴ Associated Press, "Uganda Opposition Leader Refuses Court-Appointed Lawyers at Treason Trial," Africanews, July 15, 2026, <https://www.africanews.com/2026/07/15/uganda-opposition-leader-refuses-court-appointed-lawyers-at-treason-trial/>.

being asked to occupy chairs “violently emptied” through deportation, detention, threats, and intimidation directed at the original defence team ¹⁵.

Whether or not every rhetorical formulation in that letter is adopted in full here, the letter is probative in at least three respects. First, it provides contemporaneous evidence that the accused expressly rejected the lawyers selected through state channels.^[39] Second, it shows that members of the defence team understood the attempted imposition of substitute counsel not as a neutral procedural accommodation but as the culmination of prior acts of interference against their chosen legal representatives. Third, it underscores that the issue is not merely one of courtroom administration but one of constitutional right, legal ethics, and the integrity of the proceedings as a whole.

VI. Applicable Legal Framework

Article 28(3)(d) of the Constitution of the Republic of Uganda, 1995, guarantees to every person charged with a criminal offence the right to defend himself or herself in person or by a lawyer of his or her own choice¹⁶. Where the State has itself procured the removal, through arrest, deportation, conviction, or intimidation, of the accused’s chosen counsel, an order compelling acceptance of substitute representation cannot supply the consent that this provision requires. The contemporaneous objection recorded in Mr. Kiiza’s 16 July 2026 letter reinforces this constitutional point by stressing that no valid retainer can exist absent client instructions and that the State cannot convert a right belonging to the accused into a mechanism for overriding the accused’s will.

Uganda is further bound by Article 14 of the International Covenant on Civil and Political Rights¹⁷, Article 7 of the African Charter on Human and Peoples’ Rights ¹⁸, each of which is relevant to the conduct described above. These are binding treaty and constitutional obligations, not merely aspirational commitments. The conduct described also stands in direct tension with Principles 16 and 18 of the United Nations Basic Principles on the Role of Lawyers, which require that lawyers be able to perform all of their professional functions without intimidation, hindrance, harassment, or improper interference and not suffer prosecution or sanctions for action taken in accordance with recognised professional duties and ethics ¹⁹.

¹⁵ See document annexed 2. “*Received Letter Dr. Besigye State Imposition of Counsel*”

¹⁶ Republic of Uganda. (1995). [Constitution of the Republic of Uganda](#) (as amended). Kampala: Government of Uganda.

¹⁷ OHCHR UN. [International Covenant on Civil and Political Rights](#), opened for signature December 16, 1966, 999 U.N.T.S. 171 (entered into force March 23, 1976), art. 14.

¹⁸ African Union. [African Charter on Human and Peoples’ Rights](#), opened for signature June 27, 1981, OAU Doc. CAB/LEG/67/3 rev. 5 (entered into force October 21, 1986), art. 7.

¹⁹ United Nations, [Basic Principles on the Role of Lawyers](#), adopted by the Eighth United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, August 27-September 7, 1990, princs. 16, 18.

VII. International Response

This pattern has already prompted domestic, regional, and international concern. The original communication noted, for example, that the Council of Bars and Law Societies of Europe, representing more than one million lawyers across 46 countries, wrote directly to President Museveni on 24 June 2026, calling on Ugandan authorities to clarify the legal basis for Mr. Lukwago's detention and to uphold the United Nations' own Basic Principles on the Role of Lawyers²⁰. The materials reviewed also record condemnation by a range of national and international actors, including human rights organisations and bar associations, in relation to the treatment of counsel and the fairness of the underlying proceedings.

The volume and consistency of these reactions do not substitute for adjudication, but they do underscore the gravity of the situation and the reasonableness of urgent engagement by the United Nations.

VIII. Requested Action

In light of the foregoing, Madrid Bar Association and the World Jurist Association respectfully request:

- a. Request the Special Rapporteur on the Independence of Judges and Lawyers to transmit an urgent appeal to the Government of Uganda regarding the situation of Mr. Lukwago and, more broadly, the pattern of interference directed at the defence team representing Dr. Kizza Besigye and Hajji Obeid Lutale;
- b. Request clarification from the Government of Uganda regarding the legal basis for declaring Senior Counsel Martha Karua *persona non grata*, denying her entry into Uganda, and removing her from active participation in the defence;
- c. Request an independent investigation into the raid on the residence of Rtd. Maj. Ronald Iduuli and its connection, if any, to his role in the defence team;
- d. Call on the Government of Uganda to refrain from imposing state-selected counsel upon accused persons who have expressly rejected such representation and who already have lawyers of their own choosing on the record;
- e. Urge the Government of Uganda to guarantee that all lawyers in Uganda, including those representing politically sensitive clients, may exercise their profession free from intimidation, reprisal, or interference, in compliance with its obligations under the Constitution, the ICCPR, the African Charter on Human and Peoples' Rights, and the United Nations Basic Principles on the Role of Lawyers;

²⁰ *Ibidem*.

- f. Monitor the proceedings before the High Court of Uganda, including the hearing scheduled for 29 July 2026, insofar as they concern the accused's effective right to legal representation of their own choosing.

An attack on a lawyer for the lawful exercise of professional duties is an attack on the administration of justice itself; the Madrid Bar Association and the World Jurist Association remain at the disposal of the United Nations to provide any further information that may assist in the urgent consideration of this case.

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Madrid, 21 July 2026