

Mandates of the Special Rapporteur on the situation of human rights defenders; the Working Group on Enforced or Involuntary Disappearances and the Special Rapporteur on the human rights of migrants

Ref.: AL TZA 1/2026
(Please use this reference in your reply)

8 April 2026

Excellency,

We have the honour to address you in our capacities as Special Rapporteur on the situation of human rights defenders; Working Group on Enforced or Involuntary Disappearances and Special Rapporteur on the human rights of migrants, pursuant to Human Rights Council resolutions 52/4, 54/14 and 52/20.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the enforced disappearances of human rights defenders Diomède Nduwimana and Emile Kwizera in April 2025**.

Diomède Nduwimana and **Emile Kwizera** are Burundian refugees and human rights defenders who were working for World Vision and carried out human rights work in the Nduta camp, Northwestern Tanzania at the time they disappeared in April 2025.

According to the information received:

The enforced disappearance of Mr. Diomède Nduwimana

On 2 April 2025, at around 2 p.m., Mr. Nduwimana was intercepted by a Toyota Hilux vehicle with tinted windows and abducted by men in civilian clothes in front of several witnesses whilst on his way to work for World Vision in the Nduta camp. Shortly after he disappeared, his relatives lodged complaints with the Nduta camp administration, the local Police and the Office of the High Commissioner for Refugees (UNHCR).

To date, there has been reportedly no official communication to his family confirming his fate or whereabouts.

The enforced disappearance of Mr. Emile Kwizera

On 14 April 2025, at around 3 a.m., Mr. Kwizera was abducted from his home in the Nduta camp by men in civilian clothes wearing masks. His family immediately alerted the camp administration, the police and UNHCR. Mr. Kwizera was well known for his public criticism of calls for the return of Burundian refugees by the authorities in Tanzania, for which he had reportedly received prior threats.

To date, there has been reportedly no official communication to his family confirming his fate or whereabouts.

Without wishing to prejudge the accuracy of the information received, we express serious concern about the enforced disappearances of Mr. Nduwimana and Mr. Kwizera, which appear to be part of a broader pattern of enforced disappearances in Nduta Refugee Camp. We are deeply concerned that their enforced disappearances occur within the context of intimidation, harassment and silencing of those who seek to promote and protect human rights within refugee camps in Tanzania.

With regard to the alleged enforced disappearance, we wish to recall the absolute and non-derogable prohibition of enforced disappearances (articles 2 and 7 of the United Nations Declaration on the Protection of All Persons from Enforced Disappearances,) which has attained the status of *jus cogens*. States have an obligation to adequately investigate any allegation and to hold perpetrators accountable. We wish to recall that the constitutive elements of an enforced disappearance include the deprivation of liberty, involvement or acquiescence of government officials and the refusal to acknowledge detention regardless of the duration or concealment concerned. As such, until a proper and comprehensive investigation is conducted, in particular, where persons belonging to especially vulnerable categories are involved, such as refugees and human rights defenders, it will not be possible to rule out the possibility of the direct or indirect involvement of public officials.

In connection with the above alleged facts and concerns, please refer to the **Annex on Reference to international human rights law** attached to this letter which cites international human rights instruments and standards relevant to these allegations.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and/or comment(s) you may have on the above-mentioned allegations.
2. Please provide information about the measures adopted to search for and to determine the fate and whereabouts of Mr. Nduwimana and Mr. Kwizera, as well as information on any investigation initiated into the allegations of their enforced disappearances and measures taken in order to identify and prosecute the persons responsible. If the investigations have led to conclusive results, please provide detailed information about them. If no such investigations or measures have been put in place, please explain the reason for this and how this is compatible with your Excellency's Government obligations under International Human rights law (see annex).
3. If Mr. Nduwimana and Mr. Kwizera are in detention, please disclose their whereabouts and elements relating to their state of health and provide the legal and factual basis for their deprivation of liberty, and explain how these actions comply with your Excellency's Government obligations under international human rights law (see annex).

This communication, and any response received from your Excellency's Government, will be made public via the communications reporting [website](#) at the

60 days mark. Should Your Excellency's Government respond within 60 days, both the communication and the response, may be published before the 60 days mark. The communications and responses will also be made available in the subsequent periodic report to be presented to the Human Rights Council.

While awaiting a reply, we urge that the fate and whereabouts of Mr. Nduwimana and Mr. Kwizera be disclosed without delay, and that all necessary interim measures be taken to prevent any irreparable harm to their life or personal integrity, to halt the alleged violations and prevent their re-occurrence and in the event that the investigations support or suggest the allegations to be correct, to ensure the accountability of any person(s) responsible for the alleged violations.

Kindly note that cases of Mr. Nduwimana and Mr. Kwizera have been treated under the humanitarian procedure of the Working Group on Enforced or Involuntary Disappearances and remains under consideration. The Working Group would appreciate receiving, as soon as possible, any information your Excellency's Government may provide on these cases in a separate correspondence.

We may publicly express our concerns in the near future as, in our view, the information upon which the press release will be based is sufficiently reliable to indicate a matter warranting immediate attention. We also believe that the wider public should be alerted to the potential implications of the above-mentioned allegations. The press release will indicate that we have been in contact with your Excellency's Government's to clarify the issue/s in question.

Please accept, Excellency, the assurances of our highest consideration.

Mary Lawlor

Special Rapporteur on the situation of human rights defenders

Gabriella Citroni

Chair-Rapporteur of the Working Group on Enforced or Involuntary Disappearances

Gehad Madi

Special Rapporteur on the human rights of migrants

Annex

Reference to international human rights law

In connection with above alleged facts and concerns, we would like to draw the attention of your Excellency's Government to articles 6, 9 and 14 of the International Covenant on Civil and Political Rights (ICCPR), ratified by Tanzania on 11 June 1976, which guarantee the rights to life, to liberty and security of the person, to freedom from arbitrary arrest or detention, to be promptly informed of the reasons for the arrest and of any charges against him or her, to be brought promptly before a judge and to a fair trial within a reasonable time. These articles shall be read individually and together with article 2.3. of the ICCPR, which provides for the right to an effective remedy for every person whose rights contained in the Covenant have been violated.

With regard to the alleged enforced disappearances, this would amount to violations of articles 6, 7, 9 and 16 of the ICCPR, read alone and in conjunction with article 2(3). Moreover, it would entail a violation of article 7 and 17, read alone and in conjunction with article 2(3) of the ICCPR with regard to the relatives of the disappeared person. Equally, the right not to be subjected to an enforced disappearance is of a non-derogable nature and the prohibition of this crime has attained the status of *jus cogens*. Until a proper and comprehensive investigation is conducted, in particular where persons belonging to especially vulnerable categories are involved, such as refugees and human rights defenders, it will not be possible to rule out the possibility of the direct or indirect involvement of public officials.

Furthermore, enforced disappearance constitutes a particularly aggravated form of arbitrary detention and such deprivation of liberty, entailing a refusal to disclose the fate or whereabouts of the persons concerned or to acknowledge their detention, lacks any valid legal basis under any circumstance and is inherently arbitrary, as it places the person outside the protection of the law, in violation of article 6 of the Universal Declaration of Human Rights.

We wish to refer your Excellency's Government to article 9 of the ICCPR, which provides for the absolute prohibition of arbitrary detention. We recall that no one shall be deprived of his or her liberty except on such grounds and in accordance with such procedure as are established by law, that the individual must be informed, at the moment of the arrest, about the reasons for such deprivation of liberty and that information about the charges against the person should be provided without delay. We also recall that an individual has the right to legal assistance, from the moment of arrest. We further wish to underline that arrest and detention as punishment for the legitimate exercise of the rights as guaranteed by the ICCPR, are arbitrary.

Pursuant to article 7 of the Declaration on the Protection of All Persons from Enforced Disappearance, no circumstances whatsoever, internal political instability or any other public emergency, may be invoked to justify enforced disappearance. We stress that a failure to acknowledge deprivation of liberty by state agents and refusal to acknowledge detention constitute an enforced disappearance. Article 8 provides the obligation not to expel, return or extradite a person to another State where there are substantial grounds to believe that they would be in danger of enforced disappearance. Moreover, articles 9, 10, 11 and 12 relate to the rights to a prompt and effective judicial

remedy to determine the whereabouts of persons deprived of their liberty; to access of competent national authorities to all places of detention; to be held in an officially recognized place of detention, and to be brought before a judicial authority promptly after detention; to accurate information on the detention of persons and their place of detention being made available to their family, counsel or other persons with a legitimate interest; and to the maintenance in every place of detention of official up-to-date registers of all detained persons. While article 13 of the Declaration sets forth the State's obligation to investigate promptly, thoroughly and impartially any complaints of enforced disappearance, article 19 of the Declaration requires that victims of acts of enforced disappearance and their family obtain redress and integral reparation for the harm suffered. The Declaration also establishes that each State shall take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance under its jurisdiction.

Pursuant to the 2019 Guiding Principles for the Search for Disappeared Persons, States are under an obligation to search for the disappeared. In particular, the search for a disappeared person should begin without delay (principle 6) and is an obligation of continuing nature (principle 7).

We would like to remind your Excellency's Government that enforced disappearance has different impact depending on whom it targets, and underline that, according to the Study on enforced or involuntary disappearances and economic, social and cultural rights by the Working Group on Enforced or Involuntary Disappearances (A/HRC/30/38/Add.5), human rights defenders are also targeted to intimidate and prevent others from claiming and exercising their rights.

In its report on Enforced Disappearances in the Context of Migration (A/HRC/36/39/Add.2), the Working Group on Enforced or Involuntary Disappearances found that there is a clear lack of sufficient and qualitative investigations related to the matter the disappearance of migrants, which provokes a clear protection gap. States have an obligation to adopt effective legislative, administrative, judicial and other measures, including migratory policy-related measures, to prevent and terminate acts of enforced disappearances of migrants in their territory. The Working Group also recommends States adopt concrete and effective measures to prevent enforced disappearances in conjunction with migration (A/HRC/57/54/Add.1). We also make reference to the African Commission on Human and Peoples' Rights, Guidelines on the Protection of All Persons from Enforced Disappearances in Africa, which highlights that Migrants (including, but not limited to, asylum seekers, refugees and internally displaced persons) are particularly vulnerable to enforced disappearance in light of their increased risk of discrimination, socio economic hardship and the fact that they are often fleeing from persecution or armed or political conflict and calls on States to carry out prompt, impartial and independent investigations.

Finally, we would like to refer your Excellency's Government to the fundamental principles set forth in the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, adopted on 9 December 1998 (also known as the UN Declaration on Human Rights Defenders). Articles 1 and 2 of the Declaration state that everyone has the right to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and

international levels and that each State has a prime responsibility and duty to protect, promote, and implement all human rights and fundamental freedoms.

We further would like to refer to article 12(2) and (3) of the Declaration, which provides that the State shall take all necessary measures to ensure the protection of everyone against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure, or any other arbitrary action as a consequence of their legitimate exercise of the rights referred to in the Declaration. In this connection, everyone is entitled, individually and in association with others, to be protected effectively under national law in reacting against or opposing, through peaceful means, activities and acts, including those by omission, attributable to States that result in violations of human rights and fundamental freedoms, and acts of violence perpetrated by groups or individuals that affect the enjoyment of human rights and fundamental freedoms.