

**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 promotion and protection of the right to freedom of opinion and expression**

Ref.: AL UGA 5/2025  
(Please use this reference in your reply)

13 November 2025

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 promotion and protection of the right to freedom of opinion and expression, pursuant to Human Rights Council resolutions 52/4, 54/14 and 52/9.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning **the enforced disappearance of Kenyan human rights defenders Mr. Nicholas Oyoo and Mr. Bob Njagi between 1 October and 8 November 2025 following their abduction in Kampala, Uganda.**

Mr. Nicholas Oyoo is the Secretary General of the Free Kenya Movement, a human rights organization working on political and civil rights and accountability in Kenya. He has also trained election observers during his engagement with the Elections Observation Group.

Mr. Bob Njagi is a human rights advocate and Chairperson of the Free Kenya Movement. He is working on accountability in cases of enforced disappearances and other human rights violations in Kenya.

Concerns regarding human rights violations against individuals and civil society actors in Uganda on the basis of perceived support or affiliation with the political opposition are not new and have been the subject of several communications by several Special Procedures mandate holders, including [UGA 2/2025](#); [UGA 6/2022](#); [UGA 4/2021](#); [UGA 3/2021](#); [UGA 1/2021](#); [UGA 5/2020](#); [UGA 4/2020](#); [UGA 3/2020](#); [UGA 3/2019](#). We regret that we have not received a reply from your Excellency's government to any of these allegation letters.

According to the information received:

In September 2025, Mr. Njagi and Mr. Oyoo travelled to Uganda to attend a rally on 1 October, in support of Ugandan opposition leader Robert Kyagulanyi Ssentamu (Bobi Wine), who is challenging President Yoweri Museveni in the upcoming January 2026 elections. On 1 October 2025, Mr. Njagi and Mr. Oyoo were reportedly intercepted at a petrol station in Kireka, Kampala. Several men in a mix of military and plain clothes forced them into an unmarked vehicle. Their fate, whereabouts, and conditions remained unknown until their release on 8 November 2025.

On 6 October 2025, Mr. Njagi and Mr. Oyoo’s lawyers filed a habeas corpus petition before Uganda’s High Court. The application demanded that the authorities, including the Chief of Defence Forces, the heads of Defence Intelligence, the national police, and the Attorney General, release Mr. Njagi and Mr. Oyoo immediately and unconditionally.

On 15 October 2025, the Court ordered State authorities to present Mr. Njagi and Mr. Oyoo “dead or alive” within seven days. The seven-day deadline lapsed on 21 October 2025.

On 21 October 2025, the Uganda People’s Defence Forces (UPDF) denied holding Mr. Njagi and Mr. Oyoo in their custody in a sworn affidavit by the Director at the Joint Staff Legal Services of the UPDF. The Director indicated that investigations and searches had been undertaken, that no entry relating to Mr. Njagi and Mr. Oyoo was found between 1 October and 22 October 2025, that they were not in their custody, and that they had no information regarding their whereabouts.

On 23 October 2025, the High Court of Uganda dismissed the habeas corpus petition, finding that the applicants had failed to provide sufficient evidence that the Mr. Njagi and Mr. Oyoo were being held in any known or recognized state detention facility. The ruling judge classified the case as one of missing persons and directed the petitioners to file a formal missing person report with the Uganda Police Force to trigger a police investigation under national procedures. The Court further stated that its jurisdiction was limited to cases of proven detention by state agents, and that without evidence that Mr. Njagi and Mr. Oyoo were in custody, it could not make further coercive orders directed at the Government.

On 28 October 2025, Kenya’s Ministry of Foreign and Diaspora Affairs issued a statement stressing continued engagement with the Uganda authorities, including working directly with family members to secure information.

Mr. Njagi and Mr. Oyoo were released on 8 November 2025 and arrived in Nairobi, Kenya, on the same day. Reportedly, Mr. Njagi and Mr. Oyoo were held at facilities of the Defense Intelligence and Security division agency, formerly known as the Chieftaincy of Military Intelligence, an entity with alleged links to arbitrary detention and torture of government opponents. Mr. Njagi also reports that he and Mr. Oyoo were abducted by the Ugandan military.

Following Mr. Njagi and Mr. Oyoo’s release, President Museveni acknowledged that they had been arrested due to their involvement in demonstrations. Public statements by President Museveni and Kenya’s Foreign Minister Mudavadi indicate that their release was the result of sustained diplomatic efforts by the Government of Kenya.

While we do not wish to prejudge the information received, we express our concern over the reported abduction and enforced disappearance of Mr. Njagi and Mr. Oyoo. It appears that their enforced disappearance may have been a direct result of

their peaceful and legitimate work to protect and promote human rights, and their efforts to observe democratic processes in Uganda. We fear that the enforced disappearance of Mr. Njagi and Mr. Oyoo will have a chilling effect on freedom of expression, support for democratic processes, and transnational activism and human rights work.

We welcome the release of Mr. Njagi and Mr. Oyoo, yet the acknowledgement of President Museveni that they were arrested due to their engagement in democratic processes and attending peaceful assemblies is a strong indicator that the enforced disappearance of Mr. Njagi and Mr. Oyoo constitutes a clear violation of international human rights law by the Ugandan authorities. If confirmed, their enforced disappearance would amount to violations of articles 6, 7, 9 and 16 of the International Covenant on Civil and Political Rights (ICCPR).

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 detailed information, and where available, the results of any investigation or other inquiries carried out in relation to what appears to have been the enforced disappearance of Mr. Njagi and Mr. Oyoo. If no investigation has been initiated, please explain why and how this is compatible with the international human rights obligations of Uganda.
3. Please provide information on the measures that have been taken to ensure the right of relatives of forcibly disappeared persons to truth about the circumstances of an enforced disappearance and the fate and whereabouts of disappeared persons, and the right to seek, receive and impart information to this end.
4. Please provide information on current measures in place to protect activists and human rights defenders in Uganda. Similar allegations highlighting the continuing and systematic practice of arbitrary arrest, secret incommunicado detention and enforced disappearance throughout the country have been transmitted to your Excellency's government in the past. In this regard, please kindly provide specific details of any measure or public engagement by the authorities aimed at ensuring that these individuals can freely carry out their legitimate human rights work without fearing harassment, threats or any form of violence.

This communication and any response received from your Excellency's Government will be made public via the communications reporting [website](#) within 60 days. They will also subsequently be made available in the usual report to be

presented to the Human Rights Council.

We would like to bring to the attention of your Excellency's Government that that the case of Mr. Oyoo is under the consideration of the Working Group on Enforced or Involuntary Disappearances under its humanitarian procedure. The Working Group wishes to express the hope that appropriate investigations will be carried out in your Excellency's Government to clarify the circumstances of Mr. Oyoo's enforced disappearance. The Working Group would appreciate receiving, as soon as possible, any information your Excellency's Government may provide on this case and the results of the investigations.

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 note that a copy of this letter was sent to the Government of Kenya.

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

Irene Khan  
Special Rapporteur on the promotion and protection of the right to freedom of opinion  
and expression

## Annex

### Reference to international human rights law

In connection with above alleged facts and concerns, we would like to remind your Excellency's government of its obligations under the International Covenant on Civil and Political Rights (ICCPR), ratified by Uganda on 21 June 1995, the United Nations Declaration on the Protection of All Persons from Enforced Disappearances, and the Convention on the Protection of All Persons from Enforced Disappearances signed by Uganda on 6 February 2007.

Enforced disappearance amounts 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, read alone and in conjunction with article 2(3) of the ICCPR with regard to the relatives of the disappeared person. In this respect, we also make reference to general comment No. 36 (2018) on article 6 of the ICCPR, which states, *inter alia*, that extreme forms of arbitrary detention that are themselves life-threatening, in particular enforced disappearances, violate the right to personal liberty and personal security and are incompatible with the right to life (para. 57), and that enforced disappearance constitutes a unique and integrated series of acts and omissions representing a grave threat to life, and States parties must take adequate measures to prevent the enforced disappearance of individuals and conduct an effective and speedy inquiry to establish the fate and whereabouts of persons who may have been subject to enforced disappearance. (para. 58).

Under article 9.1 of the ICCPR “[n]o one shall be deprived of his liberty except on such grounds and in accordance with such procedure as are established by law.” Moreover, article 9.2 stipulates that the person must be informed, at the moment of the arrest, about the reasons for such deprivation of liberty; in addition, the information about the charges against the person should be provided without delay. According to article 9.3, anyone deprived of his or her liberty “shall be brought promptly before a judge or other officer authorized by law to exercise judicial power and shall be entitled to trial within a reasonable time or to release.” Article 9.4 provides that “[a]nyone who is deprived of his liberty by arrest or detention shall be entitled to take proceedings before a court, in order that that court may decide without delay on the lawfulness of his detention and order his release if the detention is not lawful”. Furthermore, article 10 states that, “all persons deprived of their liberty shall be treated with humanity and with respect for the inherent dignity of the human person”.

Article 19 of the ICCPR guarantees the right to freedom of expression, which includes “freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice.” Under article 19 (3) of the ICCPR, any restriction on the right to freedom of expression must be: (i) provided by law; (ii) serve a legitimate purpose; and (iii) be necessary and proportional to meet the ends it seeks to serve. In this context, we would like to underscore that the deprivation of liberty as punishment for the legitimate exercise of the rights to freedom of opinion and expression and freedom of assembly and association is arbitrary. As such, article 19, provide protection for, *inter alia*, political discourse, commentary on one's own and on public affairs, discussion on human rights, journalism, among others (Human Rights Committee,

general comment no. 34, para. 11). While all restrictions must comply with the requirements of necessity and proportionality, the penalisation of a journalist solely for being critical of the government or the political social system espoused by the government can never be considered to be a necessary restriction of freedom of expression (CCPR/C/GC/34 para. 42). In this connection, we recall that the Human Rights Council, in its Resolution 12/16, called on States to refrain from imposing restrictions which are not consistent with article 19(3), including: discussion of government policies and political debate; reporting on human rights; engaging in peaceful demonstrations or political activities, including for peace or democracy; and expression of opinion and dissent, religion or belief, including by persons belonging to minorities or vulnerable groups. We would like to remind your Excellency's government of its positive obligation as required by article 2 of the ICCPR, to ensure that they are fully discharged not just against violations of Covenant rights by its agents, but also against acts committed by private persons or entities that would impair the enjoyment of Covenant rights in so far as they are amenable to application between private persons or entities (general comment 31, para. 8).

We would like to remind your Excellency's government of its obligations under article 25 of the ICCPR, which protects the right of every citizen to "take part in the conduct of public affairs, directly or through freely chosen representatives." The Human Rights Committee has notably observed that "persons entitled to vote must be free to support or oppose their government" and "should be able to form opinions independently, free of violence or threat of violence, compulsion, inducement or manipulative interference of any kind." (Human Rights Committee, general comment no. 25 para. 19).

We draw your Excellency's Government's attention to the United Nations Declaration on the Protection of All Persons from Enforced Disappearances, which establishes that no State shall practice, permit or tolerate enforced disappearances. Notably, the absolute prohibition of enforced disappearances and the corresponding obligation to investigate them and punish those responsible have attained the status of *jus cogens*. Moreover, the Declaration also proclaims that each State shall take effective legislative, administrative, judicial or other measures to prevent and terminate acts of enforced disappearance in any territory under its jurisdiction. We also make reference to articles 7, 10 to 13 and 19 of the Declaration, which state no circumstances may be invoked to justify enforced disappearances; that persons deprived of liberty shall be held in an officially recognized place of detention; and that their release is conducted in a manner permitting reliable verification; that national laws shall indicate those officials authorized to order deprivation of liberty and stipulate penalties for violations; that any person having knowledge or a legitimate interest who alleges that a person has been subjected to enforced disappearance has the right to complain to a competent and independent State authority and to have that complaint promptly, thoroughly and impartially investigated by that authority. Whenever there are reasonable grounds to believe that an enforced disappearance has been committed, the State shall promptly refer the matter to that authority for such an investigation, even if there has been no formal complaint. Article 13 also states that steps shall be taken to ensure that all involved in the investigation, including witnesses, are protected against ill-treatment, intimidation or reprisal. Lastly, article 19 provides that victims of acts of enforced disappearance and their family shall obtain redress and shall have the right to adequate compensation.

We also make reference to the Working Group's study on Enforced disappearance and economic, social and cultural rights (A/HRC/30/38/Add.5), in particular paragraph 33-37 which highlights the chilling effect of the disappearance of journalists and human rights defender. States are accordingly called on to, "ensur[e] the existence of and respect for cultural diversity and the existence of space where multiple opinions, positions and interpretations of history can find their expression in the public sphere diminishes the level of vulnerability of those questioning in one way or another mainstream ideas and positions, and so prevents against targeting of human rights defender" (para. 49). In addition, the Working Group's thematic study on enforced disappearances and elections (A/HRC/57/54/Add.4) raises concern about the enforced disappearances of journalists, who among other actors have diverse roles in elections and warns that post elections violence against them appear to aim at silencing dissent. In this regard, States are recommended to establish a solid legal framework for the prevention and punishment of enforced disappearances, including in the electoral context (para. 73).

We would also like to draw the attention of your 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 (A/RES/53/144), also known as the "United Nations Declaration on Human Rights Defenders", and in particular articles 1 and 2, which stipulate that everyone has the right, individually and in association with others, to promote the protection and realization of human rights and fundamental freedoms at the national and international levels, and that every State has the primary responsibility and duty to protect, promote and fulfil all human rights and fundamental freedoms. Similarly, we would like to draw the attention of Your Excellency's government to the following provisions of the Declaration on Human Rights Defenders:

- Article 6 (b), which stipulates that everyone has the right to "freely publish, impart or disseminate to others views, information and knowledge on all human rights and fundamental freedoms," and (c) "to draw public attention to those matters."
- Article 9 (3a), which provides everyone has the rights to "complain about the policies and actions of individual officials and governmental bodies with regard to violations of human rights and fundamental freedoms, by petition or other appropriate means, to competent domestic judicial, administrative or legislative authorities or any other competent authority provided for by the legal system of the State, which should render their decision on the complaint without undue delay."
- Article 12, paras. 2 and 3, which stipulates that the State shall take all necessary measures to ensure the protection of all persons from violence, threats, reprisals, de facto or de jure discrimination, pressure or other arbitrary action in the context of the legitimate exercise of the rights referred to in this Declaration.