

## UGANDA

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Human Rights Committee Consideration of the 2nd Periodic Report of Uganda

**Submission on the List of Issues by the Lawyers for Lawyers Foundation**

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## I. Introduction

### *Addressing the issue*

1. Lawyers for Lawyers (**'L4L'**) is an independent, non-governmental organization, supported by contributions from private individuals and organizations related to the legal profession. Established in 1986, Lawyers for Lawyers has had special consultative status with ECOSOC since 2013.<sup>1</sup>
2. Lawyers for Lawyers promotes and protects the independence of the legal profession through the support and empowerment of lawyers around the world who face reprisals, improper interferences, and undue restrictions, as a result of discharging their professional functions.<sup>2</sup> In doing so, we advocate for adherence to core values underpinning the legal profession, in conformity with internationally recognized human rights laws, norms and standards, including but not limited to the International Covenant on Civil and Political Rights (**'ICCPR'**)<sup>3</sup> and the United Nations (**'UN'**) Basic Principles on the Role of Lawyers (**'Basic Principles'**).<sup>4</sup>

### *Concerning*

3. In November 2020, Uganda submitted its second report on its implementation of the ICCPR.<sup>5</sup> At this 135th session, the Human Rights Committee (**'the Committee'**) will adopt a List of Issues on Uganda (**'State party'**). Lawyers for Lawyers welcomes the opportunity to contribute to the List of Issues on the State party in preparation for the Committee's second periodic review by the Committee. Our submission focuses on the situation of lawyers in the State party who advocate human rights, and in particular the obstacles to the independent exercise of their profession and violations committed against them.

### *Methodology*

4. L4L has been closely following the situation of lawyers in the State party. The information for this submission is collected through ongoing open-source research, interviews and engagement with and reports from Ugandan lawyers and other local and international stakeholders.

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<sup>1</sup> For more information visit our website: <https://lawyersforlawyers.org/en/about-us/>.

<sup>2</sup> For more information visit our website: <https://lawyersforlawyers.org/over-ons/wat-doen-wij/>.

<sup>3</sup> International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force 23 March 1976) 999 UNTS 171 (**'ICCPR'**).

<sup>4</sup> Basic Principles on the Role of Lawyers, adopted by the Eight United Nations Congress on the Prevention of Crime and the Treatment of Offenders, Havana, Cuba, 27 August to 7 September 1990 (**'Basic Principles'**).

<sup>5</sup> Second Periodic Report Submitted by Uganda Under Article 40 of the Covenant, 19 November 2020, CCPR/C/UGA/2.

## II. Substantive Considerations – Implementation of the ICCPR and Related Issues

### *Issues of concern*

5. In this submission, L4L sets out its concerns with regard to the State party's failure to comply with Article 14 of the ICCPR. Pursuant to this provision, the State party is required to uphold the right to equality before courts and tribunals as well as the right to a fair trial, which encompasses the obligation to guarantee effective access to legal services provided by an independent legal profession in accordance with the Basic Principles.<sup>6</sup>
6. Adherence to the Basic Principles is considered a fundamental pre-condition for the adequate protection of the human rights and fundamental freedoms to which all people are entitled.<sup>7</sup> In its task of promoting and ensuring the proper role of lawyers, the State party must respect and take into account the Basic Principles within the framework of its national legislation and practice.<sup>8</sup>
7. Consequently, it is the State party's duty under the ICCPR to respect and guarantee that all people within its jurisdiction have effective and equal access to lawyers of their own choosing, and that lawyers are able to perform their professional functions without intimidation, hindrance, harassment or improper interference from any quarter, or without the threat of sanction for any action taken in accordance with lawyers' recognized professional duties, standard and ethics.<sup>9</sup>
8. The State party must also ensure that lawyers are adequately protected when their security is threatened because of carrying out their legitimate professional duties, and that they are not being identified with their clients or their clients' causes.<sup>10</sup> In addition, the State party must recognize and respect that all communications and consultations between lawyers and their clients within their professional relationships are confidential.<sup>11</sup> The Basic Principles also affirm that lawyers, like other citizens, effectively exercise the right to freedom of expression and assembly.<sup>12</sup>

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<sup>6</sup> Interference in the work of lawyers may lead to violations of the right to a fair trial under article 14 of the ICCPR, as has been recognized by the Committee. Human Rights Committee, General Comment No.32, CCPR/C/GC/32, paragraph 34. In particular, the Committee has stated that "*lawyers should be able to advise and to represent persons charged with a criminal offence in accordance with generally recognized professional ethics without restrictions, influence, pressure or undue interference from any quarter.*" See also Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, in particular article 12.

<sup>7</sup> Basic Principles, preamble, paragraph 9.

<sup>8</sup> *Idem*, preamble, paragraph 11.

<sup>9</sup> *Idem*, Principles 1,2 and 16.

<sup>10</sup> *Idem*, Principles 17 and 18.

<sup>11</sup> Human Rights Committee, General Comment No.32, CCPR/C/GC/32, paragraph 34. In particular, the Committee has stated that lawyers should also be able to "meet their clients in private and to communicate with the accused in conditions that fully respect the confidentiality of their communications." See also Principle 22 of the Basic Principles.

<sup>12</sup> Principle 23 of the Basic Principles.

9. In its second periodic report, the State party made no statement with regards to lawyers. However, it made a number of statements with regards to human rights defenders. According to the UN Special Rapporteur on Human Rights Defenders, a human rights defender is someone who “seeks the promotion and protection of civil and political rights as well as the promotion, protection and realization of economic, social and cultural rights”.<sup>13</sup> This expressly encompasses lawyers who work on human rights cases or have occasional links with human rights in their work. Therefore, the following statements made by the State Party in the state report apply to lawyers as well:

*"106. Government has continued to take steps to provide a conducive and enabling environment for Human Rights Defenders as partners in development in line with SDG.*

*107. The NGO Act, 2016 was amended among others to provide a conducive and enabling environment for the NGO sector and to strengthen their partnership with government. The governance framework of the NGO Bureau was strengthened by setting it up as an autonomous organisation with distinct powers and a board of directors, where the NGO sector has two representatives.*

*108. UHRC and other HRDs have reviewed various bills including the Constitutional (Amendment) Bill 2017 which impact on the operating environment of HRDs and have presented their positions to various oversight mechanisms including Parliament.*

*109. UHRC set up a Human Rights Defenders Desk which monitors and reports on issues concerning HRDs. UHRC received and investigated complaints of human rights violations from HRDs including the media.*

*110. However as partners in development, the CSOs are expected to work within the laws of Uganda to enable smooth operation of Government programmes."*

10. While the State party has indicated that some positive steps have been taken to provide a conducive and enabling environment for human rights defenders, according to our information, the State party fails to provide a such an environment for lawyers, and fails to fully respect and ensure the guarantees for the proper functioning of lawyers under Article 14 of the ICCPR.

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<sup>13</sup> OHCHR, UN Special Rapporteur on human rights defenders, 'About human rights defenders', consulted on 28 April 2022. Source: <https://www.ohchr.org/en/special-procedures/sr-human-rights-defenders/about-human-rights-defenders>.

11. This submission highlights the following issues that give rise to Lawyers for Lawyers' concerns:
  - A. Lack of access to clients (section A);
  - B. Lack of lawyer-client confidentiality (section B);
  - C. Harassment of lawyers (section C);
  - D. Identification with clients (section D);
  - E. Lawyers working for NGO's (section E).
12. These concerns support the conclusion that the professional rights and privileges of lawyers in the State party are violated systematically. The resulting impairment of lawyers' ability to provide effective legal representation and consequently severely undermines the proper functioning of the rule of law and access to justice for all persons through the adequate protection of rights to which all persons are entitled, including the rights to an effective remedy and a fair trial. This situation undermines public confidence in the administration of justice and to ensure effective justice for all people.
13. In addition to the violation of their professional rights and privileges under Article 14 of the ICCPR, these violations also encroach upon other rights that lawyers, like other citizens, are entitled to, including the right to security of person (Article 9), and the right to freedom of expression (Article 19).
14. Given the vital role lawyers play in the protection of the rule of law and the protection of rights, and given that lawyers in the State party are specifically targeted because of their work, L4L recommends that the Committee to specifically address the position of lawyers, as appropriate, when reviewing the State party's implementation of the ICCPR.

**A. Lack of access to clients**

15. The Basic Principles require the State party to ensure "*that all persons arrested or detained, with or without criminal charge, shall have prompt access to a lawyer, and in any case not later than forty-eight hours from the time of arrest or detention*" and "*all arrested, detained or imprisoned persons shall be provided with adequate opportunities, time and facilities to be visited by and to communicate and consult with a lawyer, without delay, interception or censorship.*"<sup>14</sup>
16. It has been reported to L4L that the State party fails to uphold these obligations and that in certain cases – especially those concerning the LGBTQ+ community and sex workers –

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<sup>14</sup> UN Basic Principles, Principles 7 and 8.

lawyers are discouraged from visiting their clients and face intimidation during such visits in the form of threats from police officers. Moreover, it has been reported that it is customary for lawyers to pay guards in order to obtain (full) access to their clients.

17. L4L has been informed that these issues exacerbated during the Corona pandemic as lawyers were not recognized as essential workers until June 2021. As a result, it was more difficult for lawyers to visit their clients. Although L4L realizes that the Corona pandemic is an extraordinary situation, it emphasizes the importance of upholding the Basic Principles also, if not especially, in times of hardship.

#### **B. Lack of lawyer-client confidentiality**

18. The Basic Principles provide that communication between lawyers and their clients must take place *“in full confidentiality”* and that *“governments shall recognize and respect that all communications and consultations between lawyers and their clients within their professional relationship are confidential”*.<sup>15</sup> Furthermore, the HRC stated in its General Comment No. 32 on Article 14 ICCPR that *“the right to communicate with counsel requires that the accused is granted prompt access to counsel. Counsel should be able to meet their clients in private and to communicate with the accused in conditions that fully respect the confidentiality of their communications.”*<sup>16</sup>
19. In this context, L4L is specifically concerned about the regular occurrence of office break-ins, as elaborated upon in section [24] below. Particularly striking in the reports is that during these break-ins, information carriers containing sensitive information about cases and human rights work rather than valuables were stolen, indicating that the assailants were actively looking for information. Even though the incidents were reported to the police in a timely fashion, the police have reportedly not properly investigated the break-ins.<sup>17</sup> In this context, the lack of government action and failure of the police to investigate such break-ins is especially worrisome.

#### **C. Harassment of Lawyers**

20. Principle 16 Basic Principles states that *“[g]overnments shall ensure that lawyers are able to perform all of their professional functions without intimidation, hindrance, harassment or improper interference [...] and shall not suffer, or be threatened with, prosecution or administrative, economic or other sanctions for any action taken in accordance with recognized professional duties, standards and ethics”*. Furthermore, the Basic Principles

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<sup>15</sup> UN Basic Principles, Principle 8 and Principle 22.

<sup>16</sup> CCPR/C/CG/32. UN Human Rights Committee. 23 August 2007.

<sup>17</sup> <https://www.monitor.co.ug/uganda/special-reports/police-on-the-spot-as-break-ins-into-ngo-offices-remain-uninvestigated-1691384>

require authorities to adequately safeguard the security of lawyers who are threatened because of discharging their functions.<sup>18</sup>

21. L4L received information that lawyers in the State party are increasingly hindered in carrying out their professional functions, by both private actors and state actors. Especially lawyers working on human rights cases, LGBTQ+ cases, politically sensitive cases and land grabbing cases face arbitrary arrests, intimidation, hindrance through arbitrary restrictions, harassment and improper interference, i.a. as a result of recurring office break-ins and ineffective governmental interference and failure of the police to investigate break-ins at NGO's.
22. These difficulties occur systemically but worsen especially during election time. Against the backdrop of the January 2021 general elections, various NGOs reported that 680 persons have gone missing and have been held incommunicado, without access to a lawyer or a fair trial. There are several accounts of human rights defenders and lawyers arbitrarily arrested across the State party around the same time.<sup>19</sup>
23. L4L has received information regarding arrests of several lawyers in the State party on improper grounds such as the expression of critical views or due to the nature of the cases they are involved in. On numerous occasions, lawyers were cuffed and physically assaulted in police vans during their arrests. This is illustrated by the following example:

*Nicholas Opiyo*

*Nicholas Opiyo is an experienced lawyer and human rights defender, active as the Executive Director of Chapter Four Uganda, a civil rights charity working to defend human rights and civil liberties in Uganda.*

*Mr. Opiyo was arbitrarily arrested on 22 December 2020, was not informed of the reason for his arrest and effectively held in incommunicado detention for a prolonged period. On 22 December 2020, plain clothed law enforcement officers who did not identify themselves seized Mr. Opiyo from a restaurant, along with four other individuals, including three lawyers. He was later charged under section 3 (c) Anti-Money Laundering Act on allegations that he acquired USD 340,000 through the bank account of Chapter Four Uganda, knowing that "the said funds were*

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<sup>18</sup> Article 17 of the Basic Principles.

<sup>19</sup> Joint CSO Statement on enforced disappearances of Ugandan citizens since November 2020 dated 16 March 2021. Source: <https://chapterfouruganda.org/sites/default/files/downloads/Joint-Statement-Joint-CSO-statement-on-enforced-disappearances-of-Ugandan-citizens-since-November-2020.pdf>.

*proceeds of crime". Chapter Four Uganda has confirmed that these are legitimate donor funds.<sup>20</sup> The charges were dropped only nine months later.<sup>21</sup>*

24. Moreover, L4L has been informed of approximately 40 office break-ins at NGOs and law firms across the State party over the past four years. L4L is concerned these are not isolated incidents but part of a systemic pattern of actions and attacks against NGOs and associated lawyers. NGOs and lawyers have repeatedly requested the State party's authorities to interfere and to ensure swift and transparent investigations.<sup>22</sup> However, there have been no meaningful efforts to investigate these incidents and the break-ins remain largely unresolved. Reference is made to the example below:

*Chapter Four Uganda*

*In the early morning of Thursday March 18, 2021 unknown assailants broke into the offices of Chapter Four Uganda in Kololo, Kampala. The assailants accessed the reception area of the office and stole one office desktop computer.<sup>23</sup>*

25. According to reports gathered by L4L, lawyers in the State party representing client in environmental cases are increasingly often subject to harassment not only by companies but also by the authorities. In general, lawyers working on cases, amongst others against oil related projects, are subjected to threats and harassment by the government. Reference is made to the below example:

*Africa Institute for Energy Governance (AFIEGO)*

*AFIEGO is involved in legal cases against oil projects, including a case against TotalEnergies.<sup>24</sup> In October 2021, six members of the AFIEGO's staff, amongst whom lawyer Dickens Kamugisha, were arrested and held in custody for three days. Thereafter, they were released by the police with a holding charge for "failure to produce documents". The State Party's Director of Prosecutions has, to date, not taken up the case and formally charged the AFIEGO staff. Representatives from*

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<sup>20</sup> Reference is made to the seven statements issued by Chapter Four on the frivolous charges against Nicholas Opiyo. Source: <https://chapterfouruganda.org/news>. Further reference is made to the statements made by international organizations, including L4L, regarding the spurious charges against Nicholas Opiyo: <https://lawyersforlawyers.org/joint-statement-on-the-charges-against-nicholas-opiyo/> (L4L), <https://www.frontlinedefenders.org/en/case/arrest-advocate-nicholas-opiyo-and-four-colleagues> (Frontline Defenders) and <https://actionaid.org/news/2020/actionaid-international-condemns-arrest-nicholas-opiyo> (ActionAid International).

<sup>21</sup> Source: <https://www.rfi.fr/fr/afrique/20210914-ouganda-le-parquet-abandonne-les-poursuites-contre-l-activiste-nicholas-opiyo>.

<sup>22</sup> For example: Letter from 31 Ugandan and International Organizations to the Inspector General of Police, Uganda Police Force dated June 13, 2016. Source: <https://chapterfouruganda.org/sites/default/files/downloads/Letter-From-31-Ugandan-and-International-Organizations-On-NGO-Break-Ins.pdf>.

<sup>23</sup> Sources (inter alia): <https://chapterfouruganda.org/articles/2021/03/18/statement-office-break-chapter-four-uganda> and <https://africandefenders.org/uganda-statement-on-office-break-in-at-chapter-four-uganda/>.

<sup>24</sup> Source: <https://www.stopeacop.net/our-news/uganda-six-staff-members-of-our-partner-organisation-afiego-in-custody>.



*AFIEGO believe that the arrest, detention and holding charges were meant to intimidate Mr. Kamugisha and his colleagues.*

#### **D. Identification with clients**

26. Principle 18 Basic Principles requires the government of the State party to ensure that *“lawyers shall not be identified with their clients or their clients’ causes as a result of discharging their functions”*.
27. However, it has been reported to L4L that Ugandan lawyers representing members of LGBTQ+ community and sex workers as well as lawyers representing clients in politically sensitive cases, and land ownership cases are often identified with their clients and seen as ‘immoral’ by other lawyers and society at large.<sup>25</sup> As a result, these lawyers are intimidated, harassed and hindered in performing their professional duties, as L4L will elaborate upon in this report.
28. In this context, L4L is specifically concerned about the Sexual Offences Bill 2019, which was passed in the Parliament of Uganda on 3 May 2021. Although the State party's President Yoweri Museveni decided to return the bill to Parliament for reconsideration, L4L remains concerned that it will further criminalize sex work and same-sex relationships.<sup>26</sup> In particular, clause 11(a) of the latest version of the Sexual Offences Bill 2019 – which criminalizes 'unnatural offences' defined as (i.a.) 'sexual act with another person contrary to the order of nature' – is expected to be interpreted in a manner that criminalizes consensual same sex relationships. As such, the Sexual Offences Bill 2019 will further stigmatize these groups and thereby also justify the hindrance and mistreatment of their lawyers.<sup>27</sup>

#### **E. Lawyers working for NGOs**

29. L4L was informed that lawyers in the State party working for NGOs, and NGOs in general, are facing difficulties when exercising their professional activities. This is partly due to legislation which imposes several restrictive obligations on NGOs active in the State party, such as the Non-Governmental Organizations Act 2016 (the **"NGO Act"**).<sup>28</sup> For instance,

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<sup>25</sup> Reference is made to the recommendations made to Uganda in UPR Report 2016 with regard to the discrimination of and violence against LGBTQ+ persons in Uganda, *inter alia* recommendation 117.27: *"Investigate and prosecute State actors and individuals perpetrating violence against LGBTI persons (Iceland)"* (noted, but not supported by Uganda).

<sup>26</sup> The Sexual Offences Bill 2019 is available online via: <http://parliamentwatch.ug/wp-content/uploads/2019/11/The-Sexual-Offences-Bill-2019.pdf>. Reference is made to the blog published by Lawyers for Lawyers on 10 May 2021, titled 'Concerns about Sexual Offences Bill in Uganda': <https://lawyersforlawyers.org/concerns-about-sexual-offences-bill-in-uganda/>.

<sup>27</sup> Reference is made to the recommendations made to Uganda in UPR Report 2016 to decriminalize consensual same-sex (sexual) relations, *inter alia* recommendations 117.31 (Mexico), 117.38 (Norway) 117.46 (Slovenia), 117.48 (Spain) and 11.59 (Australia) (noted, but not supported by Uganda).

<sup>28</sup> The NGO Act is available online via: <http://www.mia.go.ug/sites/default/files/download/The-Non-Governmental-Organisations-Act-2016%20comp.pdf>.

Section 44(f) NGO Act imposes an obligation on NGOs to not "*engage in any act, which is prejudicial to the interests of Uganda and the dignity of the people of Uganda*". It is not specified what should be understood by 'the interests of Uganda and the dignity of the people of Uganda'.<sup>29</sup> Also, Section 44(g) NGO Act requires NGOs to be non-partisan prohibits NGOs from supporting or opposing political parties, or candidate for an appointive office or elective political office, nor propose or register a candidate for elective political office. In effect, however, NGOs are also discouraged from actively participating in the election process by means of teaching on current political topics and lawyers belonging to such NGOs are put at risk to breach this provision when legitimately carrying out their civil function.

30. The NGO Act further requires all Ugandan NGOs to register at the newly established NGO Bureau and to apply for a permit to be allowed to work in the State party.<sup>30</sup> Together with Sections 7 and 30 NGO Act, which respectively state that the NGO Bureau has the power to revoke an NGO's permit and that it has the power to refuse to register an NGO, the newly established NGO Bureau has been attributed a very broad competence to stop NGOs from performing their functions. The decisions of the NGO Bureau are subject to review by the adjudication committee established under Section 53 NGO Act. The members of this adjudication committee are appointed by the Minister for Internal Affairs. Thus, the adjudication committee cannot be considered an independent judicial body, regardless of the composition of the Board of Directors. Moreover, it has been brought to L4L attention that the application review process takes much longer than the required three months, forming a barrier to the work of NGOs.
31. L4L is concerned that the NGO Act does not only hamper the work of NGOs,<sup>31</sup> but also that of lawyers working with NGOs. Several lawyers interviewed by L4L indicated that NGOs are generally viewed negatively by the state and, consequently, so are the lawyers working with NGOs. This is especially the case for NGOs and lawyers working on politically sensitive cases.
32. Furthermore, the NGO Act makes it even more difficult for lawyers in the NGO sector to obtain all required licenses. L4L has been informed that it is increasingly difficult for lawyers working with or on behalf of NGOs to obtain a license to practice as an advocate in the State party, and that the Uganda Law Society ("**ULS**") does not provide the same support to members associated with NGOs when they face difficulty, as it provides to its 'regular' members.
33. The preamble of the Basic Principles states that "*professional associations of lawyers have a vital role to play in upholding professional standards and ethics, protecting their members*

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<sup>29</sup> Source: <https://chapterfouruganda.org/articles/2015/04/21/uganda-ngo-bill-threatens-rights-independent-groups>.

<sup>30</sup> See articles 5, 29 and 31 of the NGO Act, 2016.

<sup>31</sup> Reference is made to the recommendations made to Uganda in UPR Report 2016, *inter alia* recommendations 117.2 (Canada), 117.18 (Germany), 117.35 (the Netherlands) and 117.50 (Switzerland).

*from prosecution and improper restrictions and infringements, providing legal services to all in need of them.”* From the Basic Principles it furthermore follows that lawyers shall be entitled to form and join self-governing professional associations to represent their interests and that such associations must cooperate with governments to ensure that everyone has effective and equal access to legal services and that lawyers are able, without improper interference, to counsel and assist their clients in accordance with the law and recognized professional standards and ethics.<sup>32</sup>

34. The ULS acts as the overall regulatory body of the legal profession in the State party (the bar association) and has the mandate to issue practicing licenses as well as to organize the entry (bar) exam. It has been reported to L4L that the process of obtaining a license is very slow and needs to be repeated on a yearly basis, forming a burden on lawyers. The ULS also acts as a representative of its members in matters that concern the legal profession.
35. L4L commends that the ULS has spoken out about the arrests and arraignments of some of its members emphasizing the need to respect lawyers' rights, regardless of the nature of the case.<sup>33</sup> L4L is also pleased to note that according to its sources, the ULS's focus on the protection of lawyers appears to have increased since the appointment of the new president of the ULS in September 2020.
36. L4L emphasizes the importance of consistent and meaningful representation of the interests of lawyers by a bar association, regardless of the elected board members, and encourages the State party to make efforts to ensure this on a continuous basis. This includes the representation of lawyers working with or on behalf of NGOs.

### **III. Conclusions and recommended questions**

37. According to our information, the State party fails to fully respect and ensure the guarantees for the proper functioning of lawyers under Article 14 of the ICCPR. As a result, the lawyers' professional rights and privileges are violated. This impairs their ability to provide effective legal representation, makes lawyers increasingly wary of working on sensitive cases, and consequently severely undermines the proper functioning of the rule of law and the adequate protection of rights to which all persons are entitled, such as the right to effective remedy and fair trial as well as the right to freedom from torture and other cruel, inhuman or degrading treatment or punishment. The work of lawyers is indispensable

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<sup>32</sup> UN Basic Principles, Principles 24 and 25.

<sup>33</sup> ULS Statement on the arrest of advocate Musangala Simon Peter dated 21 February 2021, source: <https://www.facebook.com/UgandaLawSociety/posts/uls-statement-on-the-arrest-of-advocate-musangala-simon-peter/4053357208030258/>; ULS Statement on the illegal arrest of advocate Nicholas Opiyo dated 22 December 2020, source: <https://kmaupdates.com/wp-content/uploads/2020/12/UGANDA-LAW-SOCIETY-STATEMENT-ON-THE-ILLEGAL-ARREST-OF-ADVOCATE-NICHOLAS-OPIYO.pdf>; ULS Statement on the arrest and detention of advocate Ambrose Tebyasa, source: <https://minbane.wordpress.com/2020/09/27/https-wp-me-p1xtjg-f0o/>.

for the public confidence in the administration of justice and to ensure effective justice for all persons in the State party.

38. In addition to the violations of their professional rights and privileges under Article 14 of the ICCPR, these violations also encroach on other rights that lawyers, like other citizens, are entitled to, including the right to security of person (Article 9) and the right privacy and unlawful attacks on a person's honor and reputation (Article 17).
39. Given the vital role of lawyers in the protection of the rule of law and the protection of rights, and the fact that lawyers in the State party are specifically targeted because of their work as a lawyer, Lawyers for Lawyers recommends the Committee to specifically address the position of lawyers, whenever appropriate, when reviewing the State party's implementation of the ICCPR.

**Recommended Questions to State Party**

- A. Please respond to reports of difficulties of lawyers with accessing their clients.
- B. Please respond to reports of office break-ins and related concerns with respect to the guarantee to lawyer-client confidentiality.
- C. Please respond to the reports of the lack of effective police investigations into the reported office break-ins in NGOs.
- D. Please provide information on what measures the State party has taken to ensure that lawyers are able to carry out their professional functions safely and independently without fear of threat, intimidation, hindrance, harassment, improper interference, reprisals, or criminal prosecution.
- E. Please report on the manner in which lawyers working for NGOs and subject to the NGO Act are protected from undue government interference.