

# Abductions are a threat to national security

**D**espair continues to mount day by day as a result of the increasing spate of enforced disappearances, illegal detentions and abductions, especially in the aftermath of the 2021 General Election. Surprisingly, the intention of these enforced disappearances and kidnaps remains unknown to the public.

We all ought to, however, be concerned about these unlawful acts because all of us are potential victims. It is imperative to further note that arbitrary arrests; enforced disappearances and kidnaps connote impunity and lawlessness in our country. According to the *Weekly Observer* of February 3, 2021, enforced disappearances and kidnaps are politically-motivated since majority of the victims are youthful Opposition supporters.

The *Observer* further mentions that the patterns of these acts are similar wherever they have been occasioned. Whereas it is known that the police are the constitutionally mandated institution responsible for maintaining law and order, this has not been the case in the recent times.

For example, victims' families reveal that the enforced disappearances and kidnaps are sanctioned by non-uniformed security operatives in numberless 'drone' vans, hence making it difficult to trace and access victims to offer support in form of medical and legal redress.

Uganda ratified the International Convention for the Protection of All Persons from Enforced Disappearance (CPPED) in 2007. The Convention defines "Enforced disappearance" as an offence to human dignity and occurs when a person is deprived of his or her liberty, whether under arrest, detention, or otherwise, by State authorities, and the detention is followed by a refusal to ac-

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Abductions**



knowledge that deprivation of freedom or to give information on the fate or whereabouts of the detained person. The practice of "disappearances" is absolutely prohibited under international law and violates basic human rights, including the right to life, the right to liberty and security of the person, the right to a fair and public trial, as well as the prohibition on torture and cruel, inhuman, and degrading treatment or punishment.

Article 1 of the above Convention stipulates that no person shall be subjected to enforced disappearance even amid exceptional circumstances such as war, political instability, among others. Within the same realm, Article 2 of the same convention enjoins that enforced disappearance violates the right to personal liberty. At the national level, enforced disappearances violate a number of laws such as the 1995 constitution of the Republic of Uganda specifically Articles (22) on right to life, (23) on the right to liberty and (24 and 44) on freedom from torture, inhuman and or degrading treatment; the Human Rights (Enforcement) Act, 2019 and the

Prevention and Prohibition of Torture Act, 2012, among others.

It is also important to note that the persons affected by enforced disappearance are outside the protection of law and often their rights are grossly violated through torture and extra-judicial killings. As you have been following closely majority of the victims of enforced disappearances have been paraded on the media with wounded bodies while others are still languishing in non-gazetted detention facilities hence undermining due processes, especially the right to fair and speedy hearing as enshrined under Articles (23) and 28 (1) of the 1995 Constitution of Uganda.

Thus, at the height of the ongoing enforced disappearances and kidnaps, we need to be reminded by those who have lived longer than us that these incidences are a repeat of our violent history. Needless to mention, incidences of abductions mainly fuelled by political persecution were a common occurrence in the 1960s and 70s during the late Milton Obote and Idi Amin's regimes.

There is need to extend rehabilitation support to the victims of enforced disappearances and kidnaps. We further appeal to the enforcement agencies to follow due process and ensure that all suspects in their custody have access to lawyers, next of kin and medical attention.

In addition, suspects without any charges to answer should be released unconditionally, especially those who have overstayed beyond the 48 hours without appearing in court.

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