RADICAL NEW BAR

UGANDA LAW SOCIETY

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ON THE ARREST OF RETIRED LT. GEN. PETER ELWELU: ULS COMMITS TO UPHOLDING DUE PROCESS AND CONSTITUTIONAL RIGHTS

Kampala, Uganda – 3 November 2026: The Uganda Law Society (ULS) notes with concern the announcement by security forces of the arrest of retired Lt. Gen. Peter Elwelu in Soroti City on the evening of 2 November 2026, following public statements by the Chief of Defence Forces alleging subversive activities and plans to destabilise the Teso sub-region, alongside reported recovery of arms and other items.

Regardless of the identity, rank, reputation, or public controversy surrounding any individual, the Constitution of the Republic of Uganda and international standards bind the State. Article 23 of the Constitution protects personal liberty and provides that a person arrested, restricted, or detained shall be kept in a place authorised by law; informed immediately, in a language the person understands, of the reasons for the arrest, restriction or detention and of the right to a lawyer of choice; brought before a court as soon as possible and in any event not later than forty-eight hours; and afforded reasonable access by next-of-kin, lawyer, and personal doctor. The presumption of innocence, the right to a fair hearing, and the prohibition on arbitrary detention remain inviolable.

ULS further recalls the UN Basic Principles on the Role of Lawyers (1990) and corresponding International Bar Association standards. These instruments affirm that all persons are entitled to the assistance of a lawyer of their choice at all stages of criminal proceedings; that governments shall ensure lawyers can perform their professional functions without intimidation, hindrance, harassment or improper interference; **that lawyers shall not be identified with their clients' causes; and that lawyers must be protected from prosecution or other sanctions for actions taken in accordance with recognised professional duties, standards and ethics.** Lawyers are not to discriminate among clients nor to condemn those they represent; their duty is to uphold the law and protect rights.

ULS will not entertain a repeat of the patterns observed in the Besigye matter and related proceedings, including obstacles to chosen counsel, interference with legal teams, opaque processes, and erosion of fair-trial safeguards. We reiterate our longstanding concern that **the Judiciary and Government have too often failed adequately to protect lawyers** discharging their professional duties.

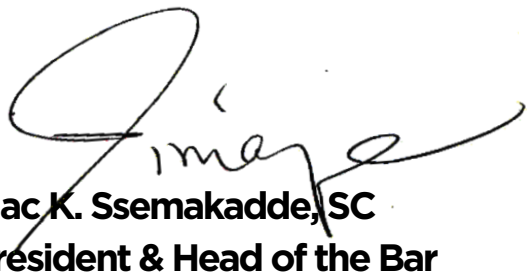
The next-of-kin, lawyer and personal doctor of Lt. Gen. Elwelu are invited to ULS House Kololo for coordinated engagement on protective measures and joint strategies to safeguard against any risk of impunity or procedural abuse by his accusers or state actors.

Despite Lt. Gen. Elwelu's status as a divisive and controversial public figure, **the public is urged to understand that constitutional protections apply equally and without distinction.** Questions properly arise as to whether the investigation leading to arrest was conducted fairly and lawfully.

ULS demands full transparency regarding all essentials of due process, including the legal basis and circumstances of detention, the existence of probable cause, the place of detention, access to counsel and family, and the timely production before a competent court.

Trial by media is condemned. Public pronouncements that presume guilt, strip ranks outside established legal processes, or prejudge outcomes undermine the rule of law and the integrity of any subsequent judicial proceedings.

ULS stands ready to monitor compliance with constitutional and international standards and **to support the independent, professional discharge of the legal profession's duties.** The rule of law is not a privilege reserved for the popular or the powerful; it is the minimum guarantee for every person.



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