

Fifth Press Statement

For Immediate Release. December 28, 2020

UPDATE ON THE FRIVOLOUS CHARGES AGAINST NICHOLAS OPIYO

We continue to demand that the fabricated and malicious charges be dropped.

Earlier today, Monday December 28, 2020, Mr. Nicholas Opiyo appeared before the Anti-Corruption Division of the High Court sitting at the Buganda Road Magistrates Court in Kampala, via video-link for mention of his case. The court was presided over by a judicial officer who did not have jurisdiction to record plea and entertain his bail application. As result, Mr. Opiyo was further remanded to Kitalya Maximum Security Prison until January 11, 2021 when the matter will come up again for mention.

Mr. Opiyo remains in detention on fabricated and malicious charges under the Anti-Money Laundering Act.

In the meantime, Mr. Opiyo's lawyers have applied for bail in the High Court, and the bail hearing has been fixed for Wednesday December 30, 2020 at 9 AM. We hope that he will be granted bail.

Chapter Four Uganda protests the abuse of court process to punish Mr. Opiyo. He was arrested and charged before investigations would reveal any reasonable and probable grounds for charging him with an offence. Consequently, Nicholas was presented to a court which had no choice but to remand him in custody, yet investigations could exonerate him or fail to adduce evidence capable of supporting the offence alleged in the charge sheet. If Mr. Opiyo had to be arrested at all, such arrest should have been done after investigations were complete and when the State was ready to commit him to the High Court. In the alternative he could and should have been released on Police Bond rather than depriving him of liberty before investigations are complete. These tactics violate Mr. Opiyo's constitutional right to liberty, and his right to a speedy and fair trial.

As is evident from the horrendous news headlines, respect for human rights is an urgent concern for the public and should be for the government as well. Mr. Opiyo belongs not in jail but free and at work advocating for respect of rights, accountability and justice.

Therefore, we continue to call upon the State to drop the spurious charges against Mr. Opiyo and ensure that his rights to due process and fair trial, as well as his rights to freedom from

torture, inhumane and degrading treatment, are upheld to the highest standard. We further call upon the authorities to guarantee his health and safety while in detention in light of the Covid-19 pandemic.

We thank the public for the overwhelming support for Mr. Opiyo through the #FreeNicholasOpiyo online campaign and other initiatives, especially those who have shared personal stories about his work's impact. We continue to count on your support as we pursue justice for Mr. Nicholas Opiyo.

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