



East and Horn of Africa Human Rights Defenders Network General Meeting
Meeting on 28-30TH March 2011 Kampala Uganda

Resolutions in relation to human rights defenders facing state sanctioned recrimination and persecution

RESOLUTION ON AL AMIN KIMATHI (KENYA) AND JEAN CLAUDE KAVUMBAGU (BURUNDI)

We, members of the East and Horn of Africa Human Rights Defenders Network (EHAHRD-Net), participate at the General assembly meeting in Kampala, Uganda, resolve as follows:

Recalling United Nations Global Counter-Terrorism Strategy (**A/RES/60/288**) adopted by Member States on 8 September 2006. That States must ensure that any measures taken to combat terrorism comply with their obligations under international law, in particular human rights law, refugee law and international humanitarian law;

Considering Uganda and Burundi's obligations under the 1998 Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms (the UN Declaration on Human Rights Defenders General Assembly Resolution (**A/RES/53/144**) adopted on the 8th March 1999 providing specific protections to human rights defenders, including the rights:

- To seek the protection and realization of human rights at the national and international levels;
- To conduct human rights work individually and in association with others;
- To offer and provide professionally qualified legal assistance or other advice and assistance in defence of human rights;
- To attend public hearings, proceedings and trials in order to assess their compliance with national law and international human rights obligations;
- To unhindered access to and communication with non-governmental and intergovernmental organizations;
- To benefit from an effective remedy;

- To the lawful exercise of the occupation or profession of human rights defender;
- To solicit, receive and utilize resources for the purpose of protecting human rights (including the receipt of funds from abroad).

Concerned by the continued incarceration and persecution of **Mr. Al Amin Kimathi** the Executive Director of **Muslim Human Rights Forum (MHRF)** on terrorism related charges following the 11 July 2010 Kampala bombings while being deprived of due process rights and being held in deplorable and dehumanising conditions; And

Mr. Jean Claude Kavumbagu, a journalist and director of **NetPress** an online newspaper arrested on treason charges on July 17, 2010, for criticizing Burundi's security forces and questioning their ability to defend the country against attack. The article was in response to the bombings in Kampala, Uganda and threats from the Somali insurgent group al-Shabaab to target Burundi owing to the presence of Burundian troops in the African Union Mission in Somalia (AMISOM).

Expresses its profound concern that the arrests and continued incarcerations amount to an affront to the work of human rights defenders in the region, in total disregard of well established international and continental principals and norms of human rights.

Calls upon the governments of Uganda and Burundi to forthwith set free Mr. Al Amin Kimathi and Mr. Jean Claude Kavumbagu respectively and undertake any counter terrorism actions in the context of human rights as established, without further deprivation and infringement of the rights of human rights defenders.

Resolved on this 30th Day of March 2011 in Kampala Uganda