

Joint statement between East and Horn of Africa Human Rights Defenders-Network, Protection International and Foundation for Human Rights Initiative

Public statement

28th January 2011

Kampala; As human rights activist David Kato is laid to rest, we call for justice and full investigations into his death.

The East and Horn of Africa Human Rights Defenders Project/Network together with its partner Protection International and Foundation for Human Rights Initiative; EHAHRDP focal point organisation joins world leaders, human rights organisations, representatives of the diplomatic community and the international and local media in mourning the death of David Kato. We are deeply saddened over the brutal murder of David Kato, a courageous and dedicated human rights defender advocating for the rights of Lesbian, Gay, Transgender and Intersex (LGBTI) persons.

David Kato's funeral was held on Friday 28th January 2011 in Mukono, near Kampala, amidst calls from the Ugandan and international human rights community and the diplomatic community for tolerance, cessation of hate speech and calls to the Ugandan authorities to guarantee the safety and security of all its citizens including LGBTI citizens.

EHAHRDP expresses its sympathy with its member organisation Sexual Minorities Uganda (SMUG) where David worked tirelessly to advance and protect the rights of LGBTI. David has worked closely with EHAHRDP since 2005 and was a strong and vibrant member of our Network.

“It was just Monday morning on the 24th January 2011, two days before his death that David visited our offices as a matter of routine and my staff and I interacted with him. On this visit, David appeared unusually sombre and expressed his fear of the continued harassment he was facing in his community as a result of his activism. It came as a shock to learn of his murder. We may have lost a strong ally, a friend and fellow human rights defender to a violent act, but his work was not in vain. We pledge to continue to defend the rights of all human beings without discrimination and affirm that human rights are universal and indivisible” remarked Hassan Shire, Executive Director of EHAHRDP/Net during the burial of David Kato at his ancestral home in Mukono.

David was murdered on 26th January at his home in Mukono. Until his death, he had been the Advocacy and Litigation officer of Sexual Minorities Uganda (SMUG) which is a founder and constitutive member of the East and Horn of Africa Human Rights Defenders Network. Ever since suing a local tabloid newspaper, David had been receiving death threats. The “Rolling Stone” newspaper Ugandan tabloid, in November 2010, published photos of alleged homosexuals calling for them to be hanged. David together with two other activists took the paper to court for violating their right to privacy and life. On January 3rd 2011, the High Court of Uganda awarded the three plaintiffs damages and issued a permanent injunction to the publication to stop the outings plus a warning to the newspaper not to repeat the outings.

Protection International, EHAHRDP's partner organisation based in Brussels, joined in the condemnation of David's death. “David was a real activist, dedicated, passionate and

concerned over not only the rights of his community but all human rights. His death is a loss for the human rights community in Uganda and a breach to the right to life of all Ugandan citizens. We strongly call on the police and the judiciary to promptly and impartially investigate the matter thoroughly in order to identify all those - directly and indirectly - responsible for this crime, bring them to justice, and sanction them according to the sanctions provided by the law, and to fair trial standards", says Nora Rehmer, PI Representative in Uganda.

Back ground

There have been increasing attacks against LGBTI activists which have escalated since 2009 fuelled by the growing homophobia of the Ugandan government and religious leaders. The attacks and threats which have at times culminated in physical attacks are mainly from the members of the community among whom the activists live as well members of their families. There are also verbal attacks from Government officials and religious leaders who have occasionally even called upon their followers to kill LGBTI persons. These attacks have been fuelled by some sections of the media which have in the past published articles in which they name alleged LGBTI persons in Uganda and thereby directly putting the lives and livelihoods of these individuals at risk.

In Uganda, same sex relations are illegal with provisions in the Constitution as well as criminal laws penalising what is termed 'carnal knowledge', 'sodomy' and prohibiting same sex marriage. The Ugandan Government has used these provisions to harass and persecute LGBTI individuals. Those defending their rights and seeking to ensure their recognition have been a target for harassment and intimidation by state organs. EHAHRDP has been working closely with minority HRDs especially LGBTI activists to raise their profiles but also provide financial and technical help

While investigations into the cause of David's murder continue, EHAHRDP, PI and FHRI call on

- The Ugandan police to thoroughly investigate David's murder and the judiciary to ensure justice prevails in full respect with human rights standards that have been endorsed by Uganda.
- The media to show due respect to David's family and friends as they mourn his death.
- The Government of Uganda to protect its citizens including human rights defenders irrespective of their gender, race, sexual orientation or other and ensure that they are able to carry on with their legitimate work without fear of reprisals or harassment. To this purpose, we call on the Government to make a public declaration to rehabilitate the image and dignity of the LGBTI community members in Uganda in order to prevent new attacks on their community.
- The relevant stakeholders in Government and Parliament to withdraw and reject the infamous Anti-Homosexuality Bill as a commitment to human rights and non-discrimination of all Ugandans.

For more information please do not hesitate to contact Mr. Hassan Shire Sheikh, Executive Director of EHAHRDP on + 256 772 753 753 or executive@defenddefenders.org or Ms Nerida Nthamburi, Program Coordinator EHAHRDP at program@defenddefenders.org

