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## **Uganda: Terrorism charges used against Kenyan rights defender**

Ugandan authorities should either release a Kenyan human rights activist who is being held on terrorism charges or provide details of the charges, Amnesty International and Human Rights Watch said today in a joint letter to the Ugandan government.

Al-Amin Kimathi was arrested, along with Kenyan lawyer Mbugua Mureithi, on 15 September after the two travelled from Kenya to Uganda to observe a hearing of six Kenyans charged with terrorism in connection with the July bomb attacks in Kampala, which killed over 76 people who were watching the World Cup final. Mureithi was released after three days and deported to Kenya. Kimathi, who heads the Muslim Human Rights Forum in Kenya, was held incommunicado for six days before being charged with terrorism and murder on Tuesday 21 September.

"Al-Amin Kimathi seems to have been arbitrarily arrested for carrying out his legitimate human rights work - providing legal support to the suspects charged in connection with the bomb attack," said Erwin van der Borcht, Amnesty International's Africa Program director.

The charge sheet contains no details or allegations about Kimathi's conduct that would make him responsible for the crimes described.

Thirty-eight people of different nationalities, including Ugandan, Kenyan and Somali, have been charged with terrorism in the last few months in connection with the July bombings.

The Muslim Human Rights Forum has challenged and publicly criticized the transfer of several Kenyan suspects from Kenya to Uganda on the basis that the transfer failed to respect extradition procedures which require reciprocal warrants of arrests in both countries and judicial hearings. The Kenyan authorities also failed to uphold the right to a habeas corpus (to challenge a person's detention before a court) application for those suspects who were transferred to Uganda.

All states must ensure full respect for human rights and the rule of law, including during counter-terrorism operations" said Rona Peligal, Africa Director at Human Rights Watch. "Al-Amin Kimathi's arrest will not silence the questions raised by Kenya's apparent unlawful transfer of its own citizens, in violation of their rights."

Amnesty International and Human Rights Watch recognize that Uganda must investigate, prosecute and bring to justice those responsible for the July 2010 Kampala bombings but also urge Kenyan and Ugandan authorities to fully comply with international human rights law and standards as well as the Kenyan and Ugandan constitutions.

In the letter to the Ugandan government as well as in another letter to the Kenyan Ministry of Foreign Affairs, both organizations also called for both governments to support an independent and impartial inquiry into human rights violations associated with the arrest and transfer to Uganda of 13 Kenyan suspects, which apparently did not follow established legal procedures.

Notes to editors

- During their detention both Mureithi and Kimathi were extensively interrogated by police officers about alleged funding of terrorist activities. Kimathi's personal laptop was confiscated, searched in his absence and its contents copied
- The Muslim Human Rights Forum has documented the arbitrary detention, secret expulsion and unlawful rendition of dozens of men, women, and children who had fled from Somalia to Kenya in 2006 and early 2007.