Dear Hon. Mwai Kibaki:

ESCR-Net is the largest global initiative of organizations and activists working to secure economic, social, and cultural justice through human rights. As a network of 205 organizational and individual Members from 58 different countries, we are deeply concerned with the deteriorating situation of human rights defenders in Kenya. We call on you to establish independent investigations into the killings of human rights advocates Mr. Oscar Kingara Kamau and Mr. George Paul Oulu, adequately punish the perpetrators, and ensure redress for the families of the victims. Moreover, we have reason to believe that the lives and security of other Kenyan human rights defenders are now at risk. We roundly condemn all actions by the Kenyan government which foster the current climate of fear and intimidation, and demand that the Kenyan government through its executive, legislative and judicial powers guarantee the protection of human rights defenders. In order to restore an atmosphere of calm and comply with its human rights obligations, we exhort the government to bring to account all those bearing responsibility for the purported assassinations of human rights defenders in the country, as well as for all related threats, harassment, illegal detentions and assaults. Finally, we urge the government to restore to all Kenyans the freedoms of assembly, association, and expression suspended since early 2008.

According to reports, Mr. Kingara Kamau and Mr. George Paul Oulu of the Oscar Foundation Free Legal Aid Clinic Kenya (OFFLACK), a leading Kenyan human rights organization, were assassinated on March 5, 2009 in Central Nairobi. While in heavy traffic near Nairobi University in transit to the offices of the Kenya National Commission on Human Rights, two men reportedly approached their car at approximately 7:30 p.m. on the day in question, and shot Mr. Oscar Kingara Kamau and Mr. George Paul Oulu through the window at point-blank range.

Troubling as this is by itself, this episode is by no means an isolated event. As well-grounded reports from the Kenya Human Rights Commission, the Kenyan National Human Rights Commission, and the United Nations Special Rapporteur on Extra Judicial Executions, Professor Philip Alston, all attest, “systematic, widespread and
carefully planned extrajudicial executions [are] undertaken on a regular basis by Kenyan police.” Furthermore, human rights defenders are subject to a worsening atmosphere of fear and intimidation, fostered by the repeated statements of heads of security services and other government officials linking human rights organizations to armed groups. The goal of such statements, according to reports, is to deter civil society dissent, as well as de-legitimize and vilify the critical work of human rights defenders throughout Kenya.

Rather than promoting these efforts to uphold the dignity of all Kenyans, these officials instead suggest with their statements that impunity will be enjoyed by all those who violently target human rights defenders. Indeed, the March 5 killings occurred just one day after government spokesperson, Dr. Alfred Mutua, made public allegations that OFFLACK—which had been carrying out detailed investigations of extrajudicial killings by police—was a civil society front for armed militias, accusations for which no evidence has ever been publicly released or brought in court. Dr. Mutua was reported to have then publicly claimed that the government was “going to deal with” the group. This all in a context in which the Kenyan government continues to suspend the freedoms of assembly, association and expression, further encouraging a permissive atmosphere allowing security services to allegedly harass, assault, illegally detain and even kill human rights defenders.

ESCR-Net has received reports this month that the situation is continuing to deteriorate. Several Kenyan human rights defenders have purportedly received verbal threats, been forced to move to safe houses, and have even had to flee the country in fear of their own and their family’s security.

We take very seriously the killings of Mr. Oscar Kingara Kamau and Mr. George Paul Oulu, and condemn the alleged complicity and/or participation of senior government officials in promoting the current environment of intimidation and suppression of those who protect and promote human rights. We therefore urge you to take all possible measures to fulfill your fundamental duty to protect the lives and security of human rights defenders in Kenya, and to prevent any repeat of the aforementioned tragic events. In particular, we call on you to:

- Establish a thorough and independent investigation into the killings of Mr. Oscar Kingara Kamau and Mr. George Paul Oulu in order to identify all those responsible, bring them before a civil competent and impartial tribunal, apply to them the penal sanctions provided by the law and ensure redress for families of the victims;
- Put an end to any act of harassment and guarantee the physical protection of all human rights defenders and witnesses of the crimes from increased levels of risks and threats accompanying last month’s assassinations;
- Establish thorough and independent investigations into the alleged threats, harassment, assault and illegal detentions of human rights defenders in order to identify all those responsible, bring them before a civil competent and impartial tribunal and apply to them the penal sanctions provided by the law;
- Put forward impartial, independent internal and external accountability mechanisms for all security services, and ensure the utilization of those mechanisms to achieve individual legal accountability for all alleged human rights violations committed by members of the security services;
• Restore fully and unequivocally the freedoms of assembly, association and expression suspended since early 2008, protected under the Kenyan constitution and international and regional law.

We believe these measures will go some way toward upholding the dignity and human rights of all Kenyans, an essential precondition for protecting peoples’ lives, and in combating the structural violence of poverty and inequality which continue to threaten peoples’ livelihoods. We lastly ask that you keep us informed of all actions taken.

Sincerely,

Julieta Rossi,
ESCR-Net Director
On behalf of Members of the International Network for Economic, Social and Cultural Rights (listed below)

ASIA PACIFIC

4. Asian Institute for Human Rights (AIHR), Thailand
5. Center for Economics, Social and Cultural Rights Promotion (ESCR-PRO), Thailand
6. Education and Research Association for Consumers Malaysia (ERA Consumers), Malaysia, www.eraconsumer.org
7. Economic, Social and Cultural Rights Asia (ESCR Asia), Philippines,
10. Indonesian Legal Aid Society Association (Perkumpluan MBH), Indonesia, www.mbh-jatim.blogspot.com
15. Southeast Asian Council for Food Security and Fair Trade (SEACON), Malaysia, www.seacouncil.org
19. Anna Cody, Australia, Kingsford Legal Centre
20. Carol Jane Ransley, Thailand, Human Rights Consultant
21. D.J. Ravidran, Thailand
22. David Kinley, Australia, University of Sydney
23. Ge Mingzhen, China, Shadong University
25. Ingrid Gorre, Philippines, formerly with Legal Rights and Natural Resources Center, Inc, www.lrcksk.org

CARIBBEAN & LATIN AMERICA

30. Asociación Civil por la Igualdad y la Justicia (ACIJ), Argentina
32. Asociación Q’ukumatz, Guatemala
33. Fundacion Emmanuel Internacional (FEI), Dominican Republic
34. Centro de Apoyo Comunitario Trabajando Unidos (CACTUS), Mexico
35. Centro de Asesoría Laboral del Perú (CEDAL), Perú
41. Comité de Emergencia de Garífuna de Honduras
42. Confederación campesina del Perú (CCP), Perú
43. Conectas Dereitos Humanos, Brazil
44. The Democracy Center, Bolivia, democracyctr.org/
46. Estudio Para La Defensa De Los Derechos De La Mujer (DEMUS), Perú, www.demus.org.pe
47. Federação dos Orgãos de Assistencia Social e Educacional (FASE), Brazil, www.fase.org.br
48. Foro Ciudadano de Participación por la Justicia y los Derechos Humanos (FOCO), Argentina
49. Frente Autentico del Trabajo (FAT), Mexico, www.fatmexico.org
51. Instituto de Formación Femenina Integral (IFFI), Bolivia
52. Instituto Latinoamericano de Servicios Legales Alternativos (IL SA), Colombia
53. Justicia Global (JG), Brazil, www.global.org.br
54. Movimento dos Atingidos por Barragens (MAB), Brazil, www.mabnacional.org.br
55. National Union of Domestic Employees (NUDE), Trinidad and Tobago
56. Observatorio de Derechos de los Pueblos Indígenas (OBDPI), Chile, www.observatorio.cl
58. Programa DESC, Universidad Diego Portales, Chile, www.derechoshumanos.udp.cl
60. Proyecto de Derechos Económicos, Sociales y Culturales (ProDESC), Mexico, www.prodesc.org.mx
61. Terra de Direitos, Brazil, www.terradedireitos.org.br
62. Tierraviva a los Pueblos Indígenas del Chaco, Paraguay
63. Patricia Ramírez Parra, Colombia, Corporación Desarrollo y Paz del Magdalena Medio, www opi.org.co
64. Rodrigo Bustos Bottai, Chile

**MIDDLE EAST & NORTH AFRICA**

66. The Democracy and Workers’ Rights Center in Palestine (DWRC), www.dwrc.org
68. Egyptian Center for Housing Rights (ECHR), Egypt, www.echreg.org
69. Egyptian Initiative for Personal Rights (EIPR), Egypt, www.eipr.org
70. Habi Center for Environmental Rights, Egypt, www.hcer.org
73. People’s Health Movement (PHM), Egypt, www.phmovement.org

**SOUTH ASIA**

75. Alliance for Holistic and Sustainable Development of Communities (AHSDC), India
77. International Women and Mining Network (RIMM) India, www.rimmrights.org
78. Mahila Sarvangeen Utkarsh Mandal (MASUM), India, http://masum-india.org/
80. Programme on Women's Economic, Social and Cultural Rights (PWESCR), India, www.pwescr.org
81. Samata, India, www.samataindia.org
82. Socio Legal Information Centre, India
84. Dolamohan Singhbabu, India, Friends' Association for Rural Reconstruction, www.farrorissa.net
85. Ganesh Devi, India, Bhasha Research and Publication Centre
86. Raju Prasad Chapagai, Nepal, Pro Public, www.propublic.org

**SUB-SAHARAN AFRICA**

87. ActionAid International, South Africa www.actionaid.org
88. Action Contre l'Impunité Pour Les Droits Humains (ACIDH), Democratic Republic of Congo
89. Action for Social Rights (AfSOR), Sierra Leone (formerly Youth Movement for Peace and People’s Rights)
91. Aliança para Promoção do Desenvolvimento da Comunidade de Hoji Ya Henda, Angola
92. Association Africaine de Défense des Droits de l’Homme, representation du Katanga (ASADHO/Katanga), Democratic Republic of Congo
93. Association of Environmental Lawyers of Liberia (Green Advocates), Liberia, www.greenadvocates.org
94. BAOBAB for Women's Human Rights (BAOBAB), Nigeria, www.baobabwomen.org
95. Butere Focused Women in Development (BUFOWODE), Kenya,
97. Centre for Economic, Social and Cultural Rights (Hakijamii), Kenya
98. Centre d'Information Juridique/Femme Justice Aide (CIJG/FJA), Republic of Guinee
100. Collectif des Femmes du Mali (Le COFEM), Mali, www.cofemali.org
101. Community Law Centre (University of the Western Cape, South Africa), South Africa, www.communitylawcentre.org.za
103. Federation of Women Lawyers (FIDA Kenya), Kenya
104. Femmes Cote d'Ivore Experience (FCIEX), Cote d’Ivoire
105. Foundation for Human Rights and Democracy (FOHRD), Liberia
106. Human & Environmental Development Agenda (HEDA), Nigeria, www.hedagenda.kabissa.org
109. Karimojong Community Child Welfare Initiative (KACOCI), Uganda,
110. Kebetkache Women Development & Resource Centre, Nigeria
111. The Kenya Human Rights Commission (KHRC), Kenya, www.khrc.or.ke
112. Kenya Land Alliance (KLA), Kenya, www.kenyalandalliance.or.ke
113. Kituo Cha Sheria (Center for Legal Empowerment), Kenya, http://kituochasheria.or.ke/
114. Labour, Health and Human Rights Development Center (LHAHRDEV), Nigeria
115. Legal Resources Centre (LRC), South Africa, www.lrc.org.za
117. Masimanyane Women Support Center, South Africa,
118. Mazingira Institute, Kenya, www.mazinst.org
120. Mouvement pour le Progres de Roche Bois (MPRB), Mauritius
121. Movement for the Survival of the Ogoni People (MOSOP), Nigeria, www.mosop.net
122. Nairobi Peoples Settlements Network (NPSN), Kenya,
123. Network Movement for Justice and Development (NMJD), Sierra Leone, www.nmjd.org
124. Ogiek Peoples Development Program (OPDP), Kenya
125. People Against Injustice (PAIN), The Gambia, www.paingambia.org
126. Rencontre pour la Paix et les Droits De L'homme – (RDPh), Congo-Brazzaville
127. Shelter Forum (SF), Kenya,
129. Socio-Economic Rights Foundation (SRF), Kenya,
131. Sœurs Unies à l’œuvre (SUO), Benin, www.swbenin.ca.tc
134. Uganda Environmental Education Foundation (UEEF), Uganda
137. Zimbabwe Women Lawyers Association, Zimbabwe
138. Abdoul Aziz NIANG, Mauritania, Association Nationale pour l'appui a l'initiative Feminine- la Protection Infantile et Environnementale (ANAIF-PIE) www.anaif-pie.kabissa.org/
139. Adams Aswani, Tanzania, Concern Worldwide in Tanzania and Uganda
140. Africa Magongo, Swaziland, Swaziland Federation of Trade Unions (also Swaziland Nurses Association)
141. Danwood M Chirwa, South Africa, University of Cape Town, www.communitylawcentre.org.za
142. Deborah Ewing, South Africa, Human Rights Consultant
143. Jacques Tshibwabwa Kuditshini, Democratic Republic of Congo, University of Kinshasa
144. Pemii Benedict, Nigeria, Journalist
145. Thomas Bruno Nzumbi, Tanzania, Tanzania Council for Social Development

CANADA & UNITED STATES
146. Center for Reproductive Rights (CRR), United States, www.reproductiverights.org
147. Center of Concern, United States, www.coc.org
149. Center on Housing Rights and Evictions (COHRE), United States of America, www.cohre.org
152. EarthRights International (ERI), United States, www.earthrights.org
158. International Human Rights Internship Program (IHRIP), United States, www.iie.org/ihrip
159. The Jus Semper Global Alliance (TJSGA), United States, www.jussemper.org
160. Media Mobilizing Project (MMP), United States of America, www.mediamobilizing.org
165. Social Rights Advocacy Centre (SRAC), Canada, www.socialrights.ca
166. Western ShoShone Defense Project (WSDP), Neve Sogobia, www.wsdp.org
167. WITNESS, United States, www.witness.org
168. Women's Economic Agenda Project (WEAP), United States, www.weap.org
169. Association for Women's Rights in Development (AWID), Canada, www.awid.org
170. Alicia Ely Yamin, United States of America, Joseph H Flom Fellow on Global health and Human Rights, Harvard Law School ; Instructor, Harvard School of Public Health
172. Chris Grove, United States, City University of New York – The Graduate Center and Baruch College
173. Daria Caliguire, United States, Human Rights Consultant
174. George Kent, United States, University of Hawaii, Dpt of Political Science, www2.hawaii.edu/~kent/
175. Maureen Meyer, United States, Human Rights Consultant
176. Minar Pimple, United States/India, YUVA, www.yuvaindia.org
177. Paulina Garzon, United States, University of Columbia / Centro de Derechos Económicos y Sociales (CDES)
178. Radhika Balakrishnan, United States, Marymount Manhattan College, Economics and International Studies
179. Tyler Giannini, United States, Harvard Law School, Human Rights Program
180. Vincent Calderhead, Canada, Nova Scotia Legal Aid

**EASTERN EUROPE**

182. Bulgarian Helsinki Committee (BHC), Bulgaria, www.bghelsinki.org
183. European Roma Rights Center (ERRC), Hungary

**WESTERN EUROPE**

185. Amnesty International (AI), United Kingdom, www.amnesty.org
186. Bretton Woods Project (BWP), United Kingdom, www.brettonwoodsproject.org
187. Center for Economic and Social Rights, Spain, www.cesr.org
188. Center on Housing Rights and Evictions (COHRE), Switzerland, www.cohre.org
191. European Anti Poverty Network (EAPN), Belgium, www.eapn.org
193. Food First Information and Action Network (FIAN), Germany, www.fidh.org
196. Interchurch Organisation for Development (ICCO), Netherlands, www.icco.nl
197. International Centre for the Legal Protection of Human Rights (INTERIGHTS), United Kingdom, www.interights.org
199. Institute for Agriculture and Trade policy (IATP), Switzerland, www.iatp.org
200. Rights and Accountability in Development (RAID), United Kingdom, www.raid-uk.org
201. World Organization Against Torture (OMCT), Switzerland, www.omct.org
202. Malcolm Langford, Norway, Norwegian Center for Human Rights, University of Oslo
203. Claire Mahon, Switzerland, Legal Consultant
204. Luisa Nardi, Italy, Sant’Anna School of University Studies and Doctoral Research, www.itpcm.sssup.it/
205. Yves Lador, Switzerland, Earthjustice, www.earthjustice.com

***

This letter has also been addressed to:
Right Hon. Raila Odinga, Prime Minister, Republic of Kenya, P.O. Box 30050 00100, Nairobi, Kenya, Email: contact@statehousekenya.go.ke * Hon. George Saitoti, Minister for Internal Security, Harambee Avenue, P.O. Box 30510, Nairobi 00200, Kenya, Tel: +254-020-227411 *
Major General Hussein Ali, Commissioner of Police, Kenya Police Headquarters, Vigilance House, Harambee Avenue, P.O. Box 30083, Nairobi, Kenya, Tel: +254-020-341411/6/8, Email: commissioner@police.go.ke, complaints@police.go.ke * Hon S. Amos Wako, Attorney General, State Law Office, Harambee Avenue, P.O. Box 40112, Nairobi, Kenya, Tel.: +254-020-227461 * Hon. Martha W. Karua, E.G.H., M.P., Ministry of Justice, Haile Selassie Avenue, * P.O. Box 56057, Nairobi, Kenya, Tel.: 254-20-224029, Email: ps-justice@justice.go.ke * Chairman Ambassador of the Kenyan Public Complaints Standing Committee Mr. James Simani, and members: Ms Grace Madoka, Mr. Peter Karing’u and Ms Nafisa Abbas, and Executive Director of the Secretariat, Mr. Jean Njeri Kamau, Shell and BP House, 6th Floor, Harambee Avenue, PO Box 20414- 00200 Nairobi, Kenya, Fax: +254 020 230 2666, Email: ombudsmankenya@gmail.com

CC: UN Special Rapporteur on Human Rights Defenders, Mrs Margaret Sekaggya urgent-action@ohchr.org, Fax +41 22 917 9006 * Special Rapporteur of the African Commission on Human and Peoples Rights, Ms Reine Alapini-Gansou: alapinireine@yahoo.fr * Permanent Mission of Kenya to the United Nations in New York, 866 UN Plaza Suite 486, New York, NY 10017, Tel 1 212 421 4741-4, Fax. 1 212 486 1985, Email: kenya@un.int