

**Mandates of the Special Rapporteur on the rights to freedom of peaceful assembly and of association;  
the Special Rapporteur on the situation of human rights defenders; the Special Rapporteur on the  
independence of judges and lawyers; and the Special Rapporteur on the promotion and protection of  
the right to freedom of opinion and expression**

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Excellency,

We have the honour to address you in our capacity as Special Rapporteur on the rights to freedom of peaceful assembly and of association, Special Rapporteur on the situation of human rights defenders, Special Rapporteur on the independence of judges and lawyers, and Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression pursuant to Human Rights Council resolutions 24/5, 25/18, 26/7, and 25/2.

In this connection, we would like to bring to the attention of your Excellency's Government information we have received concerning the alleged arbitrary and incommunicado detention and judicial proceedings against three human rights defenders.

**Mr. Omot Agwa Okwoy** is a human rights defender and church leader in Ethiopia's Gambela region. He works to promote the rights of indigenous communities within the country, in particular with regard to land rights.

**Mr. Ashinie Astin** is a human rights defender and member of the Majangier indigenous peoples in Gambela. He advocates for the rights of indigenous communities in the context of intensifying land disputes connected to an increase in mining activities in the region carried out by domestic and international companies.

**Mr. Jamal Oumar Hojele** works with the Assosa Environmental Protection Association to defend environmental rights and the rights of indigenous peoples in the Benishangul-Gumuz region of Ethiopia.

According to the information received:

On 15 March 2015, Messrs. Omot Agwa Okwoy, Ashinie Astin and Jamal Oumar Hojele were arrested by Ethiopian security agents at Addis Ababa airport. They had been travelling to Nairobi, Kenya, in order to participate in a workshop on food security which was scheduled to take place on 16 March 2015.

Following their arrest, Messrs. Okwoy, Astin and Hojele were detained incommunicado at an unknown location for approximately two weeks, before appearing at the detention facility of the Federal Police Crime Investigation Sector in Addis Ababa, commonly known as Maekelawi. During the six months of their detention at Maekelawi police station, the three individuals were denied access to legal representation. Mr. Okwoy was allegedly subjected to three weeks of solitary confinement whilst detained there.

On 7 September 2015, Messrs. Okwoy, Astin and Hojele appeared before the Lideta Division Criminal Section of the Federal High Court in Addis Ababa, and were charged under the anti-terrorism law for the alleged plans to participate in a workshop linked to terrorist activities.

Following their appearance before the Federal High Court, the three human rights defenders were transferred to Kilinto Prison in the Akaki area of Addis Ababa. Only then were they granted access to their lawyers. Their next hearing before the Federal High Court is reportedly scheduled for 22 October 2015.

We express serious concern at the charges brought against Messrs. Okwoy, Astin and Hojele, which appear to be directly linked to their legitimate and peaceful work in defence of human rights and to their peaceful exercise of their rights to freedom of opinion and expression and to freedom of peaceful assembly. Further concern is expressed at what appears to have been their arbitrary arrest and incommunicado detention in March 2015. We also express concerns at the allegation on the lack of minimum guarantees of due process and fair trial, including the detention of Messrs. Okwoy, Astin and Hojele without charge, for approximately six months, and the lack of access to a lawyer during that same period.

While we do not wish to prejudge the accuracy of these allegations, we would like to draw the attention of your Excellency's Government to the relevant international norms and standards that are applicable to the issues brought forth by the situation described above.

We would like to refer to articles 9, 13, 19 and 20 of the Universal Declaration of Human Rights (UDHR) and articles 9, 19 and 21 of the International Covenant on Civil and Political Rights (ICCPR), acceded to on 11 June 1993.

We would also like to refer your Excellency's Government to the United Nations Basic Principles on the Role of Lawyers, in particular principle 8, which states: "All arrested, detained or imprisoned persons shall be provided with adequate opportunities, time and facilities to be visited by and to communicate and consult with a lawyer, without delay, interception or censorship and in full confidentiality. Such consultations may be within sight, but not within the hearing, of law enforcement officials."

The allegations that the arrest and detention of Messrs. Okwoy, Astin and Hojole are connected to their human rights activities appear to be in contravention with the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms, also known as the UN Declaration on Human Rights Defenders, and in particular with articles 1, 2, 5 (a), 5 (b).

We would also like to refer to Human Rights Council resolution 22/6, which urges States to ensure that measures to combat terrorism and preserve national security are in compliance with their obligations under international law and do not hinder the work and safety of individuals, groups and organs of society engaged in promoting and defending human rights.

The full texts of the human rights instruments and standards recalled above are available on [www.ohchr.org](http://www.ohchr.org) or can be provided upon request.

As it is our responsibility, under the mandates provided to us by the Human Rights Council, to seek to clarify all cases brought to our attention, we would be grateful for your observations on the following matters:

1. Please provide any additional information and any comment you may have on the above mentioned allegations.
2. Please provide full details of the legal grounds for the arrest and detention of Messrs. Omot Agwa Okwoy, Ashinie Astin and Jamal Oumar Hojele, including how these measures are compatible with international norms and standards as stated, inter alia, in the UDHR and ICCPR.
3. Please indicate what measures have been taken to ensure free, unhindered and regular access to legal counsel is available for the above-mentioned persons, as provided by international human rights norms and standards.
4. Please indicate what measures have been taken to ensure that the legitimate rights to freedom of opinion and expression and to freedom of peaceful assembly are respected and that the physical and psychological

integrity of those exercising this right is guaranteed, as provided by international human rights law and standards.

5. Please kindly indicate what measures have been taken to ensure that human rights defenders in Ethiopia are able to carry out their legitimate work in a safe and enabling environment without fear of threats or acts of intimidation and harassment of any sort.

While awaiting a reply, we urge that all necessary interim measures be taken to halt the alleged violations and prevent their re-occurrence. In particular, we respectfully urge your Excellency's Government to take all necessary measures to ensure that Messrs. Okwoy, Astin and Hojole will be provided with all the guarantees of fair trial, in compliance with international norms and standards, including access to a lawyer to establish and protect and defend their rights at all stages of criminal proceedings. We also urge your Excellency's Government to independently and impartially investigate the allegations that these three individuals were detained incommunicado and that Mr. Okwoy was held in solitary confinement for a period of several weeks. In the event that the investigations support or suggest the allegations to be correct, we urge your Excellency's Government to ensure the accountability of any person responsible of the alleged violations.

Your Excellency's Government's response will be made available in a report to be presented to the Human Rights Council for its consideration.

Please accept, Excellency, the assurances of our highest consideration.

Maina Kiai  
Special Rapporteur on the rights to freedom of peaceful assembly and  
of association

Michel Forst  
Special Rapporteur on the situation of human rights defenders

Mónica Pinto  
Special Rapporteur on the independence of judges and lawyers

David Kaye  
Special Rapporteur on the promotion and protection of the right to freedom of opinion  
and expression