

EAST AND HORN OF AFRICA HUMAN RIGHTS DEFENDERS NETWORK

Oral intervention

On the occasion of the 49th ordinary session of the African Commission on Human and Peoples' Rights, Banjul, The Gambia – Special Rapporteur on freedom of expression and access to information in Africa.

Presented by Hassan Shire Sheikh, East and Horn of Africa Human Rights Defenders Network

Honorable chairperson, commissioners, distinguished delegates, ladies and gentlemen,

Thank you for this opportunity to address the Commission. On behalf of the East and Horn of Africa Human Rights Defenders Network we would like to begin by applauding the excellent work of the Commissioner.

In all the countries of our sub-region, that is Burundi, Djibouti, Eritree, Ethiopia, Kenya, Rwanda, Sudan (and South Sudan), Somalia (and Somaliland), Tanzania, and Uganda, restrictions on freedom of expression continue to affect the work of journalists. We would like to bring to your attention a number of recent and indicative cases.

On 13th April, at the tribunal de grande instance of Bujumbura in Burundi, the prosecution requested a sentence of life imprisonment in the case of the journalist Jean-Claude Kavumbagu. He was accused of treason under article 570 which penalizes “any Burundian who, in times of war... knowingly participates in an attempt to demoralize the Army or the Nation, with the object of weakening national defense,” following the publication of an article in his online newspaper. We note that Burundi is not currently at war. The judges are now deliberating on the case.

On a more positive note, we welcome the release in April of Faustin Ndikumana, of Radio Publique Africaine. However the RPA regularly faces different forms of pressure on their work. For example, just last week the National Communication Council suspended one of their programmes, which led the RPA to decide to suspend all its programming for four days.

In the same period, similar restrictions on freedom of expression have been witnessed in Uganda, especially against journalists. From the beginning of the election campaigns in November 2010, journalists have faced a range of restrictions by the authorities and non-state actors. On 18th February, the day of the presidential election, the journalist Julius Odeke was shot and injured by security agents who wanted to confiscate his recordings of acts of violations committed in a constituency in the east of the country.

We would also like to take this occasion to remember the 30 journalists currently detained in Eritrea, in prisons, underground cells and metal containers, which are like microwaves in the Eritrean heat. Four have died as a result of the conditions in which they are being held and others have simply disappeared.

Given the importance of freedom of expression in the strengthening of democracy, we recommend that the commission calls on states, in particular Burundi, Eritrea, and Uganda, to:

- Halt all practices which undermine freedom of expression, including acts of intimidation, legal and judicial harassment, and physical attacks;
- Investigate all violations committed against journalists;
- Issue standing invitations to the special rapporteurs on freedom of expression and human rights defenders.

EHAHRD-Net also encourages the special rapporteurs on freedom of expression and human rights defenders to prioritise a joint visit to Burundi and Uganda to investigate the cases raised.

Thank you.