



EAST AND  
HORN OF  
AFRICA  
HUMAN RIGHTS  
**DEFENDERS**  
PROJECT  
(EHAHRDP)

# EHAHRD-NET STRATEGIC MEETING

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## REPORT

1<sup>ST</sup> AND 2<sup>ND</sup> MAY 2010, SPEKE RESORT MUNYONYO,  
KAMPALA, UGANDA

**East and Horn of Africa Human Rights Defenders Project (EHAHRDP)**

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## **Introduction**

The East and Horn of Africa Human Rights Defenders Network (EHAHRD-NET) organized its second Strategic Planning Meeting for the network's focal representatives on the 1<sup>st</sup> and 2<sup>nd</sup> May 2010 at Speke Resort, Munyonyo in Kampala. The aim of the meeting was to strategise on the organization's present and future operations in its member countries and to reinforce networking amongst members, focal persons and the Secretariat to enhance the organisation's ability to serve its members and other Human Rights Defenders (HRDs) throughout the sub-region. This meeting followed the first strategic meeting that was held in 2008.

The Strategic Planning Meeting brought together focal representatives from the eight of the ten countries and two special territories EHAHRD-Net covers and the Board of Directors and staff members from the secretariat. Due to unavoidable circumstances the members from Djibouti and Eritrea were unable to attend the meeting though the member from Djibouti submitted the country report electronically.

The strategic planning meeting's objective was the assessment of the progress made in implementing the plan of action, addressing the challenges met by the secretariat and the network members as well as mapping out a way forward. The following were the major objectives of the meeting:

1. The overall objective of the focal persons meeting is to discuss modalities to improve co-operation and coordination of activities in the network;
2. Strengthen the promotion and protection of the rights of human rights defenders;
3. Assessment of the current governance structures and recommendation on the way forward;
4. Incorporation of new member organisations into the network.

Country focal points were asked to prepare country reports on the situation of human rights defenders which they presented on the first day of the Meeting.<sup>1</sup>

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<sup>1</sup> These can be found in the annex of the report.

## **PROCEEDINGS**

### **DAY 1**

#### **Opening session**

Day 1 started with a round of introduction by participants giving a brief summary about the work of their organization, their country of origin and the expectations towards the meeting.

#### *Mr Sswewanyana's Remarks*

Participants were then welcomed by Mr Livingstone Sswewanya, the Chairperson the Board of Directors of the secretariat, (the Project), who welcomed participants and gave an overview of the role of human rights defenders to protect and promote the rights of citizens within a country. Mr Sswewanya underlined three things that the network should strive to achieve: impact, visibility and pro-activeness in addressing the emerging trends of human rights violations in the sub-region.

He also stressed the following key points to participants:

- a) The need to collaborate with other actors as well as having a competitive edge in carrying out the work and assessing the impact of the human rights work being carried out on quality of life for citizens in a country. He also noted that one of the roles of human rights organizations in the different countries was the protection of the people who are victims and might not necessarily be able to escape or go into exile.
- b) He asked the meeting to assess the effectiveness and the visibility of the network- and congratulated EHAHRDP for ensuring the visibility of the network at a regional and international level.
- c) He mentioned the electoral process that the region is going through and he noted that the election period is usually associated with election fever and usually a lot rights sacrificed at the expense of political expedience. He mentioned that Rwanda is going through a pre-electoral process and has received information of heightened violation of human rights in the run-up to these elections.

Mr Sswewanya concluded by challenging the Network to rise up to these challenges and to ensure the protection of HRD's in this region. He pointed out for special mention, the media, political party activists, traditional human rights defenders, the church, as individuals and organizations to target. He reinforced his earlier point and stated that the network ought to be proactive, forge strategic alliances with other people, maintain its visibility and take advantage of the entire human rights system- regional, international and local as available for a to do this. He also urged national organizations and national coalitions to participate more actively in network initiatives and to invite network members to their activities as well.

*Hassan Shire Sheikh, Executive Director of EHAHRDP and the Chairperson of the Network.*

Mr. Shire expressed great gratitude to the Swedish International Development Agency (SIDA) for their support which made the Meeting possible and had given the Network an opportunity to celebrate the success of its operations, witness its extension and jointly strategize on how to address the continued challenges facing human rights defenders in the sub-region.

Along these lines, the Executive Director noted that the past few months have seen a rapid deterioration in the respect for human rights in certain member countries notably Sudan in respect to reprisals experienced by HRD's interacting with international justice mechanisms, Somalia and parts of Kenya where human rights defenders continue to be targeted and their lives and that of their families are at risk. Hence, he emphasized, that the Meeting gives the Network a chance to evaluate the work it has undertaken since coming into existence in November 2005 and analyse lessons learnt from the past which can be transformed into concrete strategies for both present and future responses to the challenges faced by HRDs in the sub-region's failing and fragile States.

Mr. Shire emphasized the Network's will and need to continually respond to the ever-changing situations in the countries of action and restated the importance of receiving regular updates from its members on what is happening on the ground in order to be able to respond to the ever-changing needs of its members in a timely manner.

#### **ASSESSING THE EXPERIENCE OF EHAHRDP**

As a starting point to a fruitful discussion, EHAHRDP staff presented an overview of its work undertaken in the five years of its existence. The Executive Director of EHAHRDP, Hassan Shire gave a brief background on the formation and objectives of the Network and how it came into existence. He said that the Project was initiated based on a needs assessment and history of the long standing

struggle led by Amnesty International over the last two decades, the recognition HRDs' work and the dangers they are facing. In 1998, the 50<sup>th</sup> Anniversary of the Universal Declaration of Human Rights, witnessed the adoption of the UN Declaration on human rights defenders after 14 years of active advocacy.

The Network was formed in November 2005 with structures in place to ensure it is fully functional has. Over this period the Network has registered a lot of achievements as well as challenges. It currently has a membership of 65 organisations drawn from all of the East and Horn of Africa sub regional countries with many more looking to join.

He stated that the last focal persons meeting was held in April 2008 and the purpose of the 2010 meeting was to look into the gains and implementation of the Plan of Action, 2008 and to chart a way forward for the network for the next three years.

Mr Shire introduced the new members of the Board to the focal representatives: Ms Faiza Mohamed, Ms Dorothe Appels who join Mr Livingstone Sswewanyana, Ms Sophie Kyagulanyi and Mr David Kaggwa.

Mr Shire highlighted one of the the key aims of the Network as being the effective coordination of the protection mechanisms for HRD's in the sub-region. To be more effective, Mr Shire noted that in 2008 during the Strategic Planning Meeting, the focal persons resolved to establish national coalitions of HRD's to supplement the work of the network at a country level. He noted that establishing national coalitions of HRD's in countries which he noted as a more effective to respond to human rights threats within countries. He noted that the establishment of such coalitions was in progress and as at the date of the meeting, there were already established coalitions in Kenya and Burundi ; and there are ongoing efforts at establishing the same in other countries such as Sudan and Tanzania in the course of 2010. The Network was formed in November 2005 with structures in place to ensure it is fully functional has. Over this period the Network has registered a lot of achievements as well as challenges. It currently has a membership of 65 organisations drawn from all of the East and Horn of Africa sub regional countries with many more looking to join.

Mr Shire also highlighted the necessity for Secretariat and Network members to liaise more on matters concerning national concerns and reporting to regional and international bodies such a the African Commission.

He reminded participants that the General Assembly for the EHAHRD-Network was scheduled to be held in the latter part of 2010 and mentioned the objectives of the General Assembly as follows:

- a) Admission of new members to the Network. He noted that in countries in which national coalitions exist, then admission of new members to the network shall be effected through these national coalitions and the coalition will be responsible for selecting representative delegates to the Network forums.
- b) Election of a chairperson of the network;
- c) Adoption of the Plan of Action as amended during the strategic planning meeting.

The staff of the Secretariat then went on to give presentations on the different programmes' performances.

### **Capacity Building Programme**

Ms Nerida Nthamburi outlined the activities undertaken in the area of capacity building for human rights defenders. The objectives of the capacity building programme as spelt out in the Plan of Action are:

1. To train Human Rights Defenders (HRDs) to use regional and international instruments and special mechanisms for the protection of human rights defenders;
2. To enhance the networking and collaboration efforts between the member countries and the Secretariat;
3. Undertake trainings on risk management, fundraising and communication strategies etc. for a better protection of human rights defenders and increased efficiency in their work.

In the area of capacity building which is the cornerstone of the Network, EHAHRDP has lived up to its mandate of training human rights defenders within the sub-region on ways to protect themselves in cases of immediate danger to their lives, as well as sensitizing them on the available national, regional and international mechanisms for their protection.

### **Objectives of the capacity building programme**

EHAHRDP has over the years raised awareness on human rights issues and skills training to human rights defenders in the sub-region. The objectives that were spelt out for this programme include the following,

- To train Human Rights Defenders to use regional and international instruments and special mechanisms for the protection of human rights defenders;

- To enhance the networking and collaboration efforts between the country members and Network/ Secretariat;
- Undertake trainings on risk management, fundraising and communication strategies for a better protection of human rights defenders and increased efficiency in their work.

Nerida summarized the achievements EHAHRDP had accomplished in the area of capacity building:

- Since the last focal point meeting in April, 2008, a total of 7 capacity building workshops have been conducted on national and sub-regional level and around 300 HRDs targeted in a bid to improve on the situation and awareness of HRDs in and around the sub-region.
- In collaboration with Protection Desk Uganda in 2009, a total of 10 security Management trainings have been conducted in and around the sub region and these have come a long way in enhancing the security of HRDs with knowledge and skills in security management.
- A national coalition of human rights defenders in Burundi was formed to strengthen the voice of individual HRDs and to provide protection in situations of immediate danger to their lives.
- A fully functional website has been established at the secretariat and this has enhanced the Network's interactive abilities within the sub region. Efforts are underway to make the website and interactive forum where HRDs can exchange ideas on human rights issues in their sub-region
- Increased networking and collaboration among Network members and with regional and international organisations.
- Working relationships with the international community has continued to grow over the years, such organisations include, SIDA, KIOS, Oxfam-Novib NED, Sigrid, Freedom House among others have enabled the organisation to continue with meeting its planned set objectives and mission.

Nerida went on to give a brief report of the activities of the Capacity Building Program:

*1. Johannesburg +10 All Africa Human Rights Defenders Conference*

This conference took place from 20 – 23<sup>rd</sup> April, 2009 at Speke Resort Munyonyo which brought together over 100 human rights defenders from all over Africa and was meant to take stock of the last ten years since the last All Africa Human Rights Defenders conference held in Johannesburg in 1998.



*2. Women Human Rights Defenders and Minority Defenders Conference in October 2009*

The purpose of the workshop was to bring together over 30 network members, women HRD's and minority rights defenders to specifically discuss and roll out challenges facing WHRD's and create strategies to address them.

*3. Staff Security and Protection Training*

EHAHRDP staff took part in a 5-day training workshop on security conducted by Protection Desk-Uganda focusing on issues of security and protection of the office premises and staff members.

*4. Financial Management Training for LGBTI defenders*

In February, 2010 EHAHRDP organized financial management training for LGBTI defenders in Kampala.

*5. Burundi HRD and National Coalition of Human Rights Defenders Training*

In December 2009 the East and Horn of Africa Human Rights Defenders Project (EHAHRDP) brought together a large group of Burundian defenders, including journalists, minority rights activists and women human rights defenders, in order to discuss the current challenges facing human rights defenders in Burundi.

*6. Risk Assessment and Security Management Training for Rwandese Human Rights Defenders*

EHAHRDP in co-operation with Protection Desk Uganda and Frontline International organized security training for the Rwandan human rights defenders in April 2010.

She also highlighted some of the challenges faced in implementing this activity:

- The security/ volatile situations in most of the countries in the sub-region especially with the coming elections have made it impossible for the organisation to penetrate and carry out planned activities in certain countries.
- Communication gaps between the Network members and Secretariat still negatively impacts on the organisations ability to meet HRDs need and causing inefficiencies in the management
- Financial constraints which hinder the implementation of planned projects;
- Legal restrictions impacting on the organisation's ability to implement particular activities to achieve objectives.

Some of the achievements of the organisation are:

- A resource centre for human rights defenders has been set up at the Secretariat to enable HRDs continue with their work even while in exile.
- The Collaboration with the York University, Canada for internship program commenced in 2008 and every summer, EHAHRDP gets to host one intern for 3 months.
- Efforts to streamline Women Human Rights Defenders (WHRD) into activities as stipulated in the plan of action have been implemented with the Gender policy in place
- Special training sessions on risk management and security mechanisms for HRDs have been organised and enhanced HRDs' ability for better self-protection;
- Intensified efforts to include LGBTI activists into all programmes;
- The rights of sexual minority defenders have been propagated and awareness has been raised among mainstream human rights defenders contributing to their wider recognition and support from within the human rights movement. EHAHRDP is a member of a coalition of civil society organisations in Uganda that has come out strongly against the Anti – homosexuality Bill due to be presented before the Ugandan parliament for debate. This Bill violates international human rights principles and amongst others proscribes the death sentence for persons practicing same-sex relations.
- Staff members have undergone trainings in project planning and management, trial observation monitoring and trained in web design.

Lastly she briefed participants about some of the planned activities that EHAHRDP under the Capacity Building Programme intends to carry out in the coming years some of which are short-term and long-term. She noted the following:

- EHAHRDP with financial support from the National Endowment for Democracy will hold a training workshop for HRDs from Sudan, including Southern Sudan, and follow-up on the establishment of a national network in Sudan. The establishment of the national coalition of HRDs in Sudan will include a training component on Security and Protection management and advocacy and networking that aims at equipping HRDs with various skills to enable them continue with their work effectively and efficiently even when in exile.
- EHAHRDP will in August 2010 conduct a Security Management Training & Initiating a National Coalition and for Human Rights Defenders in Tanzania

- EHAHRDP plans to conduct a Training of Trainers of human rights defenders in trial observation to enhance participants understanding of provisions under international law providing for fair trial standards, and be trained on how to organise and conduct a trial observation.
- A round table consultative meeting on Somalia and Security Management Training for Somali HRDs will also be conducted to help defenders develop strategies and tactics to respond to risks and learning from defenders who have worked in similar circumstances to adapt relevant strategies to the situation in Somalia.
- Support to minority HRDs in UPR training sessions will be carried out to reduce on the marginalization within the human rights movements and raise their profile especially on the bill being table in Parliament.
- Training of HRDs to engage in the Universal Periodic Review of the UN.

She concluded by observing that for HRDs to achieve better protection, there is need for them to be familiar with the available mechanisms of protection, as well as share experiences on the challenges they face. As part of EHAHRDP's chore objectives therefore, the Project plans to continue offering training opportunities to human rights defenders in the sub-region.

### **Advocacy Programme**

Ms. Laetitia Bader, the Human Rights Officer for Regional and International Advocacy then presented an overview on the achievements, challenges and planned activities of the advocacy program. She mentioned that the objectives of the Advocacy Program as spelt out in the Plan of Action in 2005 are to:

#### **Objective 1:**

- Publicise rights violations (notably through press work, organizing advocacy missions at national, regional and international level);
- Enhance information sharing on the situation of HRDs in the region and beyond;
- Establish contacts with local, regional and international media organizations to raise awareness of the situation of HRDs;
- Establish and maintain regular contacts with relevant members of the authorities, decision-makers and donors on issues related to the work and protection of HRDs.

#### **Objective 2:**

- Ensure that Network partners can engage in advocacy around their rights in an effective manner at the national, regional and international level;

- Ensure that Network Partners have access to key information regarding developments at a regional and international level;
- Establish and maintain regular contacts with both the regional and international mechanisms for the protection of HRDs;
- Lobby on specific cases of HRDs' rights violations
- Enhance collaboration between HRDs at national and regional level in particular;
- Approach EU Missions and other Embassies to advocate for donor support to southern based NGOs in order to facilitate their involvement at a regional and international level.

Objective 3:

- Advocate and lobby Governments and national institutions to conform with international and regional instruments for the protection of human rights defenders;
- Ensure that governments in the region support and co-operate with regional and international human rights mechanisms;
- Ensure that current mechanisms which promote the protection of HRDs in the sub-region, notably the Special Representative on Human Rights Defenders and the ACHPR Special Rapporteur on Human Rights Defenders, are re-enforced and rendered more effective;
- Ensure that human rights' mandate-holders receive the support and co-operation, both logistical and political, that they need from governmental authorities in the lead up to and during their country visits;
- Ensure that Network partners and EHAHRDP delegations promote the engagement of human rights leaders from Africa and especially the sub-region at an international level, notably on the Human Rights Council.

She reported that some of the achievements that the Advocacy Program has realized in the past years include:

- EHAHRDP helps to increase national, regional and international attention given to violations against HRDs taking place throughout the sub-region, notably by releasing statements, lobbying key actors, holding advocacy events;
- Legal framework affecting the work and rights of defenders in the region is improved;
- Protection mechanisms available to defenders at national and regional level are enhanced;

- Key stakeholders, notably members of the diplomatic community, enhance their support for HRDs;
- Network members and partners are involved in national, regional and international campaigns carried out by EHAHRDP;
- Network member and other HRDs have a greater understanding and awareness of the international and regional human rights mechanisms available to them;
- The advocacy capacity of network members and other HRDs in the region is significantly re-enforced;
- Network members and partners increase their engagement with international and regional human rights mechanisms;
- EHAHRDP serves as a channel through which its network members gain access to information on the developments at a regional and international level in order to help them use this information to shape their own activities and campaigns;
- EHAHRDP serves as a channel through which its international partners gain access to up-to-date information on the situation of HRDs in the region in order to ensure that their campaigns help to highlight issues of greatest concern at any given time;
- International and regional human rights monitoring is enhanced notably with mandates of Special Procedures working on the sub-region and issues affecting HRDs being renewed and re-enforced;

She described the challenges that have been encountered during the period before the meeting:

- Insufficient financial resources prevented planned capacity building activities and in-country advocacy from being launched;
- Insufficient financial resources and extended approval periods;
- Sub-regional governments persistently failed to comply with treaty and other obligations and to cooperate with regional and international human rights mechanisms;
- Lack of timely information sharing by EHAHRDP with its network partners;
- Inadequate responses by network members to attempt EHAHRDP to engage them in campaign activities on the ground to a regional and international level;
- Under-utilisation of available communication channels e.g. the website by member countries and some HRDs.

She then went on to inform participants of some of the planned activities in the Advocacy program for the coming years:

- Continue training programmes on the Universal Periodic Review (UPR) of the UN notably a training of trainers and an in-country training session which will include an advocacy training component;
- Work with network partners in countries under review to ensure that they have the capacity and means to get involved with every step of the UPR process;
- Provide more comprehensive and regular information to network partners regarding regional and international human rights mechanisms;
- Sharing best practices of network partners on the website;
- In-country advocacy to ensure that national governments in the sub-region conduct regular consultations with domestic NGOs;
- Regional advocacy amongst key actors to ensure that pressure is placed on governments failing to comply with international mechanisms and responsibilities notably by approaching diplomats during the African Commission on Human and People's Rights (ACHPR).

### **Protection Programme**

Ms Tabitha Netuwa, the Protection Officer gave an overview of the achievements and work of the protection program. She highlighted the fact that the protection programme of the East and Horn of Africa Human Rights Defenders Network was set up to fulfil the overall Network objective of protecting and defending HRDs in the countries of the sub-region.

She noted the fact that HRDs in the sub-region who advocate for the upholding and respect of individual rights and freedoms become targets themselves by the very perpetrators of rights violations who seek to silence HRDs to have their actions remain undocumented. She pointed out the fact that the course of their work, HRDs are intimidated, harassed, physically assaulted and many times detained for varied periods of time in a bid to make them abandon their cause. The most common form of ensuring that their activities are curtailed is by denying them their freedom of expression and the freedom of the press. This is in a bid to ensure that HRDs do not have a way of informing the world about the perpetrations committed.

She described the role of the protection program as:

- Providing emergency assistance and protection for HRDs at risk on a case by case basis;

- Providing opportunity for them to continue campaigning and lobbying on behalf of human rights issues;
- Seeking effective collaboration with other service providers in the protection of HRDs.

The achievements that the Protection Program has been able to accomplish include the following:

- HRDs have been able to access funds for emergency purposes like evacuation, medical treatment and settlement in another country;
- HRDs have received training to enable them to continue carry out their human rights work;
- Information sharing and coordination of activities among network members with regard to the working conditions and challenges faced by HRDs in the sub-region;
- EHAHRDP has established relationships of trust and increased coordination activities with relevant donor institutions supporting the protection of HRDs and offering support to the HRDs
- Establishment of collaborative initiatives between the Network and international human rights organisations offering support and protection to the HRDs
- Over the past two years two hundred and thirty (230) HRDs have been able to access funds for emergency evacuation, medical treatment, family support and settlement in another country;
- The process of registration with the Government agencies and the UNHCR for refugee status has been eased for the HRDs who have sought asylum thereby legalizing their stay and providing additional protection under National laws. This enables the HRDs to feel safe in the country of exile, seek employment and access social services;
- HRDs have received advise and facilitation to continue their human rights work after leaving their countries of origin;
- HRDs have received training and guidance on how to ensure their personal safety and security during and after work;
- There has been coordination and information sharing among the Network members with regard to offering support and protection to the HRDs in the sub regional countries;
- Working relationships with other stake holders like Amnesty International, Freedom House, Frontline, Committee to Protect Journalists, National

Endowment for Democracy and The Committee to Protect Journalist have been established which has considerably eased the assessment and verification of the HRD claims, has enabled referrals to other organisations;

- There have been fact finding missions to countries in the sub region to assess the situation of the HRDs and many more are planned in the near future. This has enabled the Network Secretariat to have a clearer understanding of the situations faced by the HRDs in those countries and in close collaboration with the Network members respond to the emerging situations in those countries;
- A database has been set up with information regarding defenders;
- HRDs forced into exile have been able to set up offices and continue with their work;
- Trial observation missions have been carried out to ensure the adherence by the judiciary to the international fair trial guarantees and the reports from the trial observation missions have been useful in advocacy activities aimed at highlighting the situation facing HRDs;

She noted the challenges the protection program faces:

- Insufficient financial resources to cater for all HRDs' in dire need;
- Response to requests for assistance have sometimes not been given adequate attention thereby putting HRDs under additional risk and strain;
- Insecurity and increased restrictions have made it even more difficult for HRDs to operate in some countries in the sub-region;
- Sub-regional governments' refusal of human rights organisations to access HRDs held in detention centres;
- Legal restrictions like national laws that criminalise the activities of HRDs e.g. the sexual minority defenders, increase challenge to provide adequate protection to this group;
- Lack of proper coordination of protection efforts by network members;
- Inadequate responses by network members in the HRDs assessment process;

The planned activities for the coming years include the following:

- To effectively start the internship programme by liaising with the various human rights organisations on placement for HRDs;



- Provide more comprehensive and relevant support to HRDs, e.g. allow for their access to language training;
- Fact finding mission to other sub-regional countries by a delegation from the Network Secretariat to assess the situation of the HRDs;
- Update of the organisation's website to include protection information accessible to HRDs;
- Initiation of National Coalitions in the different sub-regional countries which will enable networking and information sharing;
- More training workshops held to build the capacity of the HRDs and enable them acquire additional skills;
- Legal aid services availed to HRDs who require legal assistance. Standby legal teams will be set up in different sub-regional countries to effectively respond to emerging situations;
- Set up a safe house in Kampala where HRDs who are newly arrived are accommodated while alternative long term accommodation is sought;
- A database will be set up to efficiently and safely store information about HRDs;
- A sub regional survey will be carried out on national legislation in the different sub-regional countries with regard to the respect of HRD rights

### **Education Program**

Ms Rose Kusingira highlighted the work and the role of the Education Program. She stated that EHAHRDP entered into a four year partnership project with Amnesty International (AI) in September 2008 for the implementation of the Africa Human Rights Education Project (AHRE). The AHRE project is a new human rights education project developed by Amnesty International (AI) spanning 10 African countries which are; Benin, Burkina Faso, Cote d' Ivoire, Ghana, Kenya, Mali, Senegal, Sierra Leone, Togo and Uganda; aimed at ensuring that people are aware of their rights, can be able to mobilise, form groups, identify local opportunities to promote or claim rights and that they have the necessary skills, tools and resources to act.

The programme which draws upon the successes and lessons learnt from the previous project in West Africa from 2004 to 2007 in partnership with 8 West African AI sections is now being rolled out in East Africa in Kenya and Uganda. In Uganda, the programme is implemented in partnership with the East and Horn of Africa Human Rights Defenders Project (EHAHRDP) as the primary partner and the Agency for Cooperation in Research and Development (ACORD) Uganda.

In Uganda, the programme seeks to address human rights issues through empowering grassroots communities to claim and exercise their rights. It also seeks to build a constituency of professional human rights educators and activists in Uganda. The project involves a number of stakeholders including: human rights educators, civil society organisations, human rights institutions, human rights activists, donors and the public. The primary beneficiaries are the grass roots population in the target areas which are Wakiso and Mityana districts in the Central region; Gulu district in the Northern region; Tororo district in the Eastern region and Kabale and Bushenyi districts in the Western region. Overall the project is expected to reach over 2500 people including men, women, children who directly benefit from the programme activities.

The first year for the project which ended in September 2009 was mainly setting up of project infrastructure, recruitment of partners, and ground laying in terms of processes for the implementation of individual micro-projects by each project participant in the target areas. She stated that to date, the first year of the project was successfully completed and we entered the second year with 3 organisations starting their micro- projects in December/January and the rest are set to begin May 2010.

### **Protection Desk Uganda**

Gitahi Githuku, from Protection Desk Uganda introduced participants to this program. He started out by noting that Protection Desk Uganda was the result of a joint partnership between EHAHRDP and Protection International, based in Brussels.

He informed participants that Protection Desks are a concept of Protection International (PI) and a project of PI's global strategy for the protection of HRDs. He described Protection Desks as an innovative approach to the field protection of human rights defenders and the result of the outcome of over 25 years combined field and theoretical experience in protection of human rights defenders; they aim to provide ongoing support to local human rights defenders in security and protection management in order that those defenders in turn can offer greater protection to the victims and witnesses they work with.

Working in close conjunction with local human rights organisations and defenders, Protection Desks are set up in order to train local defenders (HRD) and organisations (HRO) in improving security measures and protection mechanisms. Where HRO or HRD networks or units already exist Protection Desks are set up to complement their activities by working with the organisation or network/unit in

the development of capacity building and training activities according to the needs of the network/unit.

PD-U is designed as a sub-regional Protection Desk covering the region of the East and Horn of Africa, i.e. 10 countries and oversees the coordination of the activities of Protection Desk Kenya. PDU was set up in Uganda in 2008 and consists of three protection desk officers (trainers), an administrative and financial officer and the Coordinator seconded by PI and based in Kampala.

The activities PDU carries out are security management trainings, security assessments for HRD's and human rights organisations and referrals to EHAHRDP on specific cases. EHAHRDP and PDU collaborate and often capacity building activities include a component on security trainings.

### **Plenary discussions**

The participants had a number of questions regarding the performance of the different programmes such need to come up with innovative ideas for ensuring that HRD's in countries such as Eritrea and Ethiopia get funding to be able to continue with their work.

Concerning the Local Implementation strategy for HRD's by the EU, it was pointed out that there is a gap in implementing these strategies at different country level's within the sub-region and that there was need to focus advocacy on this issue. Hassan Shire acknowledged the ongoing challenges of the LIS of the EU guideline. He noted those countries that proactively worked on it like the Netherlands, Ireland and some Nordic countries. Other countries are slowly becoming aware of the obligations such as Germany. He noted that EHAHRDP was directed advocacy efforts in local embassies and this has taken place in Rwanda, Uganda and in Kenya through working with Kenyan civil society organisations.

One of the participants noted that the EU should be granting emergency visa's to HRD's in crisis or in danger as part of their implementation strategies for protecting human rights defenders. It was stated that individual missions have their internal processes and structures but that through advocacy the missions could become aware of the dangers facing HRD's and structure their responses appropriately.

## **Country reports on the situation of human rights defenders**

The subsequent sessions saw the presentation of country profiles on the situation of human rights defenders in the respective member countries as compiled by the focal persons<sup>2</sup> detailing the following:

- Best practices shared, such as the setting up of a functioning national coalition in Kenya, working for human rights in exile (Sudan and Ethiopia), working with new coalitions ( Burundi)
- Shared regional concerns- elections approaching in many of the sub-region's countries
- Specific unique challenges to HRD's in each country
- The encouragement and assistance for HRD's to continue with their work even in exile;
- Consistent engagement of actors in the sub-region
- Coordinated and effective support mechanism for HRD's
- Provide more reasonable support to HRD's in the region especially since with the oncoming elections in the sub-region leading to increased numbers of HRD's leaving their countries.

The country reports helped to inform all participants present of the situation in neighbouring countries and provided the basis for discussion and the identification of common trends and challenges with regard to HRDs and their working conditions.

The reports also evaluated the performance of the Secretariat which was largely positive commending the staff members on its effectiveness, commitment and ability to work amidst financial and human resource constraints. The suggestions put forward by the Network focal persons sought to build on the weaknesses and gaps that need to be bridged if the respect of HRDs' rights it to be attained.

Along these lines, focal persons suggested that the Network should implement more practical actions against violations of HRDs' rights such as bringing cases to the African Commission on Human and Peoples Rights which would strengthen the Network in the sub region and beyond.

The focal person from Sudan recommended the Network use the European Union guidelines on Human Rights Defenders as a basis for policy and promote these within the East and Horn of Africa region, as a means of supporting and giving recognition to the work of HRDs.

In the case of Eritrea, the focal person acknowledged that the Network had played a role in addressing the human rights violation against defenders in the country

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<sup>2</sup> Full presentations available in annex.

with many international organizations. However, its role has been limited to addressing the violations rather than the root causes. Increasing campaigns targeted at the international media could have helped a lot to make the situation of HRDs in Eritrea known with media coverage lending credibility and creating pressure to get issues addressed.

Several reports mentioned the need for capacity building within the Network through trainings to enhance defenders' ability to carry out their work. Along this line, it was also recommended that the concept of HRDs should also be made more familiar in the countries the Network covers, similarly to the UN Declaration on Human Rights Defenders from 1998, whose implementation should be promoted by the Network.

Another important point raised was ensuring that HRD's in the countries had access to security management training by PDU which was reiterated by a number of participants.

One focal point suggested the creation of guidelines for the protection of human rights defenders which could be used by individual member organizations to design policies for human rights defenders on risk and security management and evacuation strategies to another country.

Furthermore, the Secretariat was encouraged to continue making press statements and demanding accountability from relevant actors regarding the protection of HRDs.

With regard to information as the key to successful networking, focal points suggested clear information channels to be established between the Network members which would strengthen the cooperation and information flow between different partners.

One issue was brought up concerning reprisals experienced by HRDs using international justice mechanisms such as the ICC. These reprisals took the form of arrests by security forces, harassment, torture and enforced disappearances. It was mentioned that HRD's interacting with such mechanisms were often abandoned by these bodies after the reprisals occurred and he queried the role of the network in supporting and protecting HRDs. It was recommended that HRDs liaise closely with the secretariat so as to address all emerging threats and to coordinate responses. It was also mentioned EHAHRDP had responded to HRDs in Sudan after the government-led reprisals against HRDs working on furnishing the ICC with information leading to an arrest warrant being issued by the latter against the president and other high-ranking leaders.

The continued threats on HRDs safety were raised by a participant with a concrete question on which survival strategy can be deployed if local mechanisms

are exhausted and cannot provide protection to HRDs that have been victimized. It was recommended that every country should have a mechanism within their own country to assist fleeing HRDs in liaison with the coordination office in Kampala where more durable solutions will be sought.

The plenary then broke up into thematic groups to discuss Best Practices Learnt from the sessions, evaluating the Network/Secretariat relationship in terms of communication and interaction, Contextualizing advocacy in a particular environment and Structuring advocacy to the private sector and to report back to plenary.

### **REVISING THE NETWORK'S PLAN OF ACTION**

Hassan Shire noted that the Plan of Action developed by the Focal persons was meant to guide the activities of the secretariat. He noted that the Plan of Action developed in 2008 was to guide the activities of the secretariat on behalf of the network to 2010. He took participants through the Plan of Action developed in 2008<sup>3</sup> and highlighted the following achievements of the secretariat in implementing the plan:

- The creation of national coalitions of HRD organizations and individuals
- Training of HRDs on the use of regional and international instruments and special mechanisms for HRD protection and encourage HRD's to interact closely with international mechanisms and especially on the Universal Periodic Review process.
- Raise awareness on laws that hinder the work of Human Rights Defenders through public education and outreach activities
- The secretariat of the network has responded to and provided support in urgent situations by facilitating access and increasing links between national, regional and international mechanisms
- A vibrant and responsive Protection Program that responds to emergency needs of HRDs in crisis in the sub-region.
- Hassan noted that EHAHRDP has been able to make fast track response to defenders' requests for assistance including financial support, psycho social counselling, legal support and access to medical services; from its inception to date over 200 defenders from the sub region have benefited

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<sup>3</sup> Available in the annexes.

from the programme with many of them regaining their confidence, having equipment replaced and continuing with their work.

- EHAHRDP has also been able to ease temporary settlement of HRDs in the country of exile while a long-term solution is sought including permanent settlement or resettlement to third countries through the UNHCR resettlement programme; and lobby through the diplomatic community.
- Further more, HRDs have been successfully placed in internship positions and fellowships with local and international organisations; for example in 2008/9, EHAHRDP's protection Desk Uganda Unit hosted two HRDs from Kenya for six months internship and through EHAHRDP collaboration with other partners one of them was admitted for additional fellowship program at the University of York in London.
- EHAHRDP has successfully collaborated with human rights organisations and other stakeholders in supporting defenders including international organisations; such as Amnesty International, Human Rights Watch, Frontline to mention a few. This collaboration has helped to raise the profile of the situation of HRDs.
- EHAHRDP has over time placed HRDs in different capacity building programmes including academic study programmes and fellowships with organisations and universities HRDs have been able to access funds for emergency purposes like evacuation, medical and settlement in another country; HRDs have also been given security protection skills training to enable them to continue carrying out their human rights work.

He noted that the following activities were yet to be fully implemented by the Secretariat but that efforts were in place to implement. These are:

- Creation of a Human Rights Defenders Index as a tool which HRD's can refer to and which will enhance communication and sharing of information amongst HRD's in the sub-region.
- Strategic litigation incorporating public interest litigation to challenge restrictive legislation at the country level. Strategic litigation can also be used as a good advocacy tool to mobilize interest around certain issues.

Hassan highlighted the fact that over the years, EHAHRDP has developed working relationship with many actors, these actors evidently vary from one country to another according to the context. He stated that in general, the main

actors are HRDs for whose benefit the project was set up and include the media especially the journalists considered as defenders. The authorities within the East and Horn of African region (in particular those working within the government Ministries of Justice, Interior/internal affairs, the police and security forces/ National human rights commissions, sister organizations including the Amnesty International, Front Line, Human Rights Watch, Protection International to mention but a few) as the primary actors responsible for the rights of HRDs but also at the forefront of attacks on HRDs.

He stressed the fact that all the governments of the 10 countries in which EHAHRDP operates have a role to play by providing space for the work of human rights defenders and putting in place policies that protect and promote human rights, respect and comply by their international obligations. Influencing these actors is therefore key. The general public in these countries, if such an entity exists, is also an important actor but unfortunately more often than not for a range of reasons( social/ historical/ political) the public is often alienated from HRDs- seeking to win over public support for the work of defenders will be crucial to EHAHRDP's objectives. International and regional actors are also important notably given the potential influence these can exert on national authorities, the UN Human Rights Council and its key mechanisms (notably UN Special Rapporteur on HRDs), the ACHPR and its key mechanisms and finally the diplomatic community such as representatives of the E.U countries are crucial actors to win over and work with. Evidently the influence of these actors will vary from one country to another and it is important to continually analyse which are the best channels to use at a given time, for a given issue or case.

He noted that network seeks to continually build alliances and create linkages with other sectors of society notably to include more marginalised groups through creating spaces to promote active citizenship. The inclusion of women human rights defender's and LGBTI defenders at the centre of the network is crucial to the protection of women and minority rights and their specific challenges.

Hassan requested participants present to contribute towards the amending of the plan of action to guide the activities of the network for the next three years. He also asked participants to prioritise actions for the secretariat to focus on within the next three years.

During the plenary, several recommendations were discussed and the following is a summary of the agreed-upon recommendations:



1. The creation of a Human Rights Defenders Index as a tool which HRDs can refer to and which will enhance communication and sharing of information amongst Human Rights Defenders in the region.
2. Strategic litigation incorporating public interest litigation to challenge restrictive legislation at the country-level. Strategic litigation can also be used as a good advocacy tool to mobilize interest around a certain issue.
3. Preparing a policy brief on LGBTI issues and concerns in the East and Horn of Africa which will contribute to research.
4. Increased capacity building at the national and regional level through the carrying out of trainer of trainers' seminars in security training, use of international and regional human rights reporting instruments and use of international and regional human rights mechanisms.
5. Increase and build upon the successes of the Protection of HRD program and include education, training and technical support to this program in addition to financial support.
6. Strengthening national coalition for HRDs where they exist and helping to set-up new ones where they do not exist throughout the sub-region where the context allows.
7. Working to advocate operationalization of Local Implementation Strategy (LIS) of the EU Guidelines for HRDs in the sub-region.

These recommendations and amendments were included in a revised Plan of Action covering the period 2011-2013. The revised Plan of Action is available in the annexes to the report.

## **DAY 2**

### **Recap of the Previous Day's Session by Nerida Nthamburi**

Day 2 of the Strategic Planning meeting started off with a recap by Nerida Nthamburi, Program Coordinator summarising the deliberations of the previous day.

She pointed out that key issues raised during the previous day's discussions were:

- Growing international focus on the HRDs in the sub-region which has led to increasing support;
- Presence of Network members in the countries of the sub-region proving vital in planning and executing relevant capacity building activities;
- Formation of national coalition of HRDs providing enhanced protection and support to HRDs;
- Increased effectiveness of HRDs in information sharing and security management;

She also pointed out that the several challenges and opportunities were brought out by participants:

- Establishing national coalitions of HRD's in countries which is more effective to respond to human rights threats
- -Need for a national secretariat for national coalitions
- -Focal points for coordination- should there be a focal point based out of the country or within the country-what is the effectiveness of a focal point based outside the country.
- Security issues- asking for information from the focal points sometimes is not possible...How can the network work around this? Need to look at this issue...how to guarantee the security of our focal representatives in the process of working
- Capacity building of HRD's in various countries such as internship opportunity.

### **Practicalities of working in a network i.e. membership criteria, governance, leadership**

Dorothe Appels, Board member of EHAHRDP took participants through a short session of working as a network effectively as well as the structures and criteria of the network,

She began by explaining the current set up of the network and the governance structures. The General Assembly is constituted by all Network members who are either full members, associate members or honorary members. The Advisory Council, chaired by Hassan Shire Sheikh, who is also the Executive Director of the EHAHRDP functions as the policy organ of the Network. It is formed by 13 members, i.e. ex officio members that are also board member of the EHAHRDP Board of Directors and the country focal persons who are elected by the country teams of the General Assembly to represent their respective countries and territories and the relevant issues arising in regard to the work of HRDs.

EHAHRDP is registered in Uganda and in addition to other functions, acts as the Secretariat of the network and implements the plan of action of the network and coordinates responses of the network.

With regard to networking, Dorothe pointed out that the key aims of this network should be:

1. Strengthening NGOs cooperation at a sub- regional level
2. Increasing NGOs input in the activities of regional intergovernmental organizations by promoting cooperation between civil society and intergovernmental organizations with the aim of formulating social policy at the regional level.

She underlined the fact that interaction between network members and governance structures was key to strengthening the activities. She encouraged the network members to interact through several activities and gave examples such as:

- National coalition of HRDs or organizations to elaborate a number of policy papers on the urgent human rights issues of the sub-region and submit them to Secretariat (EHAHRDP) for these issues to be greatly involved in the working agendas of the network.
- Elaborate and implement joint events and projects with the secretariat and also invite other network members to events.
- Interact more with sub-regional bodies such as the East African Court of Justice, the African Commission amongst others.
- Direct participation in all Network activities such as the General Assembly amongst others.
- The Secretariat should be pro-active and regularly update network members

She also mentioned the following challenges :

- Develop the Network members' capacities to implement both in general as well as in activities of specific nature
- To take active efforts in the direction of finding other means of finances required for implementing joint programs within the Network framework
- To continue deepening operation with sub-regional and regional human rights bodies.
- To take more active efforts with the aim of admitting new members in the Network. This will allow not only strengthen the Network potential but also activate activities with National Governments.

She concluded by taking participants to the previous days discussions on responsibility for the focal persons or networks and the Project i.e secretariat- and asking participants to deliberate on what the relationship should be and give recommendations on the Network's Plan of Action.

### **Plenary Session**

Questions were raised by participants in relation to the current set-up of the network. A question was raised on the frequency of meetings of the structures of the network- namely the GA and the Advisory Council and whether these could

Questions raised on the Board of Directors: A participant wanted to know if having a board of members from different countries brought logistical issues relating to availability of Board members for meetings and frequency of meetings. Dorothe answered that with the use of interactive media such as Skype, and board meetings can still take place with a reduction of costs.

With regard to financial constraints experienced which is a challenge in implementing network activities and especially in facilitating the gathering of network members more regularly for meetings. Hassan gave a background of the network, stating that at the formation of the network, the lack of funds during this period meant that governance structures were made looser and the time-period of five years given as the founders were not sure at the time that funds could be raised for a GA meeting within a certain period.

A participant also added that while it is commendable to minimize costs of meetings- there is value in organizing face to face meetings, for example piggy-backing on international meetings that board members could be invited to. An example was given of meeting at the fringes of the African Commission. The participant added that this could also could be applied to the Advisory Council meetings and with a quorum can still meet and engage.

Questions were brought up with respect to the Pan Africa Human Rights Network- and whether acting as the secretariat of this network wrought any additional burden on EHAHRDP or implication on the activities and objectives of EHAHRD-Net. In response, Nerida stated that the EHAHRD-Net is a member of the Pan African network and that the Pan African network had separate structures from the EHAHRD-Net. Furthermore she clarified that the EHAHRDP secretariat would coordinate activities of the Pan African Network through the seconding of a core team of staff to specifically implement activities on behalf of the network. She stated that the idea of Pan African Network originated at the Jo'burg +10 Conference held in Kampala in 2009. One of the PAHRDs objectives are to complement the existing sub-regional HRD networks and not to work in competition with them. Furthermore the PAHRD will serve to

strengthen sub-regional HRD networks and strengthen the existing works of the networks.

A participant noted that it was important to do a mapping of HRDs in the region and have profiles of the human rights defenders documented. It was also suggested that the EHAHRDP Network- should develop a profile of human rights defenders in the region as and taking into account HRDs facing high risk. These include women human rights defenders and defenders working on minority rights. This mapping will give guidance to the secretariat to be able to focus the work more effectively and know what to focus on.

In response, this idea was hailed as a good opportunity to include Network members more in activities. The potential of responsibility for mapping of HRDs was suggested to be left to the national coalitions or organizations in the country as mapping of human rights defenders is easier done at the local level. This would then be coordinated at a sub-regional level by the Secretariat. It was also noted that a weakness of the network was in focal points not systematically reporting back to the secretariat especially when it comes to reports to the African Commission and other international bodies.

A participant asked for feedback on why many of the founding members have left or become inactive as this would help in evaluating the network and the weaknesses and how to overcome these challenges.

A request was also made to the secretariat to furnish case studies of HRDs who have benefitted from the Protection program.

*The Secretariat took the opportunity to respond to some of the questions raised:*

Hassan underlined the fact that the secretariat receives minimal response from the focal points and members organizations. He asked members present for a renewal of commitment to make the network more functional.

It was also pointed out that the high turnover of staff or leadership structures in certain member organizations makes continuity in network activities very difficult for certain organizations. In addition to this, some original member organizations have been closed especially those in Somalia and Eritrea. A high number of HRDs have also fled their countries due to threats and ongoing harassments and in this regard have left organizations leaderless.

In response to this, EHAHRDP has adopted a mitigation strategy to engage HRDs in exile and to support them in continuing their work from another country whilst still mentoring leadership within the country. A good example of this has

been supporting the work of Ethiopian HRD's in exile to publish information on human rights from outside the country while continuing to collaborate with HRDs within Ethiopia. For the purpose of this network, it was formed originally by organizations and we might want to retain this.

Tabitha responded to the question on case studies in terms of protection and highlighted confidentiality of the defenders under the protection program therefore giving case studies in a gathering like the meeting is not always easy.

It was also recommended that at the national level human rights organizations should network and request for joint intervention from the secretariat on certain human rights issues and systems like this will be ideal and where there is a gap the network members and the secretariat should engage in consultative meetings with the organizations in the country to try and bridge this gap.

### **Summary of Recommendations given during the plenary discussions:**

- Establishing national coalitions of HRD's in countries which is more effective to respond to human rights threats
- Need for a national secretariat for national coalitions
- Focal points for coordination- should there be a focal point based out of the country or within the country-what is the effectiveness of a focal point based outside the country.
- Security issues- asking for information from the focal points sometimes is not possible...How can the network work around this? Need to look at this issue...how to guarantee the security of our focal representatives in the process of working
- Capacity building of HRD's in various countries such as internship opportunity.
  
- Appointment and possible re-election of Focal Persons- Related to this was membership of the network- admission of new members.
- Improved Communication between focal points and secretariat
- Build alliances amongst HRDs and forge alliances with other partners such as religious organizations, private sector, (use the business community to access policy makers), student movements and the media.
- Early warning systems fed by credible information about the situation in that country without any bias.

The following is a highlight of recommendations discussed at the meeting that were incorporated EHAHRDP's new Plan of Action<sup>4</sup> to be implemented from 2011-2013:

- 1) The creation of a Human Rights Defenders Index as a tool which HRDs can refer to and which will enhance communication and sharing of information amongst Human Rights Defenders in the region.
- 2) Strategic litigation incorporating public interest litigation to challenge restrictive legislation at the country-level. Strategic litigation can also be used as a good advocacy tool to mobilize interest around a certain issue.
- 3) Preparing a policy brief on LGBTI issues and concerns in the East and Horn of Africa which will contribute to documenting these issues and to further research and activities based on addressing the concerns.
- 4) Increased capacity building at the country-level through the carrying out of trainer of trainers seminars in security training, use of international and regional human rights reporting instruments and use of international and regional human rights mechanisms.
- 5) Increase and build upon the successes of the Protection of HRD program and include education, training and technical support to this program in addition to financial support.
- 6) Strengthening national coalitions of HRDs where they exist and helping to set-up new ones where they do not exist throughout the sub-region.
- 7) Working to advocate operationalization of Local Implementation Strategy of the EU Guidelines for HRDs in the sub-region.

One of the key items resolved at the close of the Meeting was the formulation of an agenda for the EHAHRD-Net's General Assembly Meeting scheduled for November 2010 which will bring together representatives of the Network's 65 member organizations in Kampala to discuss the strategic plan of the Network over the next five years.

## **CLOSING**

The Strategic Planning Meeting was then officially closed by the Executive Director of EHAHRDP and Chairperson of the Network, Hassan Shire Sheikh. He first thanked all participants for their vital contribution to the success of the meeting the revision of the Network's Plan of Action for three years,

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<sup>4</sup> The Revised Plan of Action is available in the Annexes to this report.

In light of the ambitions spelt out in the Plan of Action, Mr. Sheikh reconfirmed the Secretariat's commitment to heed to the recommendation of the members and achieve their greater involvement in its activities for their ultimate benefit. However, he reminded members that the Secretariat depended largely on their cooperation and active involvement to ensure relevance, impact and sustainability of its actions.

With a call to actively engage and make a difference in attaining the rights of human rights defenders, Mr. Sheikh expressed his appreciation and bid all participants a safe journey home.



# ANNEXES

## COUNTRY REPORTS

### Burundi Human Rights Situation Update by Imaculee Hunja

#### I. INTRODUCTION

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Durant l'année 2009, la situation des droits de l'homme s'est améliorée avec la fin de la belligérance marquée par l'application de l'accord de cessez-le feu entre le gouvernement de la République du Burundi et le mouvement PALIPEHUTU-FNL, le 04 décembre 2008.

En matière de justice et de promotion des droits de l'homme, on note des avancées significatives marquées par les faits suivants : la promulgation d'un nouveau code pénal, la désignation du comité de pilotage tripartite en charge des consultations de la population sur la mise en place des Mécanismes de Justice de Transition, le processus de mise en place de la Commission Nationale Indépendante des Droits de l'Homme a continué.

Sur le plan institutionnel, la Commission Electorale Nationale Indépendante a été mise en place après d'énormes difficultés.

Toujours dans le cadre de la préparation des élections générales de 2010, le code électoral consensuel a été promulgué.

#### II. EVOLUTION DES DROITS CIVILS ET POLITIQUES

Malgré quelques améliorations, la jouissance et le respect des droits civils et politiques n'ont pas été effectifs au cours de l'année 2009. Ceci est observable à travers quelques faits relevés par la Ligue Burundaise des Droits de l'Homme Iteka :

##### II.1. Atteintes au droit à la vie

Sur le plan du respect de la vie de la personne, après la guerre, de paisibles citoyens ont continué à être tués pour diverses raisons. Les services de la ligue ont enregistré 269 cas d'assassinats dont les causes sont diverses : banditisme à mains armées, conflits fonciers, assassinats dont le mobile serait politique, justice populaire, violences conjugales, infanticide, etc.

Les actes de criminalité ont fait aussi un nombre important de blessés. Plus de 158 cas de personnes blessées pendant différentes attaques ont été rapportées. Parmi les 158 cas, 109 ont été blessés par grenade.

##### II.2. Les agents de l'Etat, auteurs de bavures sur la population

Les agents de l'Etat se sont aussi rendus coupables des bavures sur la population. Des cas de mauvais traitement, et d'attaque sur les civils par les agents de l'état ont été rapportés.

Exemples à citer :

A Kayanza, Salvator Nsabirihho, un citoyen de la province Kayanza a été victime de torture commise par la garde du gouverneur de Kayanza et sous ses ordres. Quelques jours après, il a été

admis à l'hôpital. Il ne survivra pas des séquelles de la torture, la bastonnade et d'autres actes de traitements cruels, inhumains et dégradants lui infligés par la garde du gouverneur de la Province Kayanza.

Les militaires et policiers ont été impliqués dans des actes de vol, certains y ont même laissé leur vie comme les deux policiers Nzeyimana Antoine et Barasokoroza Oscar de la province Ruyigi, commune Gisuru, tués par la population en colère, celui de Mabanda tué par ses collègues quand ils tentaient de voler chez un certain Bucumi Côme dans la commune Nyanza-Lac, colline Kiderege

### **II.3. Evolution en matière de justice et de droits de l'homme**

Comme il a été mentionné dans l'introduction, le nouveau code pénal burundais intègre de nouvelles dispositions qui sont de nature à protéger les droits de l'homme notamment en réprimant la torture, en reconnaissant l'imprescriptibilité des crimes de génocide, crimes de guerre et crimes contre l'humanité, sanctionne sévèrement le viol ainsi que les violences sexuelles, en remontant la responsabilité pénale de l'enfant de 13 à 15 ans.

Il faut noter aussi la désignation et la mise en place du comité de pilotage tripartite en charge des consultations nationale sur la mise en place des mécanismes de Justice de transition, la conduite effective des consultations nationales même si le rapport n'a pas encore été publié.

Le processus de mise en place de la Commission Nationale Indépendante des Droits de l'Homme a continué. Néanmoins, sa mise en place effective se fait toujours attendre.

Néanmoins, malgré toutes ces avancées, le secteur de la justice montre toujours un manque d'indépendance. Il apparaît que les juges qui ont siégé dans des affaires considérées comme « dossiers politiques » ont été soit intimidés, soit sanctionnés pour n'avoir pas orienté ces affaires dans le sens voulu par l'exécutif.

A titre d'exemple, les juges ayant siégé dans l'affaire Alexis Sinduhije, président du MSD ont été intimidés. Ceux qui ont acquitté Kavumbagu Jean Claude ont été aussi mutés, Patrick Nduwimana, Dushimire Philémon et Ndiwokubwayo Mathieu ont été sanctionnés pour avoir exercé leur fonction. Ces juges avaient été sanctionnés après avoir acquitté Gédéon, Ntunzwenindavyi, accusé d'atteinte à la sûreté intérieure de l'Etat. Ces juges ont été mutés de leurs postes d'attache après avoir subi la suspension de 15 jours de leur poste d'attache.

### **II.4. Les libertés politiques ont connu de grandes entraves**

Au cours de l'année 2009, plusieurs réunions des partis politiques ont été empêchées de se tenir ou ont été perturbées par l'administration par police interposée ou par les membres zélés des autres partis. La ligue a enregistré 21 cas d'empêchement ou de perturbation des réunions des partis politiques agréés.

### **II.5. Les acteurs de la société civile visés**

Durant l'année 2009, les membres de la société civile n'ont pas été épargés par des actes d'intimidation, voire d'assassinat. Le cas le plus frappant est celui d'Ernest Manirumva vice-Président de l'OLUCOME assassiné dans la nuit du 8 au 9 avril 2009. Jusqu'à maintenant, l'opinion nationale et internationale attend toujours la vérité sur cet ignoble assassinat.

Le président de l'OLUCOME M. Rufyiri a continué à être victime d'intimidations. Pacifique Nininahazwe, délégué du FORSC, Pierre Claver Mbonimpa, président de l'APRODH ont subi eux aussi des menaces et intimidations. Il en a été de même pour Madame Eulalie Nibizi, Présidente du syndicat STEB. Toutes ces intimidations envers les acteurs de la société civile sont de nature à limiter l'exercice de la liberté d'expression, de faire taire toutes les voies libres et ainsi limiter les

initiatives citoyennes qui sont de nature à contribuer à asseoir et renforcer l'état de droit au Burundi.

Le travail sur terrain de certaines organisations de la société civile a été aussi entravé. Les séances de rencontre organisées par les organisations de la société civile ont été empêchées par les autorités administratives. Les rencontres organisées par COSOME à Ngozi, FORSC à Karusi, SPPDF à Kayanza, OAG à Cankuzo ont été empêchées par les autorités administratives du ressort.

L'ordonnance ministérielle portant agrément du FORSC (Forum pour le renforcement des organisations de la société civile) a été aussi annulée par une autre signée par le ministre de l'intérieur le 23 novembre 2009. Cette annulation du FORSC est intervenue dans un contexte où les organisations de la société civile et le FORSC en tête étaient en train de demander la lumière sur l'assassinat d'Ernest Manirumva et le décès de Salvator Nsabiraho, un citoyen de la province Kayanza dont l'affaire a été citée ci-haut.

C'est dans ce contexte qu'en décembre 2009 une consultation de quatorze ASBL a été organisée par l'Association des Femmes Juristes du Burundi et EHAHRDP dans l'objectif d'analyser les défis et identifier les solutions possibles. A l'issue de cette consultation, les participants ont décidé de mettre sur pied une plateforme nationale de défense des défenseurs des droits humains. Un comité de gestion de ce projet a été mis sur pied et composé des représentants de sept organisations à savoir : AFJB, OAG, Le Barreau, LBDH-iteka, UBJ, OLUCOME et FORSC. Ce dernier a été désigné comme chef de file. Le chargé du plaidoyer de FORSC assure la coordination du projet.

### **III. DROITS SOCIO-ECONOMIQUES**

Les mesures de gratuité des soins de santé pour les enfants de moins de 5 ans les femmes pendant l'accouchement et l'éducation universelle prises depuis 2005 sont louables.

La première mesure aura contribué pour réduire le taux de mortalité infantile ainsi que les complications liées à l'accouchement à la maison. Pour la deuxième mesure, les discriminations liées sur le genre en envoyant les enfants à l'école n'auraient plus de chance. De surcroît, les informations diverses ont fait état de plus de 700 écoles construites cette année dont 500 pour le cycle primaire. Malgré les efforts consentis dans le secteur des droits socio-économiques,

Dans le secteur de l'éducation, les locaux nouvellement construits manquent des équipements pour pouvoir répondre aux exigences d'un enseignement de qualité. Les besoins en enseignants, selon le ministère de l'enseignement primaire et secondaire se chiffraient à 5610 enseignants à l'école primaire et de 2000 au secondaire, soit 7610 au total. Malgré l'autorisation de recrutement de 2500 enseignants au primaire et de 1700 au secondaire, ces chiffres autorisés n'auraient pas été atteints faute de candidats.

### **TENDANCES POUR LE PREMIER TRIMESTRE 2010**

**L'année 2010** a commencé avec une effervescence électorale.

Du point de vue sécuritaire, la criminalité n'a pas cessé au cours du premier trimestre 2010. Au moins 30 personnes ont été assassinées au cours de ce premier trimestre. Des gens ont continué à être assassinés, notamment avec l'usage des armes à feu, en l'occurrence les grenades et les fusils, raison de plus de dire que le processus de désarmement de la population civile devrait continuer.

Concernant le processus électoral, il se remarque sur terrain des scènes de confrontations entre des militants des partis politiques qui se disputent le terrain de l'électorat. Certaines communes du pays comme Busoni et Bugabira à Kirundo sont le théâtre des affrontements entre les militants des différents partis politiques, surtout le CNDD-FDD et le FNL. Les médias font échos des entraînements para militaires dans le sud du pays surtout dans la commune Nyanza-lac, ayant provoqué la fuite des réfugiés récemment rapatriés.

Du point de vue socioprofessionnel, la grève prolongée des enseignants va avoir des conséquences terribles sur le droit à l'éducation. De négociations en négociation, le gouvernement et les syndicats ne sont pas encore arrivés à un consensus, les enfants et les parents attendent avec impatience le dénouement de cette affaire.

Au moment de cette présentation de ce rapport, le gouvernement du Burundi vient de suspendre le droit grève en période électorale. Ce que contestent les syndicats et les partis politiques.

Du point de vue économique, une disette a sévi à Kirundo, provoquant des pertes humaines, mais aussi des déplacements de la population.

Concernant les DDH :

1. En date du 24 Avril 2010, le président de l'OLUCOME Gabriel RUFYIRI a été victime d'une tentative d'assassinat sous la forme d'un accident de roulage. Il a saisi le procureur général de la République pour lui demander de mener une enquête minutieuse sur les circonstances de cet accident. A titre de rappel, le 26/03/2010 l'OLUCOME a adressé au procureur général de la République une lettre l'informant sur ses inquiétudes concernant la sécurité de son président car des informations concordantes faisaient état de son assassinat ainsi que celui du président de l'APRODH Pierre MBONIMPA sous la forme d'un accident de roulage.

2. Le correspondant de la radio Rema FM en province de Makamba Eric NZIGAMASABO subit ces derniers temps des menaces de la part de certains responsables de la police dans cette Province. Il est accusé d'avoir dit qu'il y a des armes à feu qui entrent clandestinement dans cette Province en provenance de la Tanzanie, ce que nie l'intéressé.

3. Dans le cadre du renforcement des capacités des DDH, EHAHRDP a organisé à Bujumbura en date du 23 au 25 février 2010 la première session de formation sur le plaidoyer et la protection des défenseurs des droits humains du Burundi. 28 défenseurs, activistes et journalistes des médias publiques et privés ont participé à cette formation.

Un projet de création de plateforme pour la protection DDH au Burundi est en cours de finalisation par la coordination.

L'objectif global de ce projet est de réduire les cas de harcèlement des DDH au Burundi.

Les objectifs spécifiques sont les suivants :

- Doter les organisations de défenseurs des droits de l'homme du Burundi d'un cadre de travail en synergie chargé d'assurer leur protection

- Doter les acteurs Burundais des capacités d'assurer la protection et la sécurité des organisations des droits de l'homme

- Offrir un cadre de collaboration avec les réseaux de défense des défenseurs au niveau régional et international.

Pour la réussite de ce projet, au Burundi le DDH comptent spécialement sur l'appui technique d'EHAHRDP et la recherche des financements.

Je vous remercie.

**EHAHRDP Focal Point-Burundi**  
**Me Immaculée HUNJA**

## **Southern Sudan Human Rights Situation by Kuyang Harriet Logo**

Over the past four years, Southern Sudan has grappled with post conflict challenges that are being mitigated by donors and other Developmental partners' support in collaboration with the Government of Southern Sudan, setting the South towards a path of reconstruction and the strengthening of the institutions of governance and the rule of law in a bid to progressively transit into a peaceful and democratic society.

### **The Human Rights Commission of Southern Sudan:**

The Southern Sudan Human Rights commission had its chairperson and members appointed by a presidential degree in 2006, to commence work by upholding and monitoring the application and enforcement of rights and freedoms enshrined in the interim constitution and to ensure the conformity of all levels of government with international and regional human rights instruments.

### **Technical Challenges of the Commission:**

- The Commission is financially constrained
- Lacks the capacity to decentralize its coverage across all the states in the South
- Lacks the capacities to develop human rights monitoring systems
- Inadequacies in human resource capacity to perform human rights monitoring.

UNDP – Governance and Rule of law unit - Access to Justice; UNMIS and other technical partners have merged resources to technically support the human rights commission.

The Critical issue is – the independence of the commission to deal with human rights violations across the board especially violations occasioned by government or senior army officers, when its establishment and appointments were by a presidential decree.

### **The Human rights Situation in Southern Sudan – then and now**

The culture of militarism is gradually being replaced with that of the rule of law and partial adherence to established rules of procedure in normal political and secure phases of the implementation of the peace and Projections indicate lesser disregard of rights of persons in its entirety.

However, in areas where there are pockets of insecurity, the tide tilts very fast and reversion to war and use of violence and abuse of human rights by either the armed forces or inter tribal groupings takes only a security incident to ignite a fully fledged conflict.

Indicating that once the peace is severely strained and put to test in certain circumstances, all efforts at stability and respect for rights can be eroded.

### **CSO engagement and Participation: Tug or Nod/Negotiate with GOSS**

Capacity building/ development strategy and trainings -How much is civil society engaged in demanding for rights? How much accountability does CSO demand from perpetrators? How much access to Justice and compensation for victims?

### **Democratic participation – So historic yet defective**

The April elections were a prerequisite and a step towards the full implementation of the CPA, yet fell short of the peoples' aspirations for a democratic transition and did not meet the requirements of the National Elections Commission rules and regulations. The NEC too faulted and was under the influence and direction of the ruling parties in the North and South.

In the South, the elections were a mockery of democracy and have set the stage that will distinctively mar the path of future democratic processes and transition, if the south is to vote for cessation. The SPLM Accused the NCP for electoral multi practices and shamelessly did the same to her own in the South.

- Logistical constraints
- No political space for the opposition, independent candidates and their supporters
- Test for real CSOs SUNDE
- The rigging
- Announcing the results

## **Update on Somaliland Human Rights Situation by *Asmahaan Ali***

### **Background**

Somaliland (The former British Protectorate of Somaliland) had united with southern Somalia (former Italian Somaliland) to form the Somali Republic in 1960. After a military coup that overthrew the elected government in 1969, widespread human rights violations took place against the people of Somalia. Carried out by Said Barre's Somali National Army (SNA) and other security forces, particularly in the north west of the country, these violations laid the foundation for the re-separation of Somaliland along former colonial borders in May 1991, when local leaders declared Somaliland independent, claiming the people's right to self-determination.

While Somalia descended into nearly two decades of political and criminal violence, Somaliland established a new government in the north. The self-declared independence of Somaliland has to date not been recognized by any government though it has set up its own government institutions such as an executive and judiciary and a bicameral parliament divided between a House of Elders, Known as the Guuti and an elected lower House, combining democratic and traditional means of governance. It has also written its own constitution and held elections regarded credible by the international observers at the time.

Increased stability has encouraged the gradual return to Somaliland of upwards of 100,000 refugees who fled during the Somali civil war (1988-91) and the two subsequent conflicts in Somaliland. However, on 29 October 2008 three suicide bomb attacks were carried out in Hargeisa simultaneous with an attack in Bossaso in the Somali region of Puntland in cars drove into compounds housing the president's residence, UN development program offices, and the Ethiopian trade mission, with the last location suffering the worst damage both as spill-over from armed attacks by extremist opposition groups that characterize conditions in Somalia, reaction to Somaliland's economic and diplomatic relationship with Ethiopia and western governments. The current president Darhir Riyale Kahin, assumed office when president Egal died suddenly in 2002 President Riyale was then elected in 2003 by a slim margin. The next presidential elections were initially scheduled for late March 2009, however, were further delayed twice due to delays in the voter registration process.

The government's failure to hold presidential elections planned for two years ago seem to hamper the progress made towards building security and developing democratic institutions of governance and thus threatens to reverse this progress if presidential elections are not held in June this year as announced by the National Electoral Commission a week ago.

### **Violations of Human Rights:**

A recent report by Human Rights Watch stated that the Somaliland government's human rights record compares favorably with those of the governments across the Horn of Africa region. Nonetheless, the government violates the international human rights treaties and is not a member of the United Nations, which has adopted numerous human right standards. However, in governing the population in areas over which it has effective control, Human Watch says that the Somaliland government is bound by customary international human rights law. This includes respecting the right to life and the prohibitions on arbitrary detention, torture, and unfair trials, and ensuring the rights to freedom of expression, association, and assembly. Moreover, Somaliland's constitution provides that the government shall act in conformity with international law and respect the Universal Declaration on Human Rights. Somaliland's constitution also contains many human rights guarantees that are found in international law, and provides that these guarantees be interpreted in a manner consistent with international human rights conventions.

A report by Amnesty International asserts that the government of Somaliland must meet its obligations to respect protect and promote the individual human rights of all people in Somaliland no matter its international status.

### **Security Committees and unlawful Detentions**

The government uses National and Regional Security Committees that were originally formed by the regime of Siad Barre as instruments of repression. These committees have been reinstalled by the late president Egal in the pretext of maintaining domestic security. They carry out arrests and detentions and act outside the law. The National Security committee is chaired by the Minister of Interior, while the Regional Security Committees are chaired by the regional governors. The Regional and the district level security committees are composed of governors, mayors, police officers and local security officials who meet to order the detention of people brought before them without trial. A considerable number of individuals have been arrested and detained by the so called security committees who exercise extra-judicial powers and detainees could sometimes be held for over a year or more without charges or trial. Some are reported to be held for more than three years.

Though these committees do not conform with the rights enshrined in the Constitution, where Article 128(2) states that the constitution shall be the supreme law of the land and any law which does not conform to it shall be null and void, the government claims that they are legal under Somalia's Public Order Law of 1963 for the detention of individuals seen as a menace to public order.

This is also complemented by Article 130 (5) which partially preserves the existing legal frameworks inherited from Somalia and states that “All the laws which were current and which do not conflict with the Islamic Sharia, individual rights and fundamental freedoms shall remain in force in the country of the Republic of Somaliland until the promulgation of laws which are in accord with the Constitution of the Republic of Somaliland.” However, in 1999, the House of Representatives challenged the existence of these security committees, yet, they exist to date.

#### **Journalists and Freedom of Expression:**

The Somaliland Government some times carries out arbitrary arrests on journalists that it feels are questioning its credibility or authority. One journalist, Mohamed Abdi Guleed of Yool newspaper was arrested in 2009 for publishing information about some members of the ruling party of planning to assassinate members of the opposition parties. Two Radio Lasanod journalists were arrested in September 2008 for criticizing the administration policy in the region. They were detained for six days without charges. Three journalists of the Haatuf Media Network were arrested and charged on January 2007. The journalists were detained after publishing articles detailing allegations of corruption implicating The President and the First lady.

They were charged with “offending the honor or prestige of the head of the State” and “instigation to disobey the law. The editor-in-chief Yusuf Abdi Gabobe was charged with resisting a public officer during his arrest and was sentenced to two years of imprisonment, the other two, Dini and Sheikh Ibrahim were sentenced to 29 months for reporting false information about the government, discrediting the president and his family and creating inter-communal tension. However, they were released in March, 2007 when the President issued a decree pardoning them. Political opposition figures, Mohamed Hashi Elmi, Dr. Mohamed Gabose and Jamal Aideed were

#### **Defending human rights in Somaliland:**

Somaliland’s human rights defenders and other civil society actors have worked so hard to expose violations encountered by journalists, minority groups, displaced persons, the disabled, prisoners, women, children and other vulnerable populations in Somaliland with very little international financial support. Human rights defenders have frequently faced the risk of harassment while exposing human rights violations, since their actions have at times been perceived as spoiling efforts toward international recognition for self-determination, considered by the government to be a collective right superseding all other rights.

A Human Rights Commission has been formed as a body to monitor and ensure the transparency and accountability of actions taken by the executive, judicial and legislative branches of the government and their officials. However, the commission seems to have limited independence from the government’s influence to fulfill its mandate. The Somaliland Human Rights Organization Network (SHURO-Net) used to play an important role in organizing and coordinating independent rights groups and activists before its management group were forcefully deposed by the government following a dispute between the member organizations of the network. Government officials assisted in the seizure and transfer of property from the old leadership to the new one.

### **Djibouti Human Rights Situation by *Kassim Ali Din***

#### **The Human Rights Situation in Djibouti since April 2008**

##### **Introduction**

Despite the establishment of a new national coalition for human rights in July 2008 the human rights situation in Djibouti has not improved. Deteriorations in the situation have occurred without the commission, primarily made up of members of the Ministry of Justice and of members of the party in power, reacting.



### **1) Freedom of opinion**

On the 9th July 2008 an opposition party, the MRD, was dissolved, by a presidential decree on false pretexts. The appeal by the MRD against the presidential decree was rejected by the administrative court two years after it was initially deposited on the basis that the complaint had been deposited with undue delay. There has been no press freedom in Djibouti since the banning of the opposition newspaper, the *Renouveau Djiboutien*, which was an organ of the MRD party, in April 2007. Opposition parties have not been authorized to hold a public meeting since December 2007. Finally, on the 14<sup>th</sup> April 2010, parliamentarians voted in favour of the modification of the constitution which would allow the president of the republic whose mandate expires in 2011 to run for a third mandate and if not for an indefinite number of times.

### **2) Women's rights**

Since February 2008 the number of women deputies in the national assembly increased from 7 to 10 out of 65 deputies and 2 women are ministers. There is only one women's rights organisation - l'Union Nationale des Femmes Djiboutiennes (UNFD) which has presided over by the first lady for 33 years. .

### **3) Human rights defenders**

The two main independent unions are no longer recognised by the government and have been prohibited from holding their congress since 2002. Their leaders have been made redundant from their jobs since 2005 and are to-date regularly harassed and imprisoned. Several have been forced to seek exile abroad.

The President of la ligue djiboutienne des droits humains (LDDH) have been awaiting his appeals process since April 2007. Despite regular interventions by the International Federation for Human Rights ( FIDH) and by the Special Rapporteur of the UN on HRDs the trial is continually delayed.

### **4) Rights of refugees**

The situation for Somali and Ethiopian refugees in Djibouti continues to deteriorate. Although granted the refugee status by the UNHCR they are regularly subjected to 'refoulement'.

### **5) Impunity**

The authors of attacks against civilians continue to benefit from complete impunity. Which encourages members of the defense and security forces to arbitrarily arrest, torture even kill innocent civilians most particularly in the north and south of the country.

## **Sudan Human Rights Situation by *Osman Hummaida***

HRD situation in Sudan

3 landmarks:

- a) The Darfur conflict
- b) The legal framework
- c) Election

### **Legal Framework**

Funding for human rights activities and organisation is strictly controlled (and in some instances curtailed) by laws restricting this. Civil society tried to raise advocacy on this issue. The Bill however went through leading to control of civil society. Constitutional court ruled opposition against the Act as inadmissible.

### **The Darfur Conflict**

He noted that the government is keen to conceal the crimes being committed in Darfur which targets not only Sudanese but also humanitarian workers, the media etc.

In addition to this, since the start of International Criminal Court investigations- the government has intensified surveillance and attacks and harassment and sustained intimidation on civil society in Darfur and Sudan as a result of this, human rights defenders including Osman were arrested and tortured as well during this time. The day he was released went to a meeting for HRD's and at that time formed a forum for HRD's to address these concerns. However people who set up this network were forced to flee the country a few months later. The ICC is a threat- both to the knowledge and to the HRD's in Sudan as a result of the ongoing potential investigations. By March 2009, hundreds of defenders had fled the country.

Organizations such as EHAHRDP and the Open Society Institute offered protection to fleeing Sudanese HRD's who are in exile. After the report released, massive attacks against HRDs by the government.

One of the reprisals against HRD's interacting with the ICC was the closure of three leading civil society organizations in Sudan. The Pro-government media also started a systematic and well-organised personal defamation campaign which has had a negative impact on HRD's and this is one other way the government has started attacking HRD's. He noted that the government has infiltrated human rights organizations and the message attacking HRD's is now coming from the human rights orgs themselves.

**He noted the challenges for HRD's from Sudan as follows:**

- Security plan training for HRDs is needed especially personal and organizational security (equip defenders with basic security measures)
- Focal points for coordination of protection for HRDs within the country- should there be a focal point based out of the country or within the country-
- Creating a secretariat for the coalitions of HRDs- discuss what operation mechanism would be more effective exp in terms of resources
- Uganda has become a hub for defenders in the region and appreciate this and acknowledgement made known to the Ugandan govt or authorities of this fact i.e create an obligation for the Ugandan government to sustain the protection they are currently providing for defenders in exile and refugees currently in Uganda.

**Meeting Agenda**

<b>DAY 1: SATURDAY 1<sup>st</sup> MAY, 2010</b>	
7:00am	Breakfast
8:30 – 9:00am	Registration of participants and invited guests
	<b>SESSION ONE</b>
<b>9:00 – 10:30</b>	<b>SESSION FACILITATOR: DAVID KAGGWA</b> <b>Opening ceremony</b> <b>Welcome remarks and practical issues (EHAHRDP secretariat)</b> <b>Introduction of participants</b> <u>Opening Remarks</u> Mr. Hassan Shire Sheikh- Executive Director, EHAHRDP Mr. Livingstone Ssewanyana- Chairperson, EHAHRD-Net
<b>10:30 – 11:00</b>	<b>Update of EHAHRDP / Network performance (Progress report, opportunities and challenges with working in a network)</b> <i>Mr. Hassan Shire Sheikh, Executive Director, EHAHRDP</i>
11:00- 11:15	Group Photograph

11:15 – 11:30	Tea/ coffee break
<b>11:30 – 12:45</b>	<b>Update on sub - regional country situations</b> <i>(Focal persons)</i> <ul style="list-style-type: none"> <li>▪ Kenya</li> <li>▪ Sudan</li> <li>▪ Somalia</li> <li>▪ Djibouti</li> <li>▪ Tanzania</li> <li>▪ Uganda</li> <li>▪ Somaliland</li> <li>▪ Rwanda</li> <li>▪ Burundi</li> </ul>
<b>12:45- 1:30</b>	<b>Discussions</b>
1:30- 2:30pm	Lunch
	<b>SESSION 2: FACILITATOR: DOROTHE APPELS</b>
<b>2:30- 3:15pm</b>	<b>Achievements and challenges with the Plan of Action;</b> <i>Hassan Shire</i>
<b>3:15- 3:45</b>	<b>Discussions</b>
3:45- 4:15 pm	Tea/Coffee break
4:15 – 5:15 pm	<b>Legal aspects of the secretariat setup, challenges and proposed amendments - Introduction of new board members</b> <i>Mr. David Kaggwa, Secretary to the Board and Advocate with Kaggwa and Co. Advocates</i>
5:15- 5:45 pm	<b>Discussions</b>
<b>7:00pm</b>	<b>Cocktail / Dinner</b>
<b>DAY 2: SUNDAY 2<sup>ND</sup> MAY 2010</b>	
7:00am	Breakfast
9:00am	Recap of previous day: EHAHRDP Secretariat
9:15- 9:45	<b>Practicalities of working in a network i.e. membership criteria, governance, leadership</b> <i>Dorothe Appels</i>
9:45- 10:30	<b>Discussions</b>
<b>10:30- 11:15</b>	<b>Revision of the Network’s Plan of Action in the areas of Protection, Advocacy and Capacity building (working groups)</b>
11:15 – 11:30	Tea / coffee break
11:30 – 12:15 pm	<b>Working Groups continued</b>
12:15- 1:00 pm	<b>Working groups report back to Plenary</b>
1:00 – 2:00	Lunch
<b>2:00 – 3:00</b>	<b>Recommendations to the General Assembly (Governance, Amendments to the Memorandum and Articles of Association of the secretariat and Memorandum of Understanding)</b>

	<i>Hassan Shire Sheikh and David Kagwa</i>
<b>3:00 – 3:30</b>	<b>Discussion</b>
3:30 – 4:00pm	Tea / coffee
<b>4:00 – 5:00</b>	<b>Summary and Closing remarks</b>
7:00pm	Dinner/Departure
<b>MONDAY 3<sup>RD</sup> MAY, 2010</b>	
Departure	

### Participants List

#	Name	Organisation	Position	Country
	Livingstone Ssewanyana	Foundation for Human Rights Initiative	Executive Director/ Chairperson EHAHRDP	Uganda
	David Kagwa	EHAHRDP; Kagwa & Co Advocates	Board Member; Secretary	Uganda
	Sophie Kyagulanyi	EHAHRDP	Board Member, Treasurer	Uganda
	Dorothe Appels	EHAHRDP	Board Member	The Netherlands
	Faiza Jamal Mohamed	EHAHRDP; Equality Now	Board Member	Djibouti
	Hassan Shire Sheikh	EHAHRDP	Executive Director	Uganda
	Tom Kagwe	Kenya National Commission on Human Rights	Deputy Executive Director/Head of Programs	Kenya
	Ignatius Yambasa	Kenya HRD Coalition	Coordinator	Kenya
	Ahmed Mohamed Ali ("Kiimiko")	Somali Human Rights Defenders Network, Mogadishu, Somalia	Chairperson	Somalia
	Laetitia Petro	Legal and Human Rights Centre	Program Officer	Tanzania
	Elsharif Mohamed Yasien-Elamien	Sudan Organisation Against Torture	Board Member	Sudan
	Harriet Kuyang Logo	South Sudan Law Society	Member	South Sudan
	Emmanuel Nzeyimana	AJPRODHO	Board Member	Rwanda
	Fartun Aden	PHRN	Chairperson	Somalia
	Asmahaan Abdelsalam Hassan	Nagaad Women's Coalition	Chairperson	Somaliland
	Osman Hummaida		Director	The Sudan
	Mesfin Negash	Addis Neger	Managing Editor	Ethiopia
	Immaculee Hunja	Association des Femmes Juristes	Chairperson	Burundi
	Nora Rehmer	Protection International/	Coordinator	Uganda

		Protection Desk Uganda		
	Gitahi Githuku	Protection Desk Uganda	PD Officer	Uganda

**Coordination Team**

#	Name	Organisation	Position
	Hassan Shire Sheikh	EHAHRDP	Executive Director
	Nerida Nthamburi	EHAHRDP	Program Coordinator
	Tabitha Netuwa	EHAHRDP	Protection Officer
	Laetitia Bader	EHAHRDP	Human Rights Officer
	Nuruh Nakiwala	EHAHRDP	Program Officer
	Rose Kusingura	EHAHRDP	HRE Coordinator
	Alex Lukoye	Finance Officer	Finance Officer

## **Memorandum of the Meeting**

**EAST AND HORN OF AFRICA HUMAN RIGHTS DEFENDERS NETWORK**

**Kampala, 4<sup>th</sup> May 2010**

### **MEMORANDUM**

#### **THE EHAHRD-NET SUB-REGIONAL COUNTRY FOCAL PERSONS MEETING**

On 1<sup>st</sup> and 2<sup>nd</sup> May 2010, the East and Horn of Africa Defenders Network (EHAHRD-NET) held its Focal Persons Meeting at the Speke Resort in Kampala Uganda. The Network's Focal Representatives also comprises and is known as the Advisory Council of the Network.

This meeting was attended by focal persons representing the ten countries and two special territories- South Sudan and Somaliland in which the EHAHRD-Net works and also included the Board of Directors of the East and Horn of Africa Human Rights Defenders Project (EHAHRDP) and members of staff. While all focal persons confirmed their availability, due to unavoidable circumstances, the representatives from Djibouti, Somaliland and Eritrea were unable to attend the meeting.

#### **Background**

The East and Horn of Africa Human Rights Defenders Network (EHAHRD-Net) currently comprises of 65 human rights organisations working in the countries of Burundi, Djibouti, Eritrea, Ethiopia, Kenya, Rwanda, Somalia and Somaliland, Sudan including Southern Sudan, Tanzania and Uganda. It works to strengthen the work of human rights defenders (HRDs) in the sub-region by reducing their vulnerability to the risk of persecution and by enhancing their capacity to effectively defend human rights.

The Project envisions a region in which the human rights of every citizen as stipulated in the Universal Declaration of Human Rights (UDHR) are respected and upheld. EHAHRDP implements activities in the area of protection, advocacy and capacity building to achieve the following objectives:-

- To protect and defend HRDs in the region
- To build the capacity of HRDs in the region, and
- To advocate and raise public awareness and profiles of HRDs in the region

The Network was set up in 2005 following a meeting of human rights organisations working in the East and Horn of Africa sub region with the exception of Burundi and Rwanda. The two countries were subsequently included into the network at a Strategic Planning Meeting of the Focal Persons in April 2008.

Following the formation of the network, the East and Horn of Africa Human Rights Defenders Project (EHAHRDP) was registered as a non-governmental organisation in Uganda and functions as the secretariat of the network to implement the day to day activities of the network. The Secretariat is based in Kampala, Uganda and liaises with the country coalitions on activities aimed at promotion of HRD rights.

The Network was formed in November 2005 with structures in place to ensure it is fully functional. Over this period the Network has registered a lot of achievements as well as challenges. It currently has a membership of 65 organisations drawn from all of the East and Horn of Africa sub regional countries with many more looking to join.

The Strategic Planning Meeting held in April 2008 and attended by the focal persons who represented organizations from the ten (10) focal countries and two special territories, who comprise the Advisory Council of the network took stock of the achievements in the past three years as well as the challenges. As a result, a five-year Plan of Action was formulated with measures in place to ensure that the activities of the network are fully implemented.

There have been challenges met in implementing the plan of action arising from the difficulties in bringing together network members and getting their input on the various activities.

#### **Rationale for the May 2010 Focal Point meeting**

The Focal Persons Meeting was held with the objective of assessing the progress made in implementation of the Plan of Action, addressing the challenges met by the secretariat and the network members, evaluation and planning of the processes constituting the organization's route in the mid-term, notably ensuring that concrete feedback from focal points on focus of advocacy, protection and capacity building programs, as well as devising strategies of creating/strengthening national coalitions of HRDs in the member countries.

The assessment included the analysis of the set up of the network including the structures, strengthening of the national coalition and recommendations on the way forward.

#### **Objectives;**

- The overall objective of the focal persons meeting is to discuss modalities to improve co-operation and coordination of activities in the network;
- Strengthen the promotion and protection of the rights of human rights defenders;
- Evaluate the 2008 Plan of Action and propose amendments to be effected by the General Assembly. ;

#### **Summary of Meeting Recommendations:**

Participants at the meeting noted the impact that the East and Horn of Africa Network has had in the region since its inception in 2005 and resolved to continue implementing the Network's original objectives in addition to responding to new challenges.

It was also recognized that the human rights situation in the countries of the East and Horn of Africa sub region is largely connected to the upcoming election processes in a number of countries in the region which are already having a negative impact on civil and political rights and on the situation facing human rights defenders (HRDs).

The following is a highlight of recommendations discussed at the meeting to be incorporated in the new Plan of Action to be implemented from 2011-2013:

8. The creation of a Human Rights Defenders Index as a tool which HRDs can refer to and which will enhance communication and sharing of information amongst Human Rights Defenders in the region.
9. Strategic litigation incorporating public interest litigation to challenge restrictive legislation at the country-level. Strategic litigation can also be used as a good advocacy tool to mobilize interest around a certain issue.
10. Preparing a policy brief on LGBTI issues and concerns in the East and Horn of Africa which will contribute to research.
11. Increased capacity building at the national and regional level through the carrying out of trainer of trainers' seminars in security training, use of international and regional human rights reporting instruments and use of international and regional human rights mechanisms.
12. Increase and build upon the successes of the Protection of HRD program and include education, training and technical support to this program in addition to financial support.

13. Strengthening national coalition for HRDs where they exist and helping to set-up new ones where they do not exist throughout the sub-region where the context allows.
14. Working to advocate operationalization of Local Implementation Strategy (LIS) of the EU Guidelines for HRDs in the sub-region.

One of the key items resolved at the close of the Meeting was the formulation of an agenda for the EHAHRD-Net's General Assembly Meeting scheduled for November 2010 which will bring together representatives of the Network's 65 member organizations.

The items of the agenda include:

- (a) Amendments to the Plan of Action to be implemented over the next three years:- 2011-2013 to be adopted by the General Assembly;
- (b) Finalize decisions on the structures of the Network as well as spell out clear responsibilities and duties of these structures which are spelt out below;
- (c) Elections of Focal Representatives to the Network by representatives of member organizations at the General Assembly;
- (d) Discuss proposals to the amendment of structures of the Network under the following terms:

The East and Horn of Africa Human Rights Defenders Network (**EHAHRD-Net**) will be composed of the following structures;

- (i) The General Assembly.  
Will comprise of frontline organizations working in the ten countries and two special territories of the East and Horn of Africa sub regional countries of Burundi, Djibouti, Eritrea, Ethiopia, Kenya, Rwanda, Somalia and Somaliland, Sudan including South Sudan, Uganda, and Tanzania. These organizations comprise the General Assembly and will meet every five years.
- ii) The Advisory Council.  
This Council will comprise of twelve focal persons from ten (10) East and Horn of Africa sub regional countries including the two special territories, Somaliland and South Sudan.

The **East and Horn of Africa Human Rights Defenders Project** (referred to as "the Project") is registered as non-governmental organisation under the laws of Uganda and is a body corporate. The Project will act as the Secretariat of the Network (EHAHRD-Net) and support Network activities and implement activities on behalf of the Network as and when the need arises. It also serves as temporary Secretariat of the Pan-Africa HRDs Network which was launched in May, 2009.

The Focal Persons meeting resolved to forward these recommendations to the General Assembly meeting in November 2010.

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***Fin.***



## **PLAN OF ACTION –REVISED FOR THE PERIOD 2011-2013**

### **THE EAST AND HORN OF AFRICA HUMAN RIGHTS DEFENDERS NETWORK THREE YEAR PLAN OF ACTION FOR THE PROTECTION OF HUMAN RIGHTS DEFENDERS IN THE REGION**

#### **A: Introduction**

WE,

The Human Rights Defenders and Resource Persons from various non-governmental organizations, meeting at the East and Horn of Africa Human Rights Defenders second Strategic Planning Meeting, organized by the East and Horn of Africa Human Rights Defenders Project held at the Speke Resort Munyonyo in Kampala, Uganda on 1<sup>st</sup> and 2<sup>nd</sup> May 2010 have amended and adopted this three year-plan ( 2011-2013):

#### **B: The Situation of Human Rights Defenders in the East and Horn of Africa**

Having analyzed the situation faced by Human Rights Defenders in the East and Horn of Africa, we recognize and express concerns for the following:

##### **(a) Concerns relating to the capacity of Human Rights Defenders**

- Insufficient training, skills and knowledge in the understanding and use of existing regional and international mechanisms
- Weak national and regional Human Rights Defenders networks
- Weak collaboration between Human Rights Defenders
- Difficulties faced in doing human rights work in countries where there are no Human Rights organizations such as Eritrea
- Inadequate access to timely information
- Inadequate numbers of Women Human Rights Defenders at the policy and decision making levels of human rights organizations
- Language barriers (local, regional and national)
- Complex dynamic social and political realities exists in the region which may make it necessary to devote resources dedicated to capacity building to be shifted to protection

##### **(b) Concerns relating to the legal environment**

- Lack of national legislation that complies with international and regional standards on the protection of Human Rights Defenders
- Presence of national legislation that violate internationally recognised human rights principles
- Unwillingness of certain governments to comply with legal decisions when they have lost a human rights case in the courts
- Victimization of Human Rights Defenders through government-initiated lawsuits
- Repeated arrests, harassment and other human rights violations by government authorities (official and paramilitary)
- Impunity and lack of redress for human rights violations experienced by Human Rights Defenders

**(c) Concerns relating to the political environment**

- Discrimination against minority rights defenders including LGBTI defenders
- Lack of awareness and acceptance of issues relating to sexual minorities and other marginalised groups
- Insufficient freedom of expression, government control of media
- Victimization of Human Rights Defenders through government-sponsored slander and defamation
- Increased attacks on HRD's by non-state actors, eg rebel groups, militias.
- Credibility of independent Human Rights organizations is undermined by the interference of Government Organized Non-governmental Organizations (GONGOs)
- Lack of community awareness of the value of Human Rights Defenders
- Persistence of harmful traditional practices affecting women's rights
- Risk of retribution for human rights defenders who work with international justice mechanisms such as the ICC or other international tribunals.

**(d) Concerns relating to the psychosocial environment**

1. Human Rights Defenders are at high risk for direct trauma, vicarious traumatisation, and burnout
2. Lack of institutionalized psychosocial support for Human Rights Defenders at all levels
3. Lack of space and resources to deal with the trauma and fear experienced by Human Rights Defenders at all levels

**B: Action Plan**

The present plan of action aims to define strategies to respond to the difficult situations faced by Human Rights Defenders in the East and Horn of Africa. The Network Members agree that while the previous Plans of Action as adopted in 2005 and in 2008 remains the overarching framework of the network, the following strategies and actions have been identified as priorities for the next three years, and agree to implement them in order to enhance their capacity to conduct human rights work and to improve their protection.

**A: Strategies to enhance the capacity of HRDs**

- Support the creation of national coalitions of HRD organizations and individuals and where these are already in place, support the coalitions in terms of capacity building.
- Train HRDs on the use of regional and international instruments and special mechanisms for HRD protection and encourage HRD's to interact closely with international mechanisms.
- Creation of a Human Rights Defenders Index as a tool which HRD's can refer to and which will enhance communication and sharing of information amongst HRD's in the sub-region.

**B: Strategies to enhance the advocacy work of Human Rights Defenders**

- Raise awareness on laws that hinder the work of Human Rights Defenders through public education and outreach activities

- The secretariat of the network should respond to and provide support in urgent situations by facilitating access and increasing links between national, regional and international mechanisms
- Preparing a policy brief on LGBTI issues and concerns in the sub-region which will contribute to advocacy and guide programming in this area.
- The network should support Human Rights Defenders, particularly Women Human Rights Defenders and sexual minorities as well as other marginalized groups, to access the legal system and obtain appropriate remedies
- Network members will commit to be more interactive and provide more feedback in reports to the African Commission on Human and People's Rights.
- The Network will improve the flow of information to its membership. This includes issuing more publications and reports on specific thematic issues, and distributing a list of dates to organise events, rallies and actions, and involve members through social networking fora.
- The Network will focus advocacy efforts at the international and regional levels

**C: Strategies to enhance the social and political environment for the protection of Human Rights Defenders**

- Establish and maintain regular information sessions with Government officials, other authorities, decision-makers and policy-makers on issues related to the work and protection of Human Rights Defenders
- Strategic litigation incorporating public interest litigation to challenge restrictive legislation at the country level. Strategic litigation can also be used as a good advocacy tool to mobilize interest around a certain issue.
- Raise awareness and lobby transnational and national corporations in regards to their obligations to adhere to international human rights norms and standards
- Raise awareness with the authorities on the gender-specific persecution of Women Human Rights Defenders and of LGBTI Rights Defenders and the challenges experienced by journalists and human rights defenders working in areas of conflict.
- Increase and build upon the successes of the protection of HRDs and include education, training and technical support to the protection program.
- Network members with support from the secretariat should advance and advocate for the operationalization of Local Implementation Strategy (LIS) of the EU guidelines for HRD's in countries in the sub-region

**D: Strategies to improve the networking capacity of EHAHRDNet and its members**

- Implement a regular program whose aim is to motivate members and allow them to share their stories and experiences (can be done through website, listservs, etc.)
- Encourage members to harmonise programs of their organizations with that of network and create common platforms
- Encourage and facilitate the participation of network meetings at regional and international human rights fora.
- Membership should dedicate more time to Network activities: delegate if necessary
- Develop programs that are beneficial to members (that can serve their interests as well as the interests of the Network)
- Ensure Plan of Action and Work Plan is SMART
- Raise awareness among NGOs to subscribe to Network (Increase membership)

- Encourage cooperation and collaboration between organizations to better share and leverage their resources
- Implement regular fundraising activities e.g. dinner, marathon, charity walk etc.
- Monitor political change in order to quickly take advantage of any improvements: input would come from the membership and the Network will share this information regularly with its constituents