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East Africa and the Horn of Africa

"Defending the Defenders": a Human Rights Defenders Conference



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



CENTRE FOR REFUGEE STUDIES



July 2006

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INTERNATIONAL SECRETARIAT, 1 EASTON STREET, LONDON WC1X 0DW, UNITED KINGDOM

amnesty international

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Summary

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Human rights defenders from East Africa and the Horn of Africa often put themselves at grave risk to their lives or liberty in their efforts to expose human rights violations.

In Ethiopia, human rights defenders are on trial for treason or seeking to overthrow the constitution, and face possible death sentences; in Sudan, human rights lawyers are frequently detained and interrogated, and a Sudanese humanitarian organisation in Darfur which has emergency medical and feeding centres was shut down early this year – though later allowed to re-open after international protests. In Somalia, where there is no effective government or rule of law, human rights organisations are under constant threat of violence from warlords. In Eritrea, there is no human rights organisation, on account of widespread political repression.

Despite protection afforded by international and regional human rights treaties and standards, such as the UN Declaration on Human Rights Defenders (1998), governments (and some armed political groups too) continue to take repressive action against human rights defenders in order to counter exposure or criticism of practices that violate human rights. Human rights defenders have been harassed, defamed, dismissed from their jobs, physically attacked, arbitrarily detained, subjected to fabricated charges and unfair trials, tortured or ill-treated, and sometimes “disappeared” or killed.

Much of this sub-region has experienced massive human rights abuses going back many years, in the context of single-party rule, military dictatorship, the struggle for democracy, internal armed conflict, and in the extreme case of Somalia, the long-term collapse of the state. Women human rights defenders have often suffered from social exclusion. Those advocating for LGBT (lesbian, gay, bisexual and transgender) rights have encountered harassment and violence from the general public, as well as the threat of criminal prosecution on account of their sexual orientation.

This is a report of a Human Rights Defenders Conference held in Entebbe, Uganda, from 30 October to 4 November 2005. It provided a unique opportunity for human rights defenders from East Africa and the Horn of Africa to share their experiences, exchange ideas and build networks to support each other.

The conference was jointly organized by Amnesty International and the East and Horn of Africa Human Rights Defender Project (EHAHRDP), based in Kampala. It brought together 43 human rights defenders, including 19 women defenders, from Djibouti, Eritrea, Ethiopia, Kenya, Somalia and Somaliland, Sudan (including South Sudan), Tanzania (including Zanzibar), and Uganda.

The report contains testimonies by human rights defenders of arbitrary arrest in Ethiopia, kidnapping and death threats in Somalia, forced female genital mutilation in Kenya, and persecution of a lesbian activist in Uganda. Participants had workshop discussions about

the problems human rights defenders face in situations of armed conflict, political and legal repression. There were presentations on international and regional instruments for the protection of human rights defenders; risk assessment and security management; mainstreaming gender and engendering human rights defenders; trauma counselling and coping strategies; lobbying, media work, strategic planning and advocacy.

The conference culminated in the launching of a new Human Rights Defenders Network linking organizations working for human rights in East Africa and the Horn, and the adoption of a Plan of Action.

This summarizes a 33-page document (12,938 words), *East Africa and the Horn of Africa - "Defending the Defenders": a Human Rights Defenders Conference* (AI Index: AFR 04/001/2006), issued by Amnesty International in July 2006. Anyone wishing further details or to take action on this issue should consult the full document. An extensive range of our materials on this and other subjects is available at <http://www.amnesty.org>. Amnesty International news releases can be received by email:

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East Africa and the Horn of Africa

“Defending the Defenders”: a Human Rights Defenders Conference

30 October- 4 November 2005, Entebbe, Uganda



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Introduction

Amnesty International (AI) and the East and Horn of Africa Human Rights Defender Project (EHAHRDP)¹ organised a Human Rights Defenders Conference in Entebbe, Uganda, from 30 October to 4 November 2005. The conference brought together 43 human rights defenders, including 19 women defenders, from East Africa and the Horn of Africa. Participants at the conference represented organizations or coalitions of human rights defenders from Djibouti, Eritrea, Ethiopia, Kenya, Somalia and Somaliland, Sudan (including South Sudan), Tanzania (mainland and Zanzibar), and Uganda.

¹ This Project is a registered non-governmental organization (NGO) in Uganda, website: <http://www.yorku.ca/crs/AHRDP/index.html>

The conference presented a unique opportunity for human rights defenders from the sub-region to share their experiences and exchange ideas. It laid the foundation to ensure future protection of human rights defenders in the sub-region, enhance collaboration between HRDs and establish programmes to build the capacity of HRDs.

The main objectives of the conference were:

1. To examine the regional challenges HRDs face;
2. To provide training on regional and international instruments for HRD protection;
3. To introduce participants to specialized trauma counselling and coping strategies for human rights defenders, particularly those working under threat in situations of armed conflict;
4. To establish regional plans and a network for action.

Participants were provided with an information pack that included the following documents:

- The UN Declaration on Human Rights Defenders²
- The African Commission on Human and Peoples' Rights Resolution on the Protection of Human Rights Defenders in Africa, and Guidelines for the Submission of Communications
- Information about Amnesty International's Human Rights Defenders Program in Africa
- Assorted background, campaign and workshop materials, including a report of a similar conference and creation of an HRD network in West Africa: "Be careful, you talk too much"- human rights defenders under attack (AI Index: AFR 05/001/2001, April 2001).

Key outcomes of the conference were the establishment of a new Human Rights Defenders Network linking organizations working for human rights, and the adoption of a Plan of Action for the new HRD network.

This report will be available in the following languages apart from English: Arabic, Somali, Amharic and Tigrinya³.

Conference Objectives

The East and Horn of Africa Human Rights Defenders Project (EHAHRDP) and AI work to support human rights defenders in the sub-region, by reducing their vulnerability to the risk of persecution and by enhancing their capacity for effectiveness in defending human rights. The defenders are from Djibouti, Eritrea, Ethiopia, Kenya, Somalia and Somaliland⁴, Sudan,

² Its full title is The Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms. It was adopted by the UN General Assembly on 9 December 1998, on the occasion of the 50th Anniversary of the Universal Declaration of Human Rights.

³ Links to the the translations will be posted on the conference website, as well as AI's website, www.amnesty.org. They will also be available on request from eastafrika@amnesty.org.

⁴ Amnesty International and the conference participants take no position on the status of Somaliland, which has been de facto independent since the collapse of the Somali Republic in 1991 but is not so far internationally recognized. Human rights defenders from the different countries in the sub-region work

Tanzania and Uganda. Much of this sub-region has experienced massive human rights abuses going back many years, in the context of single-party and military dictatorships, struggles for democracy, civil wars, and in the extreme case of Somalia, the long-term collapse of the state.

HRDs are men and women on the frontlines of the struggle to ensure that the principles laid out in the Universal Declaration of Human Rights (1948) and the UN Declaration on Human Rights Defenders (1998) are upheld. HRDs are a crucial link in the chain of human rights protection, from campaigning on behalf of victims of human rights violations to lobbying at the highest international levels for improved mechanisms for human rights protection. In the process, they support the rule of law and the institutions and principles of democracy around the world. By publicizing human rights instruments and lobbying state authorities and regional bodies such as the African Union, they raise awareness of human rights entitlements and help to mobilize victims of abuses to fight against them.

More often than not, efforts by HRDs to expose human rights violations as well as perpetrators of human rights violations put them at great personal and professional risk. Despite protection afforded by international and regional human rights treaties and the international community, governments (and some armed political groups too) continue to take repressive action against HRDs in order to counter exposure or criticism of practices that violate human rights. Governments harass HRDs, deny them freedom of movement or association, force them out of employment, imprison them illegally or on the basis of subverted judicial processes, torture them, execute them without fair trial, as well as “disappear” them. Many HRDs have had to flee their countries to escape such actions.

The conference, as part of a wider strategy, aimed to create a strong sub-regional network by:

- A) Maintaining a strong network of committed HRDs for the continued support and protection of the rights of defenders throughout the sub-region;
- B) Establishing a cross-country and cross-regional fertilization, sharing experiences and best practices among HRDs from other African sub-regions and internationally;
- C) Drawing local, regional and international attention to the plight of HRDs, increasing public awareness, raising the profile of HRDs, especially women HRDs;
- D) Mainstreaming gender and engendering HRDs work;
- E) Giving insight into and providing training on using existing international mechanisms at UN and regional levels;
- F) Providing HRDs with training in monitoring, investigating and reporting human rights violations in their unique situations, and risk-management techniques;
- G) Encouraging HRDs to develop working relations with the UN and African Union mechanisms on HRDs to ensure that they will access these contacts and procedures;
- H) Providing specialized and professional trauma counselling and coping strategies for HRDs, particularly those working under threat in a situation of armed conflict;
- I) Reviewing African HRD strategies, such as the Johannesburg Action Plan of 1998, and taking further the discussion and agreements regarding implementation.

together on a non-political basis with mutual respect and compassion, and are committed to protect each other, whatever the political relations between their governments.

Conference Activities

During the conference, participants engaged in discussions about their experiences, and shared strategies to enhance their work. The conference attracted significant media coverage both on TV and radio. Conference coordinators Hassan Shire Sheikh (EAHRDP) and Jean Lokenga (AI), and some of the participants gave many interviews throughout the conference.

The conference proceedings were however, interrupted by human rights crises arising suddenly in Ethiopia and Zanzibar. The delegate from Zanzibar had to return home immediately to join his colleagues monitoring the tense human rights situation arising from the post-elections crisis. At the same time, the Ethiopian government began to arrest opposition leaders and a number of human rights activists whom they accused of inciting violence in the country. Ethiopian security forces shot dead dozens of demonstrators in Addis Ababa who were protesting against alleged election fraud by the government and ruling party, and rounded up thousands of opposition party supporters throughout the country, and also some human rights defenders. There were other people on a “wanted” list, two of whom were HRDs attending this conference - a human rights investigator and a prominent journalist, who were consequently unable to return home safely⁵.

A petition to the Government of Ethiopia was drafted and approved by all participants, expressing the network’s concerns over the arrests and treatment of Ethiopian human rights defenders, and calling for their immediate and unconditional release.

The following is a summary of the conference proceedings (*see Appendix C for the Conference Program*). Details of the participants are listed in each Country Report section below⁶.

Day 1



Hassan Shire Sheikh © Private
EAHRDP project coordinator



Livingstone Sewanyana © Private
Foundation for Human Rights
Initiative, Uganda – resource person

After a welcome by the Project coordinator Hassan Shire Sheikh, the conference began with keynote addresses by Alex Neve, Director of Amnesty International’s Canadian section; Annie Rashidi Mulumba, representative of Janaiba Johm, African Commission Special Rapporteur on HRDs in Africa; and Margaret Sekaggya, Chairperson of the Uganda Human Rights Commission.

⁵ AI issued a news release (AFR 25/019/2005) and Urgent Action appeal for those detained (AFR 25/017/2005).

⁶ Contact details of all participants and resource persons are posted on the conference website, www.yorku.ca/crs/AHRDP/Conference/confhome.htm.

Alex Neve pointed out that participants are united by the fact that they promote and protect human rights, and hold perpetrators to account. He also stressed that human rights are universal, and HRDs have a responsibility to work on behalf of the larger society and to support each other. Janaiba Johm encouraged HRDs to engage with relevant national, regional and international institutions by providing information, lobbying and expressing support in order to strengthen national, regional and international human rights mechanisms. Margaret Sekaggya emphasized the importance of thinking strategically, doing high quality research and documentation, and maintaining credibility and impartiality in human rights work. She also encouraged HRDs to hold perpetrators to account and demand that governments live up to their responsibilities.

Country Reports and Testimonies on the Challenges Faced by Human Rights Defenders

One human rights defender from each country represented at the conference gave a statement or personal testimony on the challenges faced by HRDs there and highlighting particular issues affecting them⁷. *A brief update on the country situations up to the time of publication (June 2006) is added in a separate section at the end.*

Eritrea



Elizabeth Chyrum © Private
Human Rights Concern Eritrea

Eritrea experiences a particular challenge. There are no human rights organizations on the ground – there is no space for human rights work due to widespread political repression. Currently, human rights activities are carried out only by Eritrean human rights defenders in the diaspora in contact with individual unnamed HRDs and contacts within Eritrea. The Eritrean diaspora faces challenges such as inadequate capacity, lack of sufficient support, and threats to personal safety and security. Eritrean HRDs need support in raising awareness about the human rights situation in Eritrea, building networks with other HRDs and campaigning for increased protection for Eritrean asylum seekers around the world.

Organization represented: Human Rights Concern Eritrea (HRCE) – Elizabeth Chyrum (*Eritrea Focal Point for the Network*).

⁷ These Country Reports are not a full account of the situation of HRDs there, nor are these the only HRD organizations in the sub-region.

Ethiopia



Kifle Mulat © AI
Ethiopian Free Press Journalists Association

Ethiopia has a well-developed human rights community. However, it faces hostility from the government and ruling party where HRDs have criticised or exposed human rights abuses by government. Ethiopian HRDs have developed internal and external networks despite the political pressures and a situation of massive human rights violations in many parts of the country.

*Kifle Mulat, President of the Ethiopian Free Press Journalists Association, who had been arrested at least seven times in previous years, learnt at the conference that he was wanted by police after demonstrations broke out in Ethiopia during the conference, leading to killings by the security forces and mass arrests of demonstrators. He was unable to return safely and later found himself charged in absentia with “outrage against the constitution”, endangering the integrity of the state, impairing the defensive power of the state, and genocide. Amnesty International considers him to be a human rights defender who, if he had been in Ethiopia at the time or returned to Ethiopia, would have been a prisoner of conscience who had not used or advocated violence. He has applied for asylum and continues to work as a media rights defender.

Organizations represented

Ethiopian Human Rights Council (EHRCO - *Ethiopia Focal Point for the Network*) – Yenemengist Demissie Wolderufael and Yared Hailemariam; African Initiatives for a Democratic Word Order (AIDWO) – Kebede Kejela; Kembatti Women’s Self-Help Centre (KMG) – Woldegabriel Woldeghorghis; Acton Professionals Association for the People (APAP) – Debebe Hailegabriel; Ethiopian Women Lawyers Association (EWLA) - Tikikel Tadele Alemu; Ethiopian Free Press Journalists Association (EFJA) – Kifle Mulat.



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Testimony by Yared Hailemariam

Ethiopian Human Rights Council investigator

For the last seven years I have been working for the Ethiopian Human Rights Council (EHRCO) as a human rights investigator. EHRCO was established on 10 October 1991, just after the overthrow of the brutal Dergue government which lasted 17 years. It is an independent, non-governmental, non-profit and non-partisan membership organization. It is also the first and most prominent human rights organization in Ethiopia to engage in human rights monitoring and reporting.

Due to a high risk of repression, harassment, possible judicial persecution on the ground of fallacious accusations, threats, defamation, and intimidation, I am now being forced to live in exile. After the May 2005 election I was among the human rights defenders targeted for execution, torture, beating, arbitrary arrest or death threats. Whereas I am able to stay in exile after this conference, my colleagues including the founder and former chairperson of EHRCO, Professor Mesfin Woldemariam, who is 75 years old, are now in detention and facing serious charges.

Following the announcement of the fraudulent provisional result of the May 2005 election, some incidents

occurred. On 6 June 2005, the Addis Ababa University students' protest accused the ruling party of election fraud and subsequently police beat students with batons and rifle butts. One young student was killed. On 8 June, heavily armed government forces deployed in the streets of Addis Ababa massacred at least 42 innocent civilians for taking part in a demonstration demanding respect for the real outcome of the elections in the country.

That time I carried out my investigations with two of my colleagues. On June 8, around 9 pm one of EHRCO's investigators working with me, Chernet Tadesse, was arrested in Addis Ababa. My house was searched by police in my absence. Chernet's whereabouts were not revealed for a week. After a week, he was located in Ziwai Town Prison, about 250 kms south of Addis Ababa. A week later, on 13 June, I was arrested by police together with Birhanu Tsegu, who was the Head of the Monitoring, Research and Public Litigation Department of EHRCO, when we left our office at around 5:30 pm. We were detained for five hours in one of the police stations in Addis Ababa, and then taken handcuffed and barefoot from Addis Ababa to Ziwai Town Prison. After one week of detention we were accused of organizing opposition demonstrations in Addis Ababa.

For several days our families did not know where we were held, as we were kept incommunicado and the authorities refused to disclose our whereabouts. The prison conditions were poor. We were given blankets and beddings only after six days of sleeping on a concrete floor. After two weeks of pressure from the international community, we were allowed visits by our families and the International Committee of the Red Cross. After another eight days, we were brought before a judge in Ziwai in a closed court session and without being allowed to speak to our defence counsel. The judge disregarded our complaint that we had been detained illegally beyond the permitted 48-hour limit. We were released on bail after 21 days of detention without having been charged formally.

On 31 October I came to Uganda after I received an invitation to participate in and give testimony at this conference. While I have been here in Uganda at this conference, the same demonstrations and killings have occurred again in Addis Ababa. At least 36 people have been killed in the streets. Ethiopia's Federal Police have released the list of names and photographs of 55 "most wanted" individuals who it accuses of coordinating, leading and participating in subversive activities targeted at dismantling the constitutional system through the use of force. My name and photo are on the list. That was the day I learnt that I would not be able to return home.

Sudan



Halla Yassin Elkarib ©Private
SIHA Network



Osman Hummaida © Private
Sudan Organization Against
Torture



Jeremiah Swaka Moses © Private
Sudan Council of Churches

Human rights defenders in Sudan are frequently detained incommunicado without trial for long periods solely because of their work in defence of human rights. Those working on the Darfur humanitarian and human rights crisis have been particularly targeted.

The Sudanese government, opposition groups and society appear to be in denial about the prevalence of violence against women. Women human rights defenders are struggling against this silence which leaves women particularly vulnerable. The violence is systemic and women are victimized in many different ways.

In South Sudan, human rights organizations are not yet able to function due to the disruptions and violations of human rights experienced during the recent long civil war. There is no human rights protection or respect in the conflict zones in Darfur and elsewhere. Human rights defenders have not been brought into the peace processes, or given any important role in international humanitarian assistance and reconstruction.

Organizations represented

Sudan Organization Against Torture (SOAT – Sudan Focal Point for the Network) – Osman Hummaida; South Sudan Law Society (SSLS – South Sudan Focal Point for the Network) – Harriet Kuyang Logo; Strategic Initiatives for Women in the Horn of Africa (SIHA) – Halla Yassin Elkarib; Sudan Council of Churches - Jeremiah Swaka Moses.

Testimony of a woman human rights defender from South Sudan⁸

I have been involved as a human rights defender in South Sudan for a number of years. I have been working on legal issues to ensure the protection of women.

I operate in a highly militarized situation. Firstly, as an individual there is no form of protection, and secondly, everything operates on the basis of military priorities and orders. The rule of law institutions are manned by persons without any training for police or prison officers. With such lack of training you have more incidents of human rights violations.

I have worked on cases where I have put myself on the line to help my clients. One such example is when I had a client who was arrested by the authorities for no reason. I could not use any legal mechanisms to protect my client and his only option was to escape from the area.

As a woman human rights defender, you have more challenges. The cultural cohesion is still very tight, and so working in a society that is highly male dominated and patriarchal presents a number of problems and often setbacks for women human rights defenders.

There are many challenges for HRD defenders in South Sudan in situations of conflict and lack of effective legal protection. More protection is essential to carry out our work and even more protection is needed for women HRDs.

⁸ Name withheld for fear of reprisal

Somalia and Somaliland



Somalia Human Rights Defenders and AI researcher

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After 14 years of state collapse in Somalia, Somali civic associations and community based organizations have established some strong human rights organizations and networks working on many human rights and development issues, despite violence from the warlords. Somali HRDs in the south have tried to maintain links with their counterparts in Somaliland, where there is,

in contrast, peace and a de facto government. Somaliland human rights defenders, however, still face risks when they expose human rights abuses and are perceived as challenging their government. A prominent peace activist, Abdulqadir Yahya Ali, director of the centre for Research and Dialogue, was assassinated in Mogadishu in July 2005 by unidentified assailants.



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Somaliland Human Rights Defenders

From left to right: Ibrahim Haji Musa ("Wais"), Asmahan Abdelsalam Hassan and Suleiman Ismail Bolale

Omar Faruk Osman Nur
National Union of Somali Journalists

Somalia faces a particular challenge – how do we support HRDs in the context of a failed state? Who do we hold to account? How do we protect HRDs? Somali journalists are involved in human rights work and are well organized, trained and professional, but remain vulnerable.

A heavy personal price is often paid by HRDs. There are feelings of guilt because of the cost to family members due to the high risks of HRD work, as well as the great emotional and physical demands on HRDs themselves. Further, strong patriarchal attitudes silence women's experiences of work as HRDs, as well as women's experiences of persecution. Some participants said that international organizations such as the UN need to improve their standards of engagement with local HRDs regarding particular ethical issues.

Organizations represented

Somalia: Somali Human Rights Defenders Network (*Somalia Focal Point for the Network*) – Ahmed Mohamed Ali (“Kimiko”); Dr Ismail Jumaale Human Rights Organization (DIJHRO) – Mariam Hussein; National Union of Somali Journalists (NUSOJ) – Omar Faruk Osman Nur; Coalition of Grassroots Women Organization (COGWO) – Aini Abukar Ga’al; We Are Women Activists (WAWA – Puntland) – Hawa Ali Jama; Hiraan Women Action on Advocacy for Peace and Human Rights (HIWA) – Alia Aden Abdi; Justice Watch Association (JUWA) – Issa Ahmed Warsame; Isha Human Rights Organisation, Baidoa – Abukar Sheikh Yusuf.

Somaliland: Nagaad Women’s Coalition (*Somaliland Focal Point for the Network*) – Asmahan Abdelsalam Hassan; Somaliland National Human Rights Network – Suleiman Ismail Bulale; Samotalis Coalition for Human Rights – Ibrahim Haji Mussa (“Wais”).



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Testimony of Aini Abukar Ga'al

Peace and Human Rights Officer, Coalition for Grassroots Women Organization (COGWO), Mogadishu

Since I started defending human rights in the '80s to date, I have faced a lot of violations including arrests, interrogation and restriction of movement by the National Security Service officials of the Siad Barre government. All this surrounded my work at the foreign services of Radio Mogadishu as a programmer and broadcaster in the Italian language, especially the time I prepared a programme on the death of Dr Ismail Jamaal in 1990, a lawyer and human rights activist who had been exposing to the international community the human rights violations perpetrated by the military regime.

In 1992 after the overthrow of the Siad Barre regime and collapse of the state, I was working in the Office of the Humanitarian Division of the UN Operation in Somalia. My vehicle was attacked because I refused to take a bribe in order to release funds for projects which some warlords wanted to use in order to get more weapons. Four men were sent to kill me but luckily one of them, a leader of the group, was a young man I had helped in getting tuberculosis medicines at my own expense. During the attack I was nine months pregnant but I jumped off my vehicle and desperate to save my dear life, I ran into hiding towards the Indian Ocean and hid under some rocks. Hours later, I gave birth to a baby boy with a broken shoulder and till now he suffers a disability derived from the circumstances surrounding his birth. Sometimes I feel guilty that I was the cause of the disability that my child is suffering from.

In April 2002, I was kidnapped by my own clan and held hostage for 2 days in an attempt to stop my human rights work and to force me instead to buy ammunition for them. During the celebration of International Women's Day on March 8th this year, I raised the issue of Somali women missing out on their quota of seats in the new Transitional Federal Parliament. Subsequently I was targeted and also verbally threatened through anonymous phone calls

As a result of all this, I have faced a lot of depression, burnout and other psychological effects such as nightmares and lack of concentration, and recently developed hypoglycaemia and hypertension, the end results of contained anger, worry, fear, the sense of helplessness and hopelessness. As a woman human rights defender, you face further difficulties and pressures from your family, community and clan, as a woman's place is said to be in the home, and you are called names.

After all these events, three of my children fled the country seeking refugee status in foreign countries. I haven't seen them for six years or so and I cannot visit them because of the kind of travel document I am holding that is not recognized in many parts of the world.

In a nutshell, during my service as a human rights defender, the challenges I faced have given me the spirit to keep up the morale to continue with my struggles till death with hope that some day I shall see the Somali people enjoying their basic human rights as stated not only in their Transitional Federal Charter but also highlighted by important international human rights instruments including the Universal Declaration of Human Rights.

I finally wish to thank all organizations and individuals who have helped me to cope with the situations I have faced.

Djibouti

There is only one human rights NGO legally working in Djibouti, the *Ligue Djiboutienne des Droits Humains* (LDDH, Djibouti League for Human Rights), supported by a network of local monitors who work as anonymous correspondents throughout the country. League members are constantly harassed. The government-run media regularly attacks the work of the LDDH and refuses to publish the LDDH responses to negative coverage. Human rights violations experienced in Djibouti include unlawful arrests and extrajudicial killings by the security forces that enjoy impunity for abuses. So far, the LDDH is denied access to jails and detention centres.

Organization represented

Ligue Djiboutienne des Droits Humains (LDDH, Djibouti League for Human Rights – *Djibouti Focal Point for the Conference*) – Kassim Ali Dini.

Tanzania

Human rights defenders face several challenges, including arbitrary use of power by government authorities (such as questionable appropriation of property, preventing HRDs from collecting information on alleged human rights violations), undermining the justice system (for example, poor enforcement of court decisions, lack of accountability), and restrictions on freedom of expression and access to information. Lesbian, gay, bisexual and transgender (LGBT) HRDs are at risk in Tanzania.

Organizations represented

Legal and Human Rights Centre (LHRC, *Tanzania Focal Point for the Network*) – Frida Chinuku; Zanzibar Legal Services (ZLS) – Said Hassan Mzee.

Kenya



Beatrice Kamau © Private
Social Reform Centre



Samuel Muhochi © Private
Kenya Human Rights Network

A vibrant community of HRDs, including women defenders working on gender issues such as violence against women and female genital mutilation, has been at the frontline critiquing the previous government of President Daniel arap Moi and mobilizing civil society organizations and citizens in demanding democratic space and good governance.

Yet they had not foreseen or planned for what would happen

when a new reformist government was in power. This was made more difficult by the fact that the current government of President Mwai Kibaki was popularly voted in and Kenyans, including HRDs, put a lot of faith and hope into it. However, with a new government, new challenges emerged. Because there was so much hope placed in the new government, anyone who criticized it was seen as an enemy of development. A blind eye was often turned towards its failures. Donors reduced or cut their funding to civil society, and heavily funded the government for work that was previously done by HRDs. There was an exodus of key personalities from civil society to key government positions. Human rights issues were politicized by the politicians. The media created negative reports of human rights work, attacking “disgruntled workers” and “illegal organizations” who were accused of being out to ruin the economy of the country if they were allowed to continue “intimidating investors”.

*Father Gabriel Dolan, an Irish priest working for the Catholic Justice and Peace Commission, was invited to the conference as a human rights defender but was unable to attend as he was on bail to appear in a Kenyan court at the time. He was charged with “incitement to violence, malicious damage of property by a rioting assembly group and taking part in an unlawful assembly.” He had been arrested in Kitale town in August 2005 when he visited 22 land rights activists imprisoned on the same charges, with whom he had earlier joined in a demonstration against irregular allocation of land to private investors. He was detained for three days, and then released on bail together with the 22. The charges against them all were finally withdrawn six months later without any trial.

Organizations represented

Independent Medico-Legal Unit (*Kenya Focal Point for the Network*) – Samuel Muhochi and Dina Kituyi; Amnesty International Kenya - Miriam Kahiga; Social Reform Centre – Beatrice Kamau; Habiba International Women and Youth Affairs – Habiba Issack Barrow.



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Testimony of Habiba Issack Barrow*Habiba International Women and Youth Affairs, Kenya*

I kicked off my human rights crusade when I woke up to find my daughter had been forcibly circumcised in my absence and against my wishes. In Mandera district in northeastern Kenya where I come from, the Somali community has practiced FGM (Female Genital Mutilation) since time immemorial. Being a victim of the same old cultural practice, I was always opposed - though I never spoke publicly - to this tradition that I considered inhuman and a human rights violation.

I was alarmed when my daughter bled to the extent she ended up being hospitalized. She survived and returned to school but is still traumatized. I realized I could no longer keep quiet. I sought help from friends and funding organisations

The community views FGM as a sacred issue for women and to talk about it remains taboo. It remains a well-guarded secret from men because of the society's upbringing.

When I came up with the idea of campaigning against FGM for the first time, it was met with a lot of resistance and open hostility from my community. I was accused of introducing Western values to replace the Somali culture. Some religious leaders too were opposed to my crusade, for they believed circumcision was a religious ritual, but this remains a misconception. I became the talk of the town, the market, offices as well as mosques. I was abusively nicknamed Habiba "Kintir" meaning Habiba "Clitoris". This did not deter me from crusading for women's rights that are human rights. But it affected my daughter socially and academically until she had to transfer from northern Kenya to a school in western Kenya.

Since I started exposing the ills, effects and health implications of FGM, it is slowly becoming acceptable to the community that the procedure is harmful. Our campaign through the NGO Habiba International Women and Youth Affairs, which friends and I formed, is conducted through workshops in which religious leaders (as entry-points), women representatives, politicians, practitioners, CBOs, NGOs, government officers (chiefs and their assistants) and youths among others, are invited.

Most importantly, we have broken the silence and veil on FGM. The misconception of its being a sacred issue is slowly fading and receding to the past. We pray one day FGM will be abandoned.

Uganda

Sophie Kyagulanyi © Private
Foundation for Human
Rights Initiative



Paulinos Nyeko © Private
Human Rights Focus – Gulu

HRDs in Uganda continue to be persecuted, harassed and some have been arrested. Parliament is debating an NGO Bill which has clauses that restrict operations of NGOs insofar as their activities and funding are concerned. There are restrictions on the freedom of the media, which limit the right to freedom of expression. Entrenched social attitudes towards certain traditional cultural practices affecting the rights of women create difficulties for HRDs who advocate against them. LGBT activists are

at particular risk due to the fact that homosexuality is illegal and there is widespread homophobia.

HRDs working in the north have faced serious risks to their security in activities related to the 20-year war in the north, where the armed group the Lords Resistance Army (LRA) has committed thousands of crimes, including arbitrary killing, maiming, abduction, forced recruitment and use of children as soldiers and sex slaves, causing also extensive displacement of people. Local HRDs have encountered obstruction and harassment when they have reported on human rights violations, including rape, committed by government soldiers in relation to this conflict.

Organizations represented

Foundation for Human Rights Initiative (FHRI – *Uganda Focal Point for the Network*) - Sophie Kyagulanyi; Human Rights Focus Gulu – Paulinos Nyeko; Justice and Peace Commission Gulu – Rose Adong; Community Recovery Network – David S. Kaggwa; Human Rights Network Uganda – Patrick Tumwine; Archdiocese of Tororo – Deo Eriot; Sexual Minorities Project (SMUG) – Juliet Victor Mukasa; Kirewa Women’s Forum/Mifumi Project – Mary Asili; Union pour la paix permanente (Union for Permanent Peace, Democratic Republic of Congo) – Charles Mukandirwa (HRD in exile).



©Private

Testimony of Juliet Victor Mukasa

Chairperson of Sexual Minorities Uganda (SMUG)

My name is Julie Victor Mukasa, 30 years old and an LGBT activist in Uganda. I am a lesbian and have almost never been closeted. When it comes to lesbians and gays, Uganda is hell itself.

I have faced a lot of challenges. I lost my family and friends when they realised that I was a lesbian. My family has at one time requested me to stop using our family name because it embarrasses our dead father who was called Mukasa. To my family, my dead father is more valuable to them than I am, who is still alive and well. This always makes me think that homosexuals are taken to be dead than the dead.

If I can recall very well, I have been beaten or physically thrown out over 10 times in public places just because I am a lesbian. I have been abused and insulted on streets, in restaurants, discotheques, bars and almost everywhere.

I have been evicted by landlords from houses several times and become homeless. These are times when I have spent nights on the streets, in bars, in all sorts of places. In these places you meet men who try to teach you how to be straight (heterosexual) and here I have gone through a lot of ugly things trying to save myself from death. I have stayed almost in every area in Kampala because every time I am seeking for a place where I am less known.

I excelled in my school and received high awards in my training for banking. Although many of my classmates have secured stable jobs, I have been fired many times because my colleagues or boss found out about my sexual orientation. This has made me lead a life of just survival, yet I went to the best schools in my country. I am a lesbian who was bright enough at school and whose sexual orientation never led me into harming others.

At some point in 2002 I said to myself, “Enough is enough”. Life was really tough. Not only mine but that of my other gay and lesbian friends who were also being treated unjustly. It wasn’t fair and so I decided to join the struggle for gay and lesbian liberation in Uganda. Together with other activists, I began to speak out openly against the injustices and advocated for an end to them. I have been doing this for all these years. I have met with policy makers and members of civil society.

The suffering I am facing today because of my sexual orientation has risen to another level because of my political activism. On 20 July 2005 my house was raided, illegally searched and documents taken by

a government representative in my village. By declaring that my rights were violated I want to make a larger statement about the rights of gays and lesbians and all human rights advocates to be able to carry out their work and live their lives without threat of invasion and intimidation.

In conclusion, I would like to call to action all Human Rights Defenders. The challenges in this era have to be met by action. We can only create change by working collectively joining hands with civil society, allies in government, national and international networks of advocates. Through this, a day will come when LGBT people will no longer be seen as deader than dead. Together we can break the chains of bondage.

Workshops

In addition to the Country Reports, a series of workshops were held on the challenges and strategies of HRDs working in the three following situations:

***Armed conflict:** challenges arise from the nature of the conflict, perception of HRDs' work, organizational vulnerabilities and the political and structural context of conflict. Strategies include addressing the impact of armed conflict, most notably, on sensitization of communities, authorities, conflict actors and the international community to the role of HRDs and on specific issues, particularly sexual violence and rape. Training and capacity building are needed to empower local community members to act as HRDs. Appropriate moral and psychological support should be provided, as well as adequate resources and involvement of the international community in addressing the larger political issues of the conflict.

***Facing political repression:** political repression exists where there is an undemocratic government. This can result when a government has rigged itself into power, has been popularly elected but refuses to meet its obligations to its people, or does not want to leave power after its term has expired. HRDs are perceived to be enemies of the ruling elite, labelled as "opposition", arrested and subjected to trumped-up charges and at risk of being assassinated or detained. Strategies involve the mobilization of HRDs at national and international levels to put pressure on the government, exposure of human rights violations through national, regional and international media, inviting dialogue with authorities, proactive cooperation with other stakeholders, and calling on international donors to put pressure on the government to observe human rights and be accountable to its people.

***Facing legal repression:** governments are becoming increasingly sophisticated in their struggles with HRDs. They resort not only to banning and repression, but often accuse HRDs of publishing false information, defaming their activities, and involve HRDs in costly and lengthy legal procedures to divert or distract their organizations. Laws on sedition, terrorism and defamation are often used to limit or prevent freedom of expression by the media. Access to justice is restricted by high legal costs. In certain Muslim countries, Shari'a laws are used to stifle dissent and human rights activism.

Strategies to combat these injustices include campaigning for judicial reform, specific laws to protect and support NGOs and HRDs, training and education for HRDs, judges and government officials, improving access to justice and abolishing unjust laws.

EU Guidelines on Human Rights Defenders

Speaking at a gala dinner for conference delegates, Ambassador Sigurd Illing, Head of the Delegation of the European Commission in Uganda acknowledged the importance of the role of human rights defenders in the promotion and protection of universally recognized human rights. He noted that the Council of the European Union on 15 June 2004 adopted Guidelines on Human

Rights Defenders, which cover the promotion and protection of human rights defenders in other countries, within the context of the common EU foreign policy. He also pointed out that the work of human rights defenders often involves criticism of government's policies and actions. However, governments should not see this as destructive, but recognize the principle of allowing room for independence of mind and free debate on the government's policies and actions. This is a way of establishing better protection of human rights.

Day 2

International and Regional Instruments for Human Rights Defenders



Musa Gassama © Private

Musa Gassama, Deputy Director of the International Service for Human Rights and manager of its Human Rights Defenders Program, provided background on the UN Declaration on Human Rights Defenders, and described the international and regional special protection mechanism for HRDs:

- The Special Representative of the UN Secretary-General on Human Rights Defenders (Hina Jilani)
- The African Commission Special Rapporteur on Human Rights Defenders (Janaiba Johm, who was succeeded by Reine Alapini-Gansou in 2006)
- The European Union Guidelines on Human Rights Defenders.

The participants were encouraged to promote the implementation of the international standards contained in the UN Declaration on Human Rights Defenders and to use and strengthen these mechanisms.

Because of the eruption of the Ethiopian crisis, the workshop on the use of International and Regional Protection Mechanisms was cancelled. Instead, participants discussed how to respond to the crisis and support Ethiopian human rights defenders at risk. The group drew up a petition to the Ethiopian government over the fate of human rights defenders in Ethiopia.

Risk Assessment and Security Management for Human Rights Defenders

Luis Van Isschot from Peace Brigades International (PBI) made a presentation on the work of PBI, in particular its method of "protective accompaniment" to threatened human rights defenders, social activists and displaced communities. He emphasized the importance of making informed decisions about security and protection by being aware that HRDs work in complex environments, where there are many different actors, influenced by deeply political decision-making processes. He demonstrated basic risk assessment techniques and used PBI's work in Colombia as a case study. He pointed out that it is also important to engage with international NGOs in the region, as well as regular diplomatic visits, campaigning, participation of local HRDs in national and international processes (conferences, consultations, speaking tours).

Workshops

There were three workshops on managing security in different situations:

***Armed conflict:** HRDs should know who their targets are and have clear procedures and policies for assessing and managing risk. Working in an armed conflict situation requires learning about the particulars and updating yourself about details of incidents through radio, news and other available resources; knowing who the main actors are, your allies, safe locations; and being aware that the context is not stagnant. Working with the UN is important, but it has its limitations. African NGOs feel excluded from decision making, and the African Union and its human rights structures and mechanisms need to be more effective. It is important to include human rights, peace and conflict management in the training syllabus for police and army.

***Facing political repression:** many strategies were discussed, some of which include: communication with authorities who authorize public meetings, involving them in events, launching constitutional challenges on laws regulating NGOs and public meetings, evacuating targeted HRDs as a measure of last resort, protecting organizational information and documentation, publicity, involvement and support from media, public awareness campaigns, establishing “human rights houses” to provide HRDs and their clients with shelter and including these houses in an international network.

***Facing legal repression:** HRD organizations should ensure that documents are vetted and reviewed by research managers, and other responsible members of the organization before being published or put on a website in order to ensure veracity and quality of information; defend against reprisals; protect informants; and get the support of the legal community to respond to legal repression. They should lobby their government to strengthen the judiciary, improve, establish or restore judicial independence; create links with local community leaders, traditional and other authorities and chiefs; establish safety measures for defenders at risk and create self-help programs; and assess risks through participatory methodologies with communities.

Day 3

Mainstreaming Gender and Engendering Human Rights Defenders



Faiza Jama Mohamed ©Private
Equality Now

Faiza Jama Mohamed from Equality Now (a leading international women’s rights NGO) made a presentation on “Women Human Rights Defenders – Risks, Challenges and Opportunities.”

Women face many human rights challenges in their work, including death threats, attack on families, damage to property, and sexual violence. Attempts to seek protection are problematic and this encourages social discrimination and smear campaigns by members of the public and non-state actors, who may then treat women even worse. There are specific characteristics to women HRDs - they are seen to defy cultural, religious, social norms of what a woman is supposed to be and therefore face violations tied to their gender (especially sexual violence).

The first ever consultation on women human rights defenders, held in April 2003 in Bangkok, Thailand, recognized that women HRDs are integral in the promotion and protection of human rights. It was acknowledged that women HRDs are at greater risk due to their gender; that conflict and religious fundamentalism create risks; and that non-state actors (i.e. public attitudes) as well as government security forces also pose a risk. There was a call to mainstream women

HRD discourse and to take action to support and protect Women Human Rights Defenders (WHRDs).

In 2004 an international campaign, whose objective is to highlight gender-specific violence directed at WHRDs, was launched by Equality Now. Specific examples of human rights violations against WHRDs include:

- Uganda: the theatre production, “Vagina Monologues”, was banned and the women’s rights activists organising it were defamed
- Ethiopia: the Ethiopian Women Lawyers Association, which provides free legal aid to poor women, was banned in 2004 for six weeks
- Kenya: WHRDs campaigning over an incest case involving allegations against a government official, were subjected to threats and harassment
- Somalia and Somaliland: Islamists and traditionalists oppose WHRDs’ activities to stop violence against women such as Female Genital Mutilation (FGM), domestic violence and rape. Anarchy often forces WHRDs to work silently and in private.

It was noted that WHRDs are not homogeneous. There are significant differences between them on issues such as abortion, sexual orientation and feminist interpretations, among others. However, it is vitally important to provide support to WHRDs. Support could include the creation of awards, such as an African Union Nelson Mandela Award for WHRDs, an Urgent Action Fund for WHRDs in Africa, funds to support the human rights of women and girls on the African continent, and the establishment of a rapid response mechanism to provide emergency support to WHRDs under threat⁹.

In particular, WHRDs need:

- Solidarity from other HRDs in order to withstand threats aimed at them
- Stronger regional and international networks
- A strong constituency base of local alliances and public support
- Information on security and information management, and strong links with community support groups
- A system to ensure safety when threatened, for instance the establishment of safe houses in case flight is necessary.

Trauma Counseling and Coping Strategies for Human Rights Defenders

Teresa Dremetsikas from the Canadian Centre for Victims of Torture (CCVT) and Michele Millard from the Centre for Refugee Studies (CRS) at York University, Canada, made a presentation on “developing a model of support for human rights defenders and their organizations to come to terms with their traumatic experiences”. Key points raised in the presentation were that:

- Trauma has effects and consequences

⁹ The Irish HRD organization Frontline has established a small grants program for this purpose

- Trauma is contagious
- Counselling has a place of value for healing
- A supportive community/environment is key
- HRDs should incorporate personal care into their workplace, network and personal life.

The presenters demonstrated a model for community support that was developed by CCVT and participants were encouraged to adapt the model according to their respective needs.

The participants emphasised the importance of providing support to and acting in solidarity with each other to help cope with the experiences related to HRD work and being an HRD. During the workshop on trauma, counselling and coping mechanisms, it was clear that while awareness of the effects the work has on the personal lives of the participants was high, there was no infrastructure in place to help them deal with it. As one delegate said, “We live with the trauma.”

In particular, there was great concern over a conference participant who was currently living in hiding and was manifesting symptoms of trauma and stress. The Centre for Refugee Studies and the Canadian Centre for Victims of Torture initiated contact with the Africa Centre for Treatment and Rehabilitation of Torture Victims (ACTV) and a psychiatrist, both based in Kampala. Both agreed to support the case of Juliet Victor Mukasa, a Ugandan LGBT activist traumatised by several violent incidents (see testimony above). ACTV also expressed interest in becoming involved with developing programs of self-care within the workplace for human rights defenders.

Day 4

Lobbying and Media Work for Human Rights Defenders, and Planning and Organizing Advocacy Work

Campaigners Keith Rimstad from AI’s Canadian Section and Bashair Ahmed from AI’s International Secretariat spoke about the role of a campaigner. They described how a campaign is designed, and explained that it was important to analyse the situation in the country, and identify capacity to carry out a campaign by looking at Strengths, Weaknesses, Opportunities and Threats (SWOT). It is also important to establish objectives and tactics, design and implement action plans, and evaluate objectives, outputs and activities on a continual basis.

They further explained that in order to creating effective lobby strategies, HRDs need to consider why the government should be willing to act on human rights. They should identify important contacts and establish the factors likely to influence governments. It is important to be strategic about timing, keeping in mind that lobbying is often effective only in the long term. Campaign methods include letter-writing, establishing and calling contacts on the phone, meeting with contacts to explain campaign objectives and lobby for action, working with and lobbying at the grassroots level, and media work.

Workshops

Workshops were held to devise a Plan of Action for HRDs in situations of armed conflict or facing political and legal repression.

Day 5

Launch of the Network

The last day of the conference saw the launch of the “East and Horn of Africa Human Rights Defenders Network” (EHAHRDN – *see Appendix A*), representing HRD organizations from Djibouti, Eritrea, Ethiopia, Kenya, Somalia and Somaliland, Sudan (including South Sudan), Tanzania (including Zanzibar), and Uganda. The delegates emphasised the importance of providing support to and acting in solidarity with each other to help cope with the experiences related to HRD work and being an HRD. A conference website was established, www.yorku.ca/crs/AHRDP/Conference/confhome.htm, to be maintained by the Centre for Refugee Studies at York University, Toronto, Canada, under the direction of the Network Secretariat.

A Plan of Action for the Network, developed in the previous day’s workshops, was also approved (*see Appendix B*).

Delegates created and approved a Memorandum of Understanding for the Network. Three governing structures for the Network were established:

- The General Assembly, composed of all members of the Network, with different voting powers according to their membership status;
- The Advisory Council, composed of elected officials representing each country in the Network (Country Focal Points);
- The Secretariat, which was established within the East and Horn of Africa Human Rights Defenders Project (EHAHRDP) based in Kampala, with the responsibility to manage the day-to-day tasks of the Network and ensure the achievement of the declared objectives.

The General Assembly elected Hassan Shire Sheikh (coordinator of the EHAHRD Project and conference organiser) as Chair of the Network. It also elected Focal Points for each country represented in the Network¹⁰.

After the closing of the Conference, the concluding activity of the Conference was the delivery of the signed petition to the Government of Ethiopia for the release of Ethiopian HRDs. A delegation of participants and resource persons from Uganda, Somalia, Eritrea, Norway, Somaliland, Tanzania, Kenya, Canada and the United Kingdom took the petition to the Ethiopian embassy in Kampala. The petition was received by the Ambassador who invited the delegation into the embassy for a discussion, and undertook to forward it to the government in Addis Ababa. No reply was subsequently received from the government.

Conclusion and Evaluation

Participants completed an evaluation form at the end of the conference. The vast majority of participants rated the overall quality of conference sessions as excellent. Overall, the conference was rated as well organized, well managed, and with good technical support. Conference organizers were responsive to participants’ needs and were effective in resolving any issues that arose.

¹⁰ The Country Focal Points are listed in the Country Reports section above.

Participants rated highly the accommodation facilities, food and service at the conference venue, the Windsor Lake Victoria Hotel, although its IT facilities were minimal. Participants appreciated, in particular, the hard work of the conference administration team and the volunteers who helped the conference run smoothly. The resource table and display boards where participants distributed and displayed their documents, testimonies, leaflets and posters in the foyer of the conference hall were well utilised.

A follow-up meeting of organizing committee members to assess the success of the conference and discuss lessons learned also gave very positive feedback.

The most emotional and energizing parts of the conference were the strong support participants gave to those who testified about serious human rights violations experienced – an FGM survivor and activist, a sexual minority rights activist, and a recently released prisoner of conscience, in particular – and the active solidarity of all participants in the face of the breaking human rights crisis in Ethiopia. This unexpected and worrying development brought home the risks sometimes faced by HRDs. It sadly turned two of the Ethiopian participants into refugees - but they were nevertheless steadfast in their courageous determination not to be deterred from continuing their HRD work.

The conference went a long way towards creating an effective network of HRDs committed to support each other, despite the political differences between some of their countries. Women's rights issues were frequently mainstreamed into the discussions, with a general willingness to deal with gender issues in the community and also within HRD organizations.

Through their new contacts and friendships, participants came to know that their experiences, however difficult, are not unique and that they are not isolated. Being part of a larger regional and international community of HRDs will bring them both moral and practical support in their struggle for human rights.

Update June 2006

The recognition, safety and achievements of HRDs described in the Country Reports above have not improved significantly in the six months since the end of the conference in early November 2005, despite their vigorous efforts on many contentious issues.

In **Somalia**, HRDs in Mogadishu have been most at risk in the escalating armed conflict between Islamic court militias and a coalition of warlords. Hundreds of civilians were killed by both sides in the fighting, as the Islamic militias captured the capital. HRDs who attended the Entebbe conference were unable to carry out their activities, but all survived. However, on 29 May 2006 Abdi Farah Mohamed, the Regional Coordinator in Puntland Regional State of the Peace and Human Rights Network (PHRN), which belongs to the Network, was detained for calling for civil society groups to hold a rally for peace in the new conflict in Mogadishu. He was released on bond two days later as a result of swift interventions by the Somali civil society organizations and the Network. The long-awaited meeting of the Transitional Federal Government and Parliament in Baidoa has so far had no apparent impact on the Mogadishu crisis or the actual beginning of national government and rule of law in Somalia.

The National Union of Somali Journalists (NUSOJ), a Network member recently registered as a trade union in Somalia, has achieved remarkable success in defending journalists through the establishment of a national structure of Press Freedom Protectors (PFPs), despite the high level of insecurity and absence of effective state institutions. PFPs have reported human rights violations against journalists to the NUSOJ office in Mogadishu, leading to rapid and usually successful interventions by NUSOJ, supported by international media associations,

addressing the Prime Minister of the Transitional Federal Government and local authorities or warlords.

Following the November 2005 demonstration killings and mass arrests in **Ethiopia**, the two Ethiopian HRDs attending the conference who were unable to return home continued their asylum applications. Kifle Mulat, president of the Ethiopian Free Press Journalists Association (EFJA), is being tried in his absence for political offences which could carry the death penalty, along with opposition party leaders and 14 journalists – prisoners of conscience - who are among the 76 defendants in a treason trial which many fear will be unfair by recognized international standards¹¹. He has continued his media rights campaigning and attended media conferences in Tanzania, Belgium and Holland. Yared Hailemariam, an investigator with the Ethiopian Human Rights Council (EHRCO), presented dramatic new evidence to a European Parliament committee hearing in Strasbourg in May 2006 on arbitrary killings by the Ethiopian security forces in November 2005. Though not formally charged so far, he would be at great risk to his safety if forced to return to Ethiopia. EHRCO, which is the Ethiopia Focal Point of the Network, has been heavily restricted in its activities, though not directly attacked, in the continuing crisis since November.

Four prominent human rights defenders are among the prisoners of conscience in the Ethiopian treason trial:

- Professor Mesfin Woldemariam, now aged 76, founder in 1991 and chair until 2005 of the Ethiopian Human Rights Council;
- Daniel Bekele, a human rights lawyer and policy, research and advocacy manager of the Ethiopian office of ActionAid, an international development agency, who was engaged in the Global Call for Action against Poverty (GCAP);
- Netsanet Demissie, a human rights and environmental rights lawyer and founder and director of the Organisation for Social Justice in Ethiopia (OSJE), which had monitored the elections and joined in the GCAP campaign;
- Kassahun Kebede, a teacher and chair of the Addis Ababa branch of the Ethiopian Teachers Association (ETA), which the government has been trying to shut down, and whose president, Dr Taye Woldesemayat, is being tried in his absence.

In **Uganda, Kenya and Tanzania** (except for Zanzibar), HRDs have generally been able to pursue their activities openly and freely for most of the time (though not always achieving redress for abuses or receiving much government cooperation or wide community support) – except, in Uganda for example, on the sensitive issues described above, such as LGBT rights, media freedom and the war in the north. The new NGO bill in Uganda, containing clauses restricting NGO fundraising and activities, was passed in April

In **Zanzibar** however, HRDs such as the Zanzibar Legal Services (a member of the Network), had difficulty in monitoring abuses by the security forces against members of the opposition Civic United Front (CUF) party before, during and after the October 2005 elections, and in obtaining justice for victims. The semi-autonomous Zanzibar government continued to deny registration to the Zanzibar Human Rights Association (ZAHURA), restrict the private media, and prevent the official Tanzania National Human Rights Commission and the independent Legal and Human Rights Centre (LHRC – the Tanzania Focal Point of the Network) from being active in Zanzibar.

¹¹ See Amnesty International's report of May 2006, Ethiopia – Prisoners of conscience on trial for treason: opposition party leaders, human rights defenders and journalists, AI Index: AFR 25/013/2006

In **Sudan** human rights defenders continued to be harassed, interrogated by the security service and sometimes detained, especially in the humanitarian and human rights crisis region of Darfur. HRDs in Darfur have worked closely with human rights monitors of the UN Peace Keeping Force, despite major security concerns.

On 22 January, a meeting of international and Sudanese NGOs in Khartoum (including AI representatives) during the African Union Summit was raided by the security forces. They demanded files, laptops and papers to be handed over. Most participants resisted this and refused to accept being separated as men and women or national and international. Participants were detained briefly and threatened.

UN human rights monitors in Darfur and other parts of Sudan worked closely with Sudanese HRDs. Yet in Darfur, HRDs continued to be harassed and arrested. Four staff members and a volunteer working for the Sudan Development Organization (SUDO), an independent NGO, were arrested on 13 February while conducting a training workshop on human rights monitoring at al-De'ain University. They were released without charge after seven hours. On 16 May two human rights lawyers working with the Amal Centre for Treatment and Rehabilitation of Victims of Torture in Nyala were detained for a few days. They were then ordered to report daily to the national security service, which was lifted after worldwide protests.

In February the government enacted a new NGO law which imposed severe restrictions on NGOs working in Sudan as well as granting excessive regulatory power to the government over the operations of NGOs. The following month the government's Humanitarian Aid Commission (HAC), which governs humanitarian NGOs in Sudan, ordered the closure of the offices, medical centres and feeding centre of SUDO in Darfur, seized its vehicles and froze its bank account. The HAC claimed SUDO had not applied for registration under the new NGO law – though it had not yet come into force and NGOs had 60 days to re-register. After protests, SUDO was allowed to resume its activities in April.

The Network through its Coordinator, Hassan Shire Sheikh, has issued 26 news releases about human rights violations against human rights defenders in these countries¹². They featured cases (some mentioned above) from **Somalia** (including Puntland), **Ethiopia**, **Sudan**, **Eritrea**, **Uganda** and **Kenya**. Many were about journalists whose right to freedom of expression was violated through arrest, shutdown of publications, beating or expulsion from the country, when their published articles sought to protect citizens' human rights by criticizing the authorities.

Assisting HRDs at risk

Since the end of the conference in early November 2005, the Network has been able to assist several HRDs at risk who had sought refuge in Uganda due to persecution in their home countries. Its office in Kampala assisted HRDs in their dealing with Ugandan authorities, applications for obtaining refugee status and in approaching foreign Embassies for visas for travel outside Uganda. The Network was particularly successful in soliciting emergency funds from donor organisations covering some of the most urgent living expenses of the HRDs who were destitute. It gave them office facilities and internet access which allowed them to continue their human rights work and stay in contact with their colleagues back home. In general, the Network aims at providing first hand assistance and protection to HRDs at immediate risk for a defined period until a return to

¹² Further activities of the EHAHRD Project in support of human rights defenders have included attendance at the African Commission on Human and Peoples' Rights in The Gambia in May 2006.

their home country is deemed safe, or resettlement to a third country is agreed upon by all involved actors.

Amnesty International has also been assisting HRDs from East Africa and the Horn through its own programme for African HRDs which is located in its Africa Regional Office in Kampala. This includes emergency support, placement and internship for HRDs at risk and general campaigning and advocacy on their behalf. Over 30 HRDs are currently supported in Africa through this programme, including nine from East Africa and the Horn. They have been assisted in response to serious threats and insecurity they were facing in their countries. In particular, the internship component of the programme has not only helped protect HRDs at risk from further persecution, but also given them an opportunity to continue their HRD work and utilize their skills and experiences in their host countries.

HOW TO CONTACT THE NETWORK

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Appendix A

DECLARATION OF THE EAST AND HORN OF AFRICA HUMAN RIGHTS DEFENDERS NETWORK

We, Human Rights Defenders from Djibouti, Eritrea, Ethiopia, Kenya, Somalia and Somaliland, Sudan including Southern Sudan, Tanzania and Uganda, meeting at the East and Horn of Africa Human Rights Defenders Conference organized by the East and Horn of Africa Human Rights Defenders Project and Amnesty International, held at the Windsor Lake Victoria Hotel, Entebbe, Uganda from 30 October to 4 November 2005;

Recalling that Human Rights Defenders are men and women working for the promotion and protection of regionally and internationally recognized human rights, including those working on civil and political rights as well as economic, social and cultural rights, through peaceful means;

Taking into consideration the significant role that Human Rights Defenders, including Women Human Rights Defenders, play in the promotion and consolidation of peace, human rights, good governance, democracy and rule of law;

Deeply concerned about the great personal risks and dangers Human Rights Defenders face, including harassment, cruel and degrading punishments, torture, intimidation, death threats, imprisonment, abductions, arbitrary arrests, extrajudicial killings and detention in unauthorized detention centres;

Deeply concerned that Human Rights Defenders are, at times, subjected to public statements that dehumanize and demoralize them, including smear campaigns, political persecution, vilification and constant surveillance;

Deeply concerned about the social and cultural environment in which women operate as Human Rights Defenders and the specific risks that they face, including social stigmatization, sexual harassment, gender discrimination, pressure exerted upon women human rights defenders by traditional practices, non-state actors, perpetrators of violence against women, and patriarchal society;

Mindful of the lack or insufficiency of national mechanisms for the effective protection of Human Rights Defenders and the lack of recognition by Governments and Governmental Institutions in the East and Horn of Africa of the existence of the United Nations Declaration on the Rights and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect universally recognized Human Rights and Fundamental Freedoms, 9 December 1998 (the UN Declaration on Human Rights Defenders);

Recognizing the existence of International and Regional instruments for the protection of Human Rights Defenders, including the UN Declaration on Human Rights Defenders, the European Union Guidelines on Human Rights Defenders and the African Commission on

Human and Peoples' Rights (African Commission) Resolution on the Protection of Human Rights Defenders and other regional and international instruments;

Emphasizing the important role that the UN Special Representative of the Secretary General on Human Rights Defenders and the African Commission Special Rapporteur on Human Rights Defenders in Africa play in the effective protection of Human Rights Defenders in the East and Horn of Africa;

Recognizing the importance of solidarity among Human Rights Defenders, networking and network building at national, sub-regional levels and with the international community as a vital source of protection for individual Human Rights Defenders;

CALL UPON:

All Governments and Governmental Institutions in the East and Horn of Africa to recognize the legitimacy and important role Human Rights Defenders play in the promotion and consolidation of peace, human rights, good governance, democracy and rule of law;

All Governments and Governmental Institutions in the East and Horn of Africa to ensure that national legislation and administrative regulations regarding non-governmental and civil society based organizations are in conformity with the principles enshrined in the UN Declaration on Human Rights Defenders and support the role of Human Rights Defenders;

All Governments and Governmental Institutions in the East and Horn of Africa to cooperate with the UN Special Representative of the Secretary General on Human Rights Defenders and the African Commission Special Rapporteur on Human Rights Defenders in Africa;

The African Union Members States and the African Commission to support the work of the UN and African Commission Special Mechanisms for the Protection of Human Rights Defenders and to develop a climate of respect for the work of Human Rights Defenders;

The United Nations and the African Commission Special Mechanisms for the Protection of Human Rights Defenders to pay particular attention to the situation of Human Rights Defenders in the East and Horn of Africa and to support their efforts in the promotion and protection of Human Rights;

The East African Community, the Inter-Governmental Authority on Development (IGAD), the African Union and the international community to engage in dialogue with relevant stakeholders with a view to protecting Human Rights Defenders;

The European Union to operationalize and give full effect to the European Union Guidelines on Human Rights Defenders of June 2004, in particular in providing adequate resources to Human Rights Defenders in the region and to enable them to carry out their human rights work;

The international community, African governments, inter-governmental organizations and UN specialized agencies, UN Field Presences and Country Teams working in Africa for human rights, development, reconstruction of war-torn areas, women, children, refugees and internally displaced persons, for example, to include in their strategies and programmes, the promotion of human rights and support for Human Rights Defenders in the East and Horn of Africa;

The Human Rights Defenders in the East and Horn of Africa to support and participate actively in the success of the work of the Network;

AND RESOLVE TO:

Stand shoulder to shoulder and demonstrate unflinching support for Human Rights Defenders, in particular those working under threat in situations of armed conflict, and those facing political and legal repression and other forms of violations;

Support the regional and international special mechanisms for the protection of Human Rights Defenders;

Disseminate this Declaration and implement the Action Plan of the East and Horn of Africa Human Rights Defenders Network.

**Adopted by acclamation,
4 November 2005, Entebbe, Uganda**

Appendix B

Plan of Action

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

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
- Difficulties faced in doing human rights work in countries where there are no Human Rights organizations, such as Eritrea
- Difficulties faced in doing human rights work in failed states
- Lack of adequate financial and other resources
- Inadequate access to information
- Lack of recognition of the work of Women Human Rights Defenders
- Inadequate numbers of Women Human Rights Defenders at the policy and decision making levels of human rights organizations

The legal environment

- Lack of national legislation that complies with international and regional standards on the protection of Human Rights Defenders
- 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

The political environment

- Lack of recognition of the particular experiences faced by Women Human Rights Defenders
- Lack of awareness and acceptance of issues relating to sexual minorities and other marginalized groups
- Insufficient freedom of expression, government control of media
- Victimization of Human Rights Defenders through government-sponsored slander and defamation
- 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

The psycho-social environment

- Human Rights Defenders are at high risk of direct trauma, vicarious traumatization, and burnout
- Lack of institutionalized psycho-social support for Human Rights Defenders at all levels
- Lack of space and resources to deal with the trauma and fear experienced by Human Rights Defenders at all levels.

Strategies and Actions

1. Strategies to enhance the capacity of Human Rights Defenders

- Develop a gender analysis framework in the context of human rights work
- Commit to reviewing Human Rights Defenders organizations' policies and procedures through the lens of gender analysis, and to implementing changes as required
- Train Human Rights Defenders to use regional and international instruments and special mechanisms for the protection of Human Rights Defenders (UN Declaration on Human Rights Defenders, EU Guidelines on Human Rights Defenders, African Commission Mechanisms, UN Mechanisms)
- Recognize minority rights defenders
- Raise awareness and education on the special needs of sexual minorities defenders and those defending the physically challenged and other marginalized groups
- Undertake training on risk management, fundraising, communications and media work
- Develop skills for more effective report-writing, documentation and program evaluation
- Develop a media strategy and use the media to raise the profile of the work of Human Rights Defenders
- Develop an online Resource and Documentation Centre, including a website, searchable database and resources
- Facilitate access to funds for emergency needs
- Establish and maintain relationships with organizations that have special programs on the protection of Human Rights Defenders (the Urgent Action Fund in Africa, Amnesty International's HRD Protection and Internship Programme and Frontline's Small Grants Programme)

2. Strategies to enhance the legal protection of Human Rights Defenders

- Analyze national legislation that does not comply with international and regional standards on the protection of Human Rights Defenders
- Raise awareness on laws that hinder the work of Human Rights Defenders, through public education and outreach activities
- Advocate and lobby Governments and national institutions to conform with international and regional instruments for the protection of human rights defenders
- Lobby to ensure government compliance with legal decisions
- Develop training programmes targeting Government officials, other authorities, decision-makers and policy-makers on issues related to the work and protection of Human Rights Defenders

- The Secretariat of the Network should respond to and provide support in urgent Human Rights Defenders' situations by facilitating access to national, regional and international mechanisms
- Encourage proactive strategies and actions in the work of Human Rights Defenders, which may include early warning mechanisms and ongoing evaluation of the environment through risk management tools
- Send communications on individual Human Rights Defenders' cases to both the regional and international mechanisms for the protection of Human Rights Defenders
- Monitor and observe trials of individual Human Rights Defenders
- Support Human Rights Defenders, particularly Women Human Rights Defenders and other marginalized groups, to access the legal system and obtain appropriate remedies.

3. Strategies to enhance the political environment for 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
- Approach EU Missions and other Embassies to raise awareness on the EU Guidelines on Human Rights Defenders, and to gain commitment for their implementation
- The Network should apply for observer status with the African Union and the African Commission on Human and Peoples' Rights
- Establish and maintain regular contacts with both the regional and international mechanisms for the protection of Human Rights Defenders
- Raise awareness with the authorities on the gender-specific persecution of Women Human Rights Defenders
- Commit to support the international campaign on Women Human Rights Defenders
- Raise awareness and lobby transnational and national corporations in regards to their obligations to adhere to international human rights norms and standards
- The network and national coalitions should establish contacts with local, regional and international media organizations to raise awareness on the situations of Human Rights Defenders

4. Strategies to develop psycho-social support for Human Rights Defenders

- Establish and maintain contacts with national, regional and international trauma, anti-torture and rehabilitation centres
- Involve these centres in providing psycho-social support for Human Rights Defenders, either through direct service or through capacity building (train-the-trainer sessions)
- Commit to create space and develop a model for network members to run facilitated peer-support groups on a regular basis.

Appendix C

Conference Agenda

SUNDAY, October 30, 2005

2:00 pm – 5:00 pm	Registration
3:00 pm – 5:00 pm	Opening Reception Arrival of Delegates

MONDAY, October 31, 2005

8:00 am – 9:00 am	Registration
9:00 am – 10:30 am	Welcoming Remarks Hassan Shire Sheikh, East and Horn of Africa Human Rights Defenders Project Coordinator
	Opening Plenary Keynote Address: Alex Neve, Director of Amnesty International Canada
	Keynote Speech: Janaiba Johm, Special Rapporteur on HRDs in Africa (delivered on her behalf by Annie Rashidi Mulumba)
	Opening Address: Margaret Sekaggya, Chairperson, Uganda Human Rights Commission
10:30 am – 11:00 am	Morning Break
11:00 am - 1:00 pm	Country Reports/Examining Challenges Faced by Human Rights Defenders
1:00 pm – 2:00 pm	Lunch Break
2:00 pm – 3:30 pm	Workshop A: HRDs working in a situation of armed conflict Workshop B: HRDs facing political repression Workshop C: HRDs facing legal repression
3:30 pm – 4:00 pm	Afternoon Break
4:00 pm – 5:00 pm	Plenary Session: Workshop Reports
5:00 pm – 5:30 pm	Wrap up and Lessons learned
7:00 pm	Dinner

Exhibits Open

TUESDAY, November 1, 2005

9:00 am – 10:30 am	Exhibits Open	International and Regional Instruments for Human Rights Defenders Musa Gassama, International Service for Human Rights
10:30 am – 11:00 am		Morning Break
11:00 am - 12:30 pm		Workshops on the use of International and Regional Protection Mechanisms
12:30 pm – 2:00 pm		Lunch Break
2:00 pm – 3:30 pm		Peace Brigades International – Risk Assessment and Security Management Luis Van Isschot, Peace Brigades International
3:30 pm – 4:00 pm		Afternoon Break
4:00 pm – 5:30 pm	Exhibits Open	Workshop A: Managing security in a situation of armed conflict
		Workshop B: Managing security when facing political repression
		Workshop C: Managing security when facing legal repression
5:30 pm – 6:30 pm		Plenary Session: Workshop Reports
6:30 pm – 7:00 pm		Wrap up and Lessons learned

WEDNESDAY, November 2, 2005

9:00 am – 10:30 am	Exhibits Open	Mainstreaming Gender and Engendering Human Rights Defenders Faiza Jama Mohamed, Equality Now
10:30 am – 11:00 am		Morning Break
11:00 am - 12:30 pm		Women HRDs: Bangkok Report and Practical Campaigns by Equality Now Faiza Jama Mohamed, Equality Now
12:30 pm – 2:00 pm		Lunch Break
2:00 pm – 3:30 pm		Trauma Counselling and Coping Strategies for Human Rights Defenders Teresa Dremetsikas, Canadian Centre for Victims of Torture (Toronto) and Michele Millard, Centre for Refugee Studies (York University, Toronto)
3:30pm – 4:00 pm		Tea Break
4:00pm – 5:00 pm		Trauma Counselling and Coping Strategies for Human Rights Defenders (continued)
5:00 pm – 6:30 pm		Trauma Counselling – follow up
6:30 pm – 7:00 pm		Wrap up and Lessons Learned

7:00 pm		Dinner
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THURSDAY, November 3, 2005

9:00 am – 10:30 am	Exhibits Open	Lobbying and Media Work for Human Rights Defenders Keith Rimstad (Amnesty International Canada): Experience of Campaigning for HRDs in Latin America
10:30 am – 11:00 am		Morning Break
11:00 am - 12:30 pm		Planning and organizing advocacy work on behalf of HRDs Bashair Ahmed (Amnesty International Secretariat, Eastern Africa team)
12:30 pm – 2:00 pm		Lunch Break
2:00 pm – 3:30 pm		Workshop A: Devising an action plan for HRDs in situations of armed conflict
		Workshop B: Devising an action plan for HRDs facing political repression
		Workshop C: Devising an action plan for HRDs facing legal repression
3:30 pm – 4:00 pm		Afternoon Break
4:00 pm – 5:00 pm		Plenary: Presenting workshop action plans
7:00 pm		Gala Dinner

FRIDAY, November 4, 2005

9:00 am – 10:30 am	Exhibits Open	Launching the East and Horn of Africa HRD Network Hassan Shire Sheikh, East and Horn of Africa Human Rights Defenders Project
10:30 am – 2:30 pm		Closing Remarks and Press Conference Jean Lokenga, Africa Human Rights Defenders Coordinator, Amnesty International