



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

**Overview of the Human Rights Situation
in the East and Horn of Africa
April – October 2016**

Report submitted to the 59th Ordinary Session of the
African Commission on Human and Peoples' Rights (ACHPR)
Banjul, The Gambia, October 2016

DEFENDEFENDERS
(THE EAST AND HORN OF AFRICA HUMAN RIGHTS DEFENDERS PROJECT)
Human Rights House, Plot 1853, Lulume Rd., Nsambya
P.O. Box 70356 Kampala, Uganda
Phone: +256 393 265 820
Website: <http://www.defenddefenders.org>

Contacts

Hassan Shire Sheikh (Executive Director)
executive@defenddefenders.org, +256 772 753 753

Clementine de Montjoye (Advocacy & Research Manager)
advocacy@defenddefenders.org, +256 752 183 305

Estella Kabachwezi (Advocacy Officer)
advocacy@defenddefenders.org, +256 782 360 460

Introduction

DefendDefenders (the East and Horn of Africa Human Rights Defenders Project) welcomes the opportunity offered by the 59th Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) to highlight some of the current human rights issues in the East and Horn of Africa sub-region for the period from April to October 2016. DefendDefenders also extends its appreciation to the African Union and the ACHPR for designating 2016 as the year of human rights with a special focus on women, but expresses deep concern at so many governments' failure to respect their obligations under the African Charter on Human and Peoples' Rights.

This report was prepared with the assistance of reports and information sent to DefendDefenders, the secretariat of the East and Horn of Africa Human Rights Defenders Network by our members and partners from the sub-region.

Disregarding their obligations under the African Charter on Human Rights Peoples' Rights, the past six months have seen governments seek to restrict legitimate expressions of dissent in their many forms, and target civil society through sustained strategies of repression across the sub-region, often in complete impunity.

Since April 2016, DefendDefenders and its partners have documented grave human rights violations and abuses throughout severe political, human rights, and humanitarian crises in **Burundi, Ethiopia, Sudan, and South Sudan**. Human rights defenders shining light on these violations and abuses have been repeatedly targeted, including through harassment, arrests and detentions, physical attacks and torture, disappearances, and killings.

At the same time, tensions triggered by political disputes during electoral periods in **Djibouti, Kenya, Rwanda, Somalia, Tanzania, and Uganda** have continued to rise to varying degrees, and this report highlights patterns of harassment, intimidation and attacks on human rights defenders and renewed government clampdowns on the work of journalists.

In **Eritrea**, a UN Commission of Inquiry accused the government of committing crimes against humanity in June 2016, and recommended that the African Union establish an accountability mechanism to investigate, prosecute and try individuals reasonably believed to have committed crimes against humanity.

In many countries in the sub-region regressive legislation was passed and continues to be used, curtailing citizens' rights to free expression, association and peaceful assembly. In

several countries, counter-terrorism and national security laws are used to target legitimate expression, and governments now regularly turn to internet shutdowns and social media blackouts to stifle online expression during politically charged periods. Authorities seeking to obstruct human rights activities launch spurious or baseless judicial proceedings against independent human rights defenders, and continue to employ administrative harassment to disrupt the work of legitimate human rights organisations.

Recommendations:

In light of the updates and observations contained in this report, DefendDefenders (East and Horn of Africa Human Rights Defenders Project) offers the following recommendations for action by the African Commission on Human and Peoples' Rights:

- Call on the government of Ethiopia to allow access to an international, independent and impartial investigation, cease the violent crackdown on the Oromo Protests unfolding since November 2015, and ensure that the current state of emergency does not lead to further violations of fundamental non-derogable human rights as they are enshrined in the African Charter on Human and Peoples' Rights and international covenants which Ethiopia had ratified;
- Refer Eritrea to the African Union Executive Council for the consistent failure to comply with the decisions and recommendations of the African Commission; urge the African Union Peace and Security Council to place Eritrea on its agenda and periodically review the situation of human rights in the country, and urge the African Union to implement the recommendations of the United Nations Commission of Inquiry on Eritrea
- Carry out a Commission of Inquiry into serious violations of the Charter and international humanitarian law in the regions of Southern Kordofan and Blue Nile in Sudan and ensure that perpetrators are held to account without delay, and call on the government of Sudan to instruct forces under State control to immediately end all deliberate and indiscriminate attacks against civilians and grant immediate and unfettered access for humanitarian aid agencies to all populations in need;
- Condemn and call the AU to take a firm stance on the decision to declare three UN-mandate experts, including an ACHPR Commissioner, *persona non grata*; and call on the Burundian government to fully cooperate with AU-mandated observers and allow them safe access to information, witnesses and victims in all parts of the country;

- Call on the African Union to advance the process of establishing a Hybrid Court in South Sudan to deliver the first steps towards accountability for the many egregious human rights violations and violations of international law that have been committed in South Sudan since December 2013;
- Call on all member States to ensure the protection of human rights defenders, notably by observing the African Charter on Human and Peoples' Rights and other human rights treaties to which most of these countries are signatories, and by adopting national laws for the protection of human rights defenders;
- Call on all member States who have not done so to deposit the declaration under article 34 (6) of the protocol of the African Court on Human and Peoples' Rights to allow individuals and NGOs to directly submit their cases to the court, and condemn Rwanda's decision to withdraw its declaration;
- Reaffirm its support for the International Criminal Court, and urge AU member states to ensure that the perpetrators of crimes under international human rights law and international humanitarian law do not benefit from impunity, and condemn Burundi's decision to withdraw from the ICC;
- Recognise that the rights contained in the African Charter on Human and Peoples' Rights apply to all people without discrimination on any grounds, including sexual orientation and gender identity;
- Encourage full engagement with the ACHPR by States in the sub-region, especially those in transition or conflict periods, such as Somalia and South Sudan, including by urging States to invite visits from the Commission and to submit periodic reports.

BURUNDI

Since incumbent president Pierre Nkurunziza announced his intention to run for a third term in April 2015, a grave and pervasive human rights crisis has engulfed Burundi. A failed *coup d'état* in May 2015 sparked a swift and systematic crackdown by the government and its security apparatus, and triggered targeted and repeated attacks on its once thriving civil society, so severe that there are no independent human rights defenders working freely in the country today.

Old and emerging human rights groups operating with one foot on either side of the Rwanda-Burundi border regularly report disappearances, torture and killings taking place in complete impunity. Since the beginning of the crisis, the deliberate and violent targeting of human rights defenders, journalists and their family members resulted in the deaths and serious injury of several activists, while an estimated 310,000 Burundians fled the country.¹

Following the publication of a damning report by UN Human Rights Council mandated experts in September 2016, the Burundian government declared the three experts *persona non grata*, suspended its cooperation with the Office of the High Commissioner for Human Rights, and voted to withdraw from the International Criminal Court.²

Freedom of expression

Since April 2016, the government-led crackdown on free and independent media has continued to the point where today most, if not all, independent reporting has been stamped out. Following the May 2015 attacks on independent radio stations, over 100 journalists have fled to neighbouring countries and those that remain are regularly subjected to arrest, disappearance or extrajudicial killings.

On 5 June, Egide Ndayisenga, a journalist with Radio Bonesha, was arrested in Cibitoke and held until 7 June.³ According to SOS-Torture Burundi, on 17 June 2016 another journalist, Julien Barinzigo from Oximity News, was arrested in Kamenge and detained.⁴

¹ UNHCR, Burundi Country Overview, <http://data.unhcr.org/burundi/regional.php> Accessed on 20 October 2016

² FIDH, "Burundi votes to withdraw from the ICC and interrupts its international cooperation, amid a backdrop of continued international crimes", 14 October 2016, <https://www.fidh.org/en/region/Africa/burundi/burundi-votes-to-withdraw-from-the-icc-and-interrupts-its>, Accessed on 20 October 2016

³ Radio Bonesha, "Burundi : Le journaliste Egide Ndayisenga libéré", 7 June 2016, <http://www.bonesha.bi/Burundi-Le-journaliste-Egide.html>, Accessed 17 October 2016

⁴ SOS Torture, "Rapport no. 28", 25 June 2016, <http://sostortureburundi.over-blog.com/2016/06/sos-torture-burundi-n-28.html>, Accessed 17 October 2016

On 22 July Jean Bigirimana, a journalist with IWACU newspaper, went missing.⁵ According to unconfirmed reports, Mr. Bigirimana was arrested by members of the Burundian intelligence and sources on the ground and his family fear he has been killed.

On 18 August, Irakoze Gisa Steve, a radio presenter with Buja FM, was arrested by the National Intelligence Service. According to the Public Information Officer of the Burundi National Police, he was detained for endangering state security and released the following week. Due process is rarely respected during these arrests and detentions, and no investigations have been conducted into allegations of torture or ill treatment.

The difficulties and risks faced by journalists have had a direct impact on the amount of information available on the situation in the country. The pervasive climate of fear that reigns in Burundi today has led most outspoken critics to leave the country or practice self-censorship.

Levels of censorship and the government's sensitivity to criticism rose to unprecedented levels in June, when 300 high school pupils were suspended from Ruziba Secondary School⁶ and a further 230 students were suspended in Ruyigi for doodling on photos of President Nkurunziza.⁷

On 20 August, 54 members of a WhatsApp group were arrested in a bar of Bujumbura and accused of committing "cybercrimes" by the spokesperson of the Ministry of Public Security. All were released the same day, except for 8 members who have been released since.⁸

The obstruction of online platforms has had a direct impact on human rights work since Burundians have increasingly taken to social media and secure messaging apps such as WhatsApp to share information on developments in the country, particularly since independent radio stations were attacked and burnt down in May 2015.

Freedom of association

⁵ Human Rights Watch, "Where is Burundian Journalist Jean Bigirimana?", 22 August 2016, <https://www.hrw.org/news/2016/08/22/where-burundian-journalist-jean-bigirimana>, Accessed 17 October 2016

⁶ Atrocities Watch, "Burundi Watch Update", 30 May – 5 June 2016, <http://atrocitieswatch.org/images/statements/BurundiWatchUpdate16.pdf>, Accessed 17 October 2016

⁷ Reuters, "Burundi school sends home 230 students for defacing president's photo", 15 June 2016, <http://af.reuters.com/article/topNews/idAFKCN0Z10LR>, 17 October 2016

⁸ RFI, "Burundi: arrestation des membres d'un groupe de discussion WhatsApp", 24 August 2016, http://www.rfi.fr/afrique/20160824-burundi-arrestation-groupe-whatsapp-communication?ref=tw_j, Accessed 17 October 2016

Throughout 2016, Burundian authorities have continued to harass, arrest, disappear and at times kill civil society, media activists and political opposition members in retribution for their role in organising or participating in the April 2015 anti-third term protests. Since the government froze the bank accounts of prominent human rights organisations in November 2015, independent civil society has been largely decimated and its ability to conduct human rights monitoring and advocacy heavily impeded. Many human rights defenders now work from exile, while those who remain in the country face one of the most restricted and dangerous working environments in the sub-region.

Those suspected of belonging to opposition movements frequently face torture and other inhumane treatment at the hands of Burundian police, national intelligence services and the *Imbonerakure*, the ruling party's youth league.⁹ For example, on 27 May 2016, Burundian monitoring group SOS-Torture reported that two opposition activists with the Movement for Solidarity and Democracy, Léonard Karabona and Emmanuel Mademeza were arrested at Gitasi IDP camp in Ngozi.¹⁰

On 29 July, following the UN Committee Against Torture's (CAT) special session on Burundi, the Prosecutor General at the Court of Appeals of Bujumbura asked the Burundi Bar Association to disbar four prominent human rights lawyers.¹¹ Armel Niyongere, Lambert Nigarura, Dieudonné Bashirahishize and Vital Nshimirimana were part of a coalition of Burundian and international civil society organisations, including DefendDefenders, which submitted a shadow report in advance of the CAT.¹² They also offered their testimonies in late July, when the CAT examined allegations of torture, arbitrary arrests, extrajudicial killings and enforced disappearances in Burundi.¹³ The Burundian government delegation refused to attend the second half of the session.

⁹ Human Rights Watch, "Burundi: Intelligence Services Torture Suspected Opponents", 7 July 2016, <https://www.hrw.org/news/2016/07/07/burundi-intelligence-services-torture-suspected-opponents>, Accessed 17 October 2016

¹⁰ SOS Torture, "Rapport no 25", 4 June 2016, <http://sostortureburundi.over-blog.com/2016/06/sos-torture-burundi-n-25.html>, Accessed on 17 October 2016

¹¹ DefendDefenders, "Burundi: Government threatens reprisals and walks out during special review by UN Committee against Torture", 12 August 2016, <https://www.defenddefenders.org/2016/08/burundi-government-threatens-reprisals-walks-special-review-un-committee-torture/> Accessed on 17 October 2016

¹² DefendDefenders, "Examination of Burundi by the Committee against Torture: civil society condemns a human rights crisis", 26 July 2016, <https://www.defenddefenders.org/2016/07/examination-of-burundi-by-the-committee-against-torture-civil-society-condemns-a-human-rights-crisis/>, Accessed on 17 October 2016

¹³ Convention against Torture and Other Cruel Inhuman or Degrading Treatment or Punishment, Review of Burundi, 58th Session (25 Jul 2016 - 12 Aug 2016), http://tbinternet.ohchr.org/_layouts/treatybodyexternal/SessionDetails1.aspx?SessionID=1084&Lang=en, Accessed on 17 October 2016

Exiled Burundians have expressed fear that they may still be vulnerable to attacks in neighbouring countries. Burundian activist Léon Ntakiyiruta was violently attacked on the night of 8 August Nakivale Refugee Settlement in Uganda.¹⁴ Before leaving Burundi in January, Mr Ntakiyiruta had been a human rights monitor in Makamba province for the *Association pour la Protection des Droits Humains et des Personnes Détenues* (APRODH) and the chair of the justice and human rights thematic group of the *Forum pour la Conscience et le Développement* (FOCODE). He continued his work in exile by assisting various investigatory missions, collecting testimonies and identifying victims of and witnesses to human rights violations.

Freedom of peaceful assembly

Even though Article 30 of Burundi's constitution protects the right to peaceful assembly, public demonstrations in Burundi have become virtually impossible due to the systematic and excessive use of force by security forces. Peaceful demonstrations in April 2015 against and the president's run for a third mandate sparked a brutal and deadly repression of dissent.

In early June 2016, spontaneous protests which broke out in response to the arrest of school children for defacing pictures of the president were met with violence by police who used live ammunition and wounded three protestors.

DJIBOUTI

On 8 April 2016, Djibouti held presidential elections despite allegations of fraud by opposition parties, and incumbent president Ismaïl Omar Guelleh was re-elected for a fourth term with 87% of the vote in the first round.

A preliminary statement by the IGAD election observation mission stated that the elections were “conducted in a transparent, peaceful, and orderly manner and in accordance with the Constitution and the laws governing the Republic of Djibouti.”¹⁵

On 4 April, the BBC reported that Djiboutian authorities detained and expelled its team of reporters and producers, who had travelled there to cover the 2016 presidential elections.¹⁶

¹⁴ SOS Torture, Rapport no 35, 13 August 2016, <http://sostortureburundi.over-blog.com/2016/08/sos-torture-burundi-n-35.html>, Accessed on 17 October 2016

¹⁵ IGAD Election Observation Mission to the Presidential Election in the Republic Of Djibouti, Preliminary Statement, 9 April 2016, http://www.igadportal.org/attachments/1313_Preliminary%20%20Statement%20of%20the%20IGAD%20EOM%20to%20Djibouti%20presidential%20elections%202016.pdf, Accessed 17 October

Freedom of expression

In the aftermath of the country's largely cosmetic presidential elections, journalists have continued to face arbitrary arrest and detention in response to their work. *L'Aurore*, Djibouti's only privately owned media outlet, was suspended in August 2016 after its co-director and chief editor Kadar Abdi Ibrahim was arrested. It had previously been suspended for two months in January and February 2016.¹⁷ Kadar Abdi Ibrahim was arrested on 12 August at Djibouti's international airport. He was prevented from entering the airport and was accompanied by former Minister Hamoud Abdi Souldan who is now part of the political opposition.¹⁸ Police officers confiscated his iPad and detained him at a police station north of the capital for 48 hours.

Freedom of association

Moreover, the *Ligue Djiboutienne des Droits de l'Homme*, the country's only independent human rights organisation, regularly faces harassment and administrative obstacles to its work. It also has reported multiple instances where individuals expressing complaints over resource allocation, access to water, or forced displacements have been arbitrarily detained and at times exposed to ill treatment and torture.

Local judicial authorities have ordered the liberation of Mohamed Ahmed, a leader of opposition party *Front pour la restauration de l'unité et de la démocratie* (FRUD) who has been jailed since May 2010. Despite orders to release him he remains in prison, while his lawyers call for due process to be respected.

The International Criminal Court referred Djibouti and Uganda, both signatories to the Rome Statute, to the UN Security Council and the Assembly of State Parties, after their governments failed to arrest Sudanese president Al-Bashir during official visits in May 2016.¹⁹

¹⁶ Reporters Without Borders, "Djibouti clamps down on journalists in run-up to poll", 5 April 2016, <https://rsf.org/en/news/djibouti-clamps-down-journalists-run-poll>, Accessed 17 October 2016

¹⁷ Alkarama, "Djibouti: Suspension du journal l'Aurore et prison avec sursis pour son co-directeur de publication", 22 January 2016, <http://fr.alkarama.org/item/1998-djibouti-suspension-du-journal-l-aurore-et-prison-avec-sursis-pour-son-co-directeur-de-publication>, Accessed on 17 October 2016

¹⁸ Alwihda Info, "Djibouti: arrestation de l'opposant Kadar Abdi Ibrahim, une victime de qui ?", 11 August 2016, http://www.alwihdainfo.com/Djibouti-arrestation-de-l-opposant-Kadar-Abdi-Ibrahim-une-victime-de-qui_a38694.html, Accessed 17 October 2016

¹⁹ Deutsche Welle, "ICC refers Uganda and Djibouti to UN for not arresting al-Bashir", 12 July 2016, <http://www.dw.com/en/icc-refers-uganda-and-djibouti-to-un-for-not-arresting-al-bashir/a-19396326>, Accessed 17 October 2016

ERITREA

Eritrea remains one of the most closed and repressive countries in the world, where the government has been accused of systematic, gross and widespread human rights violations, including crimes against humanity. Fundamental rights to freedom of association, assembly, and expression are close to non-existent.

Freedom of association

There are currently no independent national or foreign NGOs able to function in Eritrea. The Non-Governmental Organisation Administration Proclamation (2005), places severe restrictions on NGOs, including on the funding which the UN and bilateral agencies can provide, and requires that donor funds flow through the government.²⁰

Indefinite military conscription has been a major factor in the mass exodus of Eritreans from the country. On 3 April 2016, an unconfirmed number of young conscripts who attempted to escape national military service were killed after armed forces opened fire in the centre of the capital, Asmara.²¹

Freedom of peaceful assembly

While freedom of assembly is protected in the Eritrean constitution and the government claims that “freedom of association and assembly in Eritrea is respected by law and deeds”, gatherings and assemblies remain heavily restricted.²² Groups of more than seven individuals cannot gather without prior approval from the authorities.

Participating in demonstrations outside of Eritrea also entails risks, if not for individuals taking part in the assemblies then for their family members in Eritrea. The UN Commission of Inquiry’s second and last report gave the example of the arrest of a mother in Eritrea after her son joined a demonstration in Addis Ababa, Ethiopia, in June 2015.²³

²⁰ Eritrean Administration Proclamation No. 145/2005

²¹ BBC, “Eritrean army conscripts 'killed in Asmara escape bid',” 6 April 2016, www.bbc.co.uk/news/world-africa-35977605

²² Shabait, “UNHCR Eligibility Guidelines: Factual Findings or Recycled Defamation?,” 17 December 2015, <http://www.shabait.com/news/local-news/20954-unhcr-eligibility-guidelines-factual-findings-or-recycled-defamation>

²³ OHCHR, “Detailed findings of the commission of inquiry on human rights in Eritrea,” 8 June 2016, http://www.ohchr.org/Documents/HRBodies/HRCouncil/CoIEritrea/A_HRC_32_CRP.1_read-only.pdf

Freedom of expression

The severe crackdown on the right freedom of expression began in earnest in 2001 with the arrest of at least 18 journalists and shut down of eight newspapers.²⁴ There are currently no remaining independent media houses within Eritrea. The country is regarded as the most censored nation in the world. At least 15 journalists continue to be held incommunicado in Eritrea's inscrutable jails, an additional 7 are believed to have died according to Reporter Without Borders.²⁵

Eritrean authorities regularly use intimidation and harassment to clampdown on free expression beyond its borders. For instance, several libel suits have been initiated against Dutch liberal newspapers, a radio station, a website, the Dutch government and academics, who have written or disseminated criticism of the Eritrean government. Most of these cases have been rejected, but have sparked vociferous attacks by social media users defending the government narrative.²⁶

ETHIOPIA

Throughout 2016, as the country has descended into a grave and deep-rooted political crisis, Ethiopian authorities have sought to restrict and repress largely peaceful expressions of dissent in all their forms. Authorities have responded to the continued protests in the Oromia and Amhara regions with the use of excessive and lethal force, resulting in hundreds of protesters killed and tens of thousands arrested. Restrictions on fundamental freedoms have directly impacted the ability of journalists, bloggers, and human rights monitors and activists to conduct work on the protests, and have significantly worsened since the protests in the Amhara region began in July 2016.

Freedom of peaceful assembly

²⁴ Article 19, "Eritrea: A Nation Silenced," 3 June 2013, <https://www.article19.org/resources.php/resource/3494/en/eritrea:-a-nation-silenced>

²⁵ Reporters Without Borders, "Eritrea ended media freedom 15 years ago this month", 21 September 2016, <https://rsf.org/en/news/eritrea-ended-media-freedom-15-years-ago-month>, Accessed on 18 October

²⁶ The Guardian, "How Eritrea is turning to Dutch courts to silence its critics," 1 March 2016, <https://www.theguardian.com/world/2016/mar/01/how-eritrea-is-turning-to-dutch-courts-to-silence-its-critics>

Since November 2015, Ethiopian security forces have routinely used excessive and unnecessary lethal force to disperse and suppress the largely peaceful protests in the Oromia region.²⁷ The protesters, who originally advocated against the dispossession of land without adequate compensation under the government's Addis Ababa Integrated Development Master Plan, since withdrawn, have been subjected to widespread rights violations. According to international and national human rights groups, at least 500 demonstrators have been killed and hundreds have suffered bullet wounds and beatings by police and military during the protests.

The situation in Ethiopia has become increasingly unstable since security forces repeatedly fired upon protests in the Amhara and Oromia regions in August 2016. On 6 and 7 August alone, Amnesty International reported at least 100 killings and scores of arrests during protests that took place across multiple towns in both regions.²⁸ Protesters had taken to the streets throughout the Oromia and parts of the Amhara regions to express discontent over the ruling party's dominance in government affairs, the lack of rule of law, land disputes, and grave human rights violations for which there has been no accountability.

Protests in the Amhara region began peacefully in Gondar on 31 July and spread to other towns in the region. A protest in Bahir Dar, the region's capital, on 7 August turned violent when security forces shot and killed at least 30 people.²⁹ On 30 August, stay-at-home strikers took to the streets of Bahir Dar again and were violently dispersed by security forces. According to the Association for Human Rights in Ethiopia (AHRE), in the week of 29 August alone, security forces killed more than 70 protesters and injured many more in several cities and towns across northern Amhara region.³⁰

Authorities have also arbitrarily arrested thousands of people throughout Oromia and Amhara during and after protests, including journalists and human rights defenders. Many of those detained are being held without charge and without access to family members or legal representation. Many of those who have been released report torture in detention. The continued use of unlawful, excessive and lethal force to repress the

²⁷ Human Rights Watch, "'Such a Brutal Crackdown': Killings and Arrests in Response to Ethiopia's Oromo Protests", 15 June 2016, <https://www.hrw.org/report/2016/06/16/such-brutal-crackdown/killings-and-arrests-response-ethiopia-omero-protests>, Accessed on 19 October 2016

²⁸ Amnesty International, "Ethiopia: Dozens killed as police use excessive force against peaceful protesters", 8 August 2016, <https://www.amnesty.org/en/latest/news/2016/08/ethiopia-dozens-killed-as-police-use-excessive-force-against-peaceful-protesters/> Accessed on 19 October

²⁹ BBC, "Ethiopia protests: 'Nearly 100 killed' in Oromia and Amhara", 8 August 2016, <http://www.bbc.com/news/world-africa-37015055>, Accessed on 19 October

³⁰ Association for Human Rights in Ethiopia, "AHRE urges Ethiopia to end use of lethal and excessive force against civilians", 2 September 2016, <https://ahrethio.org/2016/09/02/ahre-urges-ethiopia-to-end-use-of-lethal-and-excessive-force-against-civilians/#more-242> Accessed on 19 October 2016

movement has broadened the grievances of the protesters to human rights and rule of law issues.³¹

On 2 October, police shot into the air and fired tear gas to disperse large crowds of protesters during the annual Ireecha cultural festival in Bishoftu, Oromia causing a stampede as demonstrators tried to escape. Ethiopian authorities reported that at least 55 were killed, however local groups believe the number of casualties may have reached into the hundreds.³² The UN High Commissioner for Human Rights has made two calls for access to conduct an international, independent and impartial investigation into the alleged violations, which the Ethiopian government rejected.³³

Following rising unrest in the country, the Ethiopian government issued a six-month state of emergency on 9 October.³⁴ According to the state Ethiopian Broadcasting Corporation, the state of emergency aims to “deal with anti-peace elements that have allied with foreign forces and are jeopardizing the peace and security of the country.”³⁵ Under the current state of emergency, authorities have imposed broad and vaguely worded restrictions on fundamental and non-derogable rights. These include, *inter alia*, empowering Command Post to shut down communications channels, prohibit communication with "terrorist organisations and anti-peace groups designated as terrorist", order the arrest without warrant or trial of individuals suspected of using violence, impose curfews, prevent the organisation of protests "likely to cause disturbances, violence, hatred and distrust among the people", use proportionate force necessary for the implementation of the state of emergency.³⁶

Freedom of association

³¹ DefendDefenders, “HRC33: Addressing the escalating human rights crisis in Ethiopia”, 8 September 2016, <https://www.defenddefenders.org/2016/09/hrc33-addressing-escalating-human-rights-crisis-ethiopia/> Accessed on 19 October 2016

³² Association for Human Rights in Ethiopia, “AHRE condemns the violent act of security forces that causes the death of dozens at Irrecha festival”, 4 October 2016, <https://ahrethio.org/2016/10/04/ahre-condemns-the-violent-act-of-security-forces-that-causes-the-death-of-dozens-at-irrecha-festival/>, Accessed 17 October 2016

³³ DefendDefenders, “HRC33: Addressing the escalating human rights crisis in Ethiopia”, 8 September 2016, <https://www.defenddefenders.org/2016/09/hrc33-addressing-escalating-human-rights-crisis-ethiopia/> Accessed on 19 October 2016

³⁴ BBC, “Ethiopia declares state of emergency amid protests,” 9 October 2016, <http://www.bbc.com/news/world-africa-37600225>

³⁵ Al Jazeera, “Ethiopia declares state of emergency over protests,” 10 October 2016, <http://www.aljazeera.com/news/2016/10/ethiopia-declares-state-emergency-protests-161009110506730.html>

³⁶ Amnesty International, “Ethiopia: Reform Only Feasible Way Out of Mounting Crisis”, 18 October 2016, <https://www.amnesty.org/en/documents/afr25/5003/2016/en/>

Freedom of association is heavily restricted in Ethiopia by the Charities and Societies Proclamation (2009), which prevents NGOs that receive more than 10% of their funding from foreign sources from working on a range of human rights issues.

In July and August, four members of the Human Rights Council (HRCO), one of Ethiopia's only human rights organisations, were arrested and detained in Amhara and Oromia.³⁷ According to HRCO, their arrests were in relation to their work monitoring and documenting the on-going crackdown against protests.

Bulti Tesema, who had been working with HRCO to monitor and document the repression of protests in Oromia, was arrested in Nejo on 8 July. According to local sources, he has been detained in Kilinto prison without access to his family or lawyer and charged with terrorism. On 12 August, Abebe Wakene was arrested and taken to the Diga district police station in Oromia. A day later on 13 August, a human rights monitor in the Amhara region, Tesfaye Takele, was arrested in the North Wollo zone. Both were detained without charge and released later in the month. On 14 August, Tesfa Burayu, Chairperson of HRCO's West Ethiopian Regional Executive Committee who had been monitoring the protests for the organisation, was arrested in his home in Nekemte, Oromia. Tesfa was detained without charge and access to a lawyer or his family until 16 August.

Freedom of expression

Ethiopia is one of the continent's leading jailers of journalists, and has implemented repressive practices and laws that have severely restricted the right to freedom of expression. DefendDefenders has documented at least 27 cases of journalists who have been charged with terrorism since the Anti-Terrorism Proclamation was enacted in 2009. The most recent charges were brought against two journalists and bloggers in May 2016. On May 10, co-author for the blog *De Birhan*, Zelalem Workagenehu, was sentenced to five years and four months in prison. Nearly two weeks later on 23 May, Getachew Shiferaw, Editor-in-Chief of the online newspaper *Negere Ethiopia*, was charged with terrorism and moved to Kilinto prison.³⁸

³⁷ DefendDefenders, "Ethiopia: Civil society groups urge international investigation into ongoing human rights violations," 30 August 2016, <https://www.defenddefenders.org/2016/08/ethiopia-civil-society-groups-urge-international-investigation-into-ongoing-human-rights-violations>

³⁸ DefendDefenders, "Ethiopia: End use of counter-terrorism law to persecute dissenters and opposition members", 2 June 2016, <https://www.defenddefenders.org/2016/06/ethiopia-end-use-counter-terrorism-law-persecute-dissenters-opposition-members/>, Accessed 17 October

On June 15, Siefu Fantahun, a radio and television presenter was arrested and detained after reporting on protests in Oromia.³⁹ Days later on 19 June, Ethiopian police arrested Muktar Nuh Ibrahim, a television journalist from Somaliland, in a town between the border of Somaliland and Ethiopia.⁴⁰ Four other journalists were arrested with Ibrahim but were later released.

Three journalists were arrested and detained by Ethiopian authorities for 24 hours on 8 August 2016 in the Shashemene area of the Oromo region. According to the Foreign Correspondents' Association of Ethiopia, Hadra Ahmed, a correspondent with Africa News Agency was arrested along with Public Broadcasting Services reporters Fred de Sam Lazaro and Thomas Adair. Their passports and equipment were confiscated and they were escorted back to Addis Ababa.⁴¹

In October 2016, two prominent bloggers were arrested amid an internet shutdown and renewed protests in the Oromia region. Seyoum Teshome, a university lecturer and blogger on EthioThinkThank.com, who is known for his commentary on the Oromo protests, was arrested on 1 October on the campus of Ambo University in Woliso. As of 21 October, Seyoum remains in detention. Days later on 4 October Natnael Feleke, a member of the Zone 9 blogging collective, was arrested with two of his friends, Tsedeke Digafo and Addisalem Mulugeta, and accused of “uttering seditious remarks in a public place.”⁴² Natnael and his friends were released later that week, and no charges have been brought against them.

During the protests in Oromia and Amhara there have been multiple occasions where access to the Internet has been blocked. In April, it was reported that mobile applications such as Whatsapp had been blocked for one month.⁴³ On 9 July, Ethiopian authorities blocked social media access for five days beginning on the basis that it was a distraction to students taking college entrance exams.⁴⁴ On 5 October, authorities shut down mobile

³⁹ Article 19, “Newsletter: Freedom of Expression in Eastern Africa,” 10 August 2016, <https://www.article19.org/resources.php/resource/38452/en/newsletter-freedom-of-expression-in-eastern-africa>, Accessed 17 October

⁴⁰ Committee to Protect Journalists, “Ethiopian police arrest Somaliland journalist,” 1 July 2016 <https://cpj.org/2016/07/ethiopian-police-arrest-somaliland-journalist.php>, Accessed 17 October

⁴¹ DefendDefenders, “Ethiopia: Civil society groups urge international investigation into ongoing human rights violations,” 30 August 2016, <https://www.defenddefenders.org/2016/08/ethiopia-civil-society-groups-urge-international-investigation-into-ongoing-human-rights-violations>

⁴² Zone 9, “Zone 9 Blogger, Natnael Feleke Arrested,” 5 October 2016, <http://www.zoneniners.com/2016/10/zone-9-blogger-natnael-feleke-arrested.html>, Accessed 17 October 2016

⁴³ Bloomberg, “Twitter, WhatsApp Down in Ethiopia Oromia Area After Unrest,” 12 April 2016, <https://www.bloomberg.com/news/articles/2016-04-12/twitter-whatsapp-offline-in-ethiopia-s-romia-area-after-unrest>

⁴⁴ BBC, “Ethiopia blocks Facebook and other social media for exams,” 11 July 2016, <http://www.bbc.com/news/world-africa-36763572>

Internet access following the escalation of unrest stemming from the deaths of protesters on 2 October. As of October 21, the 3G Internet shut down has remained in place in several parts of the country, including the capital Addis Ababa.⁴⁵

On 8 June, the Ethiopian parliament passed the Computer Crime Proclamation, which includes clauses that could be used to restrict the dissemination of information online. Articles 13.3 and 14 state that anyone intentionally disseminating anything that is “defamatory to the honour or reputation of another person” or “that incites fear, violence, chaos or conflict among people” can be sentenced to up to three years in prison. The law also targets service providers, who can be held criminally liable if they fail to remove or disable access to illegal content, and requires service providers to report any crime committed as provided for by the law.

KENYA

The run up to Kenya’s 2017 presidential elections has been tainted with repeated allegations of rights violations, including extrajudicial killings, targeted attacks against civil society and the media, and systematic impunity. Kenya has ratified the African Charter on Human and Peoples’ Rights and has domesticated some of the Charter provisions in its internal legislations.⁴⁶

Freedom of peaceful assembly

With Kenya’s 2017 elections approaching, the government has led a renewed clampdown on the right to freedom of peaceful assembly by banning all opposition-led demonstrations. On 7 June 2016, the Cabinet Secretary for Interior Security, Hon. Joseph Nkaissery issued a government directive prohibiting the demonstrations and further cautioned that whoever violated it would be severely punished.⁴⁷

On 6 June 2016, anti-riot police officers in Kisumu reportedly used live bullets and tear gas against peaceful protestors, killing two people and injuring five others, including a

⁴⁵ Africa News, “Ethiopia partially lifts internet shutdown amid protest tension,” 5 October 2016, <http://www.africanews.com/2016/10/05/ethiopia-partially-lifts-internet-shutdown-amid-protest-tension/>

⁴⁶ Kenya Human Rights Commission, “Kenya’s regional and international human rights obligations” <http://www.khrc.or.ke/publications/126-kenya-s-regional-and-international-human-rights-obligations/file.html>, Accessed 12 October 2016

⁴⁷ Bloomberg, “Kenya Bans Electoral Protests After Rallies Turn Violent”, 7 June 2016, Accessed 17 October 2016

five-year-old boy.⁴⁸ Kenyan Police Chief, Japheth Koome warned opposition supporters not to take part in the 6 June protest if they valued their lives.⁴⁹ On Sunday 5 June he had also warned that the police were prepared to use lethal force against protestors if necessary.

On 16 May 2016, Kenyan television broadcasted images of police dispersing protestors with water cannons, batons and tear gas. A police officer was captured kicking the motionless body of a man later identified as Boniface Manono.⁵⁰ At least two people were shot dead by police during protests in Western Kenya on May 23, 2016.⁵¹

Freedom of association

While Kenya's civil society is among the most active and diverse in the sub-region, human rights defenders are limited from engaging on certain issues and topics which are perceived as sensitive or threatening to the government.

Kenya's Penal Code criminalises same sex relations and on 16 June 2016, Justice Matthew Emukule of Mombasa High Court ruled that anal testing is a reasonable and legitimate means to prove "unnatural sex".⁵² The ruling followed a petition filed by the National Gay and Lesbian Human Rights Commission in November 2015 challenging anal testing, after two gay men were forced to undergo HIV testing and an anal exam while in police custody in Mombasa in February 2016.

A recent Human Rights Watch report accused the Kenyan government of extrajudicial killings, notably to target activists working on sensitive issues. According to Independent Medico-Legal Unit (IMLU), Kenyan police killed 97 people in 2015 alone. Willie Kimani a Kenyan lawyer with International Justice Mission was found dead after being abducted by police officers. He had gone missing together with his client Josephat Mwenda and taxi driver Joseph Muirui on 23 June 2016 as they left Mavoko law courts.⁵³

⁴⁸ BBC News, "Kenya opposition Cord protests turn deadly in Kisumu", 6 June 2016

<http://www.bbc.com/news/world-africa-36456885>, Accessed 11 October 2016

⁴⁹ BBC, "Kenya opposition Cord protests turn deadly in Kisumu", 6 June 2016, Accessed 17 October 2016

⁵⁰ Associated Press, Kenya: "Photos of police violence spark international outrage", 17 May 2016

<http://bigstory.ap.org/article/1c039d620ed54892a23b8850a9324065/kenya-photos-police-violence-spark-international-outrage>, Accessed 11 October 2016

⁵¹ Deutsche Welle, "Monday protests in Kenya turn deadly", 23 May 2016,

<http://www.dw.com/en/monday-protests-in-kenya-turn-deadly/a-19278275>, Accessed 19 October

⁵² Voice of America News, Kenyan Court upholds forced anal testing in homosexuality cases", 16 June 2016 <http://m.voanews.com/a/kenyan-court-upholds-forced-anal-testing-in-homosexuality-cases/3378951.html>, Accessed 11 October 2016

⁵³ BBC News, "Willie Kimani, missing Kenyan lawyer found dead," 1 July 2016,

<http://www.bbc.com/news/world-africa-36682639>, Accessed 11 October 2016

Mr. Kimani was representing Josephat Mwenda in a case against a police officer he accused of unlawfully shooting him in the arm in 2015.

Freedom of expression

Journalists and bloggers regularly face criminal defamation charges for publishing articles on sensitive issues or high profile officials or institutions. On 14 June, Jackson Njeru and Jackline Ogutu were detained on contempt of court charges.⁵⁴ The two are administrators of “Buyer Beware” - a Facebook page that warns the public on defective or substandard goods or services. They are accused of defamation, and were detained because they did not delete a post that mentioned prominent lawyer, Cecil Miller. Miller had previously obtained an injunction against Njeru and Ogutu restricting them from mentioning his name on any online platform until the determination of the defamation court case.

On 27 June, blogger Cyprian Nyakundi was charged for statements that he posted online that were allegedly defamatory to the National Bank of Kenya (NBK).⁵⁵ NBK previously sued Cyprian and obtained an interim injunction preventing him or any other contributor to the blog from publishing any articles on the bank or its employees.

On 14 June, Moses Kuma a pro-government politician warned several journalists from the Star newspaper against covering his functions after news of his alleged call for assassination of main opposition leader Raila Odinga emerged.⁵⁶ He alleges that the newspaper is pro-opposition and therefore should not cover his political events.

After years of concerted advocacy, Kenya’s national assembly and senate passed the Access to Information Bill (2015) in August 2016. The law enables all citizens to access information that is held by both public entities and private bodies. Under the law, the Commission on Administrative Justice is mandated to oversee the implementation of the law and also to hear and determine complaints arising from breach of the provisions of the law.⁵⁷

⁵⁴ Article 19, “Newsletter, Freedom of expression in Eastern Africa”, 14 June 2016 <https://www.article19.org/resources.php/resource/38452/en/newsletter:-freedom-of-expression-in-eastern-africa>, Accessed 10 October 2016

⁵⁵ Standard Digital News, “ Blogger Cyprian Nyakundi arraigned in court for defaming NBK”, 28 June 2016 <https://www.standardmedia.co.ke/sports/article/2000206909/blogger-cyprian-nyakundi-arraigned-in-court-for-defaming-nbk>, Accessed 10 October 2016

⁵⁶ Star News, “Moses Kuria threatens the Star for exposing Ralia assassination calls”, 14 June 2016 http://www.the-star.co.ke/news/2016/06/14/audio-moses-kuria-threatens-the-star-for-exposing-raila-assassination_c1368900), Accessed 10 October 2016

⁵⁷Article 19, “Kenya: Parliament passes Access to Information law”, 19 August 2016,

On 19 April Kenya's High Court found section 29 of Kenya's Information and Communication Act to be incompatible with Kenya's Constitution and thus declared it null and void.⁵⁸ Section 29 criminalised publishing information online which was deemed unlawful by authorities and was often used to target journalists and bloggers.

RWANDA

Rwanda remains one of the most restrictive environments for human rights defenders in the sub-region, with little or no independent media and human rights organisations.

Its Universal Periodic Review (UPR) report was adopted at the 31st session of the UN Human Rights Council in March 2016. Since Rwanda's last UPR examination in 2011, the government has strengthened its long-term and systematic campaign to quell freedom of association by replacing the leadership of human rights organisations with those sympathetic to the government. As a result, there are now very few freely functioning and entirely independent human rights organisations left that can meaningfully challenge government policies and advocate for reforms, without genuine and well-founded fear of retribution.

Freedom of association

Independent civil society organisations, NGOs, and individual human rights defenders have continued to face escalating intimidation and reprisals in the course of their work. A number of defenders have either been imprisoned or forced into exile. Increasingly, human rights defenders and the NGOs for which they work have been subjected to administrative harassment, smear campaigns and public denouncements in pro-government media.

Congolese human rights defender Epimack Kwokwo, former Executive Secretary of the *Ligue pour la défense des droits de la personne dans la région des grands lacs* (LDGL), received threatening phone calls and was subjected to intense harassment by Rwandan authorities throughout the month of April.⁵⁹

<https://www.article19.org/resources.php/resource/38456/en/kenya:-parliament-passes-access-to-information-law>

⁵⁸ Article 19, "Kenya: Win for freedom of expression as repressive law is declared unconstitutional", <https://www.article19.org/resources.php/resource/38343/en/kenya:-win-for-freedom-of-expression-as-repressive-law-declared-unconstitutional>, Accessed 11 October 2016

⁵⁹ Front Line Defenders, "Case History: Epimack Kwokwo", 31 May 2016, <https://www.frontlinedefenders.org/en/case/case-history-epimack-kwokwo>, Accessed 17 October 2016

On 28 May 2016 Kwokwo was declared *persona non grata* and expelled from Rwanda, where the organisation is based. Immigration officials drove Mr. Kwokwo to the border with the Democratic Republic of the Congo and gave him his passport, which had been in their custody since October 2015.

Space for political opposition is close to non-existent ahead of the country's 2017 presidential elections, and two leaders of opposition parties are currently in jail, Victoire Ingabire of the FDU-Inkingi and Deo Mushayidi of the PDP-Imanzi. Two parties are also currently operating in exile after their leaders were assassinated, Amahoro People's Congress and the Rwanda National Congress. The few opposition parties permitted face a repressive environment and legal procedures for establishing political parties remain lengthy and time-consuming.⁶⁰

According to Human Rights Watch, Illuminée Iragena, a Rwandan opposition activist has been missing for six months and is feared to have been forcibly disappeared. Sources claim she has not been seen since March 26 2016 and fear she may have died in detention.⁶¹

Another activist and member of the FDU-Inkingi opposition party, Léonille Gasengayire was arrested after visiting Victoire Ingabire in prison. The police released Gasengayire three days later, but rearrested her on August 23.⁶²

Access to justice

On 6 July, a Paris court convicted two former Rwandan mayors and sentenced them to life imprisonment on charges of orchestrating the massacre of hundreds of Tutsis during the 1994 genocide.

The court said 58-year-old Octavien Ngenzi and his predecessor, 64-year-old Tito Barahira, were guilty of "crimes against humanity, massive and systematic summary executions and genocide" in the village of Kabarondo, where some 2,000 people seeking refuge in a church were hacked to death.⁶³

⁶⁰ Rwanda in: "Amnesty International Report 2015/16: The State of The World's Human Rights", Amnesty International, 25 February 2015,

<https://www.amnesty.org/en/countries/africa/rwanda/report-rwanda/>

⁶¹ Human Rights Watch, "Rwanda: Opposition Activist Missing", 29 September 2016,

<https://www.hrw.org/news/2016/09/29/rwanda-opposition-activist-missing>, Accessed on 17 October 2016

⁶² *Ibid.*

⁶³ RFI, "Paris court sentences former Rwandan mayors to life over 1994 genocide", 7 July 2016,

SOMALIA

Freedom of association and peaceful assembly

Article 20 of the Federal Constitution of Somalia states that every person has the right to organise and participate in meetings, and to demonstrate and protest peacefully without requiring prior authorisation. However, this right is routinely denied by the Minister of Internal Security citing security concerns, such as the risk of infiltration of meetings by Al Shabaab.

On 9 July 2016, the Ministry of Internal Security banned public meetings organised in hotels in Mogadishu if no prior notice was given to the Ministry. On 14 and 15 July 2016, NISA (National Intelligence and Security Agency) stopped two separate political meetings organised by two different clans in hotels in Mogadishu, to discuss upcoming elections and nominations of the members of the parliament. In one case, NISA cited security concerns for disrupting the meeting, although the hotel managers declared that there was no security threat. NISA also argued that the organisers had not obtained permission to hold a political meeting.⁶⁴

Freedom of expression

Although the armed group Al-Shabaab has claimed responsibility for the majority of appalling human rights violations against media workers, Somali authorities regularly close radio stations, arrest journalists deemed critical of the government, and have introduced laws and policies contrary to its international and regional human rights obligations.

The media law signed by the President in January 2016 contains several provisions restricting the registration of journalists, challenging the protection of sources, and imposing disproportionate fines for breaches to the law. Media workers have expressed concern that these broad provisions are likely to prompt self-censorship.⁶⁵

<http://en.rfi.fr/france/20160707-paris-court-sentences-former-rwandan-mayors-life-over-1994-genocide>, Accessed 17 October 2016

⁶⁴ United Nations Assistance Mission in Somalia, "Report on the right to freedom of expression: Striving to widen democratic space in Somalia's political transition", August 2016 http://www.ohchr.org/Documents/Countries/SO/UNSOM_FreedomExpressionReport_Aug312016.pdf, Accessed 12 October 2016

⁶⁵ DefendDefenders, "Between a rock and a hard place: human rights defenders under attack in Somalia", February 2016, <https://www.defenddefenders.org/uploads/2016/02/Between-a-rock-and-hard-place-human-rights-defenders-under-attack-in-Somalia-and-Somaliland.pdf>, Accessed on 19 October 2016

On 6 June 2016, Sagal Salad Osman was shot by unknown gunmen in Hodan district, Mogadishu and died of the injuries sustained. Sagal worked as a producer and presenter for state-owned Radio Mogadishu.⁶⁶

On 9 July security forces shut down City FM in Jowhar district, Middle Shabelle region and arrested two journalists, Abdishakur Abdullahi Ahmed, editor-in-chief and Abdirahman Hussein Omar Wadani, deputy editor-in-chief.⁶⁷ The two journalists were allegedly arrested for broadcasting an interview critical of the middle Shabelle administration. The journalists had on 7 July interviewed 2 internally displaced persons (IDPs) on the regional administration's distribution of food aid to IDPs and accused the regional administration of misappropriation of the food aid.

On 15 October 2016, agents of the National Intelligence and Security Agency arrested Abdi Adan Guleid, editor-in-chief of *Xog Ogaal* daily newspaper without a warrant. NISA agents also confiscated materials, equipment and archives from the newsroom during the arrest. He was released on 18 October.⁶⁸

Puntland

Puntland declared itself an autonomous state in August 1998 but considers itself as part of Federal Somalia. Although the region enjoys relative peace and stability recent months have seen the state make concerted efforts to restrict the enjoyment of the right to freedom of expression.

Journalists must seek accreditation with the Ministry of Information to carry out their work, and in a letter dated 9 July, Information Minister Mohamud Hassan So'ade instructed Puntland media outlets to send a list containing in-service journalists to the Ministry for accreditation not later than 25 July.⁶⁹ There was no legal justification for the Minister's action.

⁶⁶ Committed to Protect Journalists, "Journalist shot and killed in Mogadishu", 6 June 2016, <https://cpj.org/2016/06/journalist-shot-and-killed-in-mogadishu.php>, Accessed 12 October 2016

⁶⁷ International Federation of Journalists, "Somalia: Journalists arrested, radio station closed in crackdown on media freedom", 11 July 2016, <http://www.ifj.org/nc/news-single-view/backpid/51/article/somalia-journalists-arrested-radio-station-closed-in-crackdown-on-media-freedom/>, Accessed 12 October 2016

⁶⁸ Reporters Without Borders, "Somalia: Leading Mogadishu daily's editor arrested", 17 October 2016, <https://rsf.org/en/news/somalia-leading-mogadishu-dailys-editor-arrested>, Accessed 19 October 2016

⁶⁹ DefendDefenders, "Puntland: Minister of Information restricts free speech, harasses and threatens journalists", 22 July 2016, <https://www.defenddefenders.org/2016/07/puntland-minister-information-restricts-free-speech-harasses-threatens-journalists/>, Accessed 17 October 2016

On 23 June, Puntland police shut down Daljir FM radio stations in Garowe and Bosaso and confiscated their equipment.⁷⁰ The Ministry of Information issued a directive restricting journalists from interviewing persons linked to pirates and terrorists. In an audio recording, the Minister of Information swore to use force and to kill any journalists who violated the order.⁷¹

Somaliland

Somaliland is a break away territory that declared its independence in 1991. Although not internationally recognised, Somaliland has its own government institutions, police force and currency. Similarly to Puntland, it enjoys relative peace and stability although journalists are often targeted because of their work.

Between 25 and 26 May three journalists, Abdirahman Mohamed Egeh, Ahmed Saed Mohamed and Mubarig Osman Saed were arrested for publishing articles on the agreement signed between Somaliland and DP World, a United Arab Emirates Company on the rehabilitation of Berbera port.⁷² They were arrested on the orders of the Mayor of Berbera who had warned journalists about their coverage of a meeting where local Councillor Suleiman Ali Khayre expressed dissatisfaction with the agreement. Councillor Suleiman noted that he had not reviewed the agreement to assess whether it was in the interests of the district and the region. The mayor warned journalists present not to publish any of the Councillor's remarks and that those who did would face arrest. The journalists were later released on 26 May.

Freedom of association

On 16 May, the Minister of Justice of Somaliland signed a letter to the Chief Justice requesting him to revoke the license of Guleid Ahmed Jama, a human rights lawyer and Chairperson of the Human Rights Center.⁷³ Guleid was accused of committing a violation by being both a lawyer and the chairperson of a human rights organisation.

⁷⁰ Puntland Post, "Puntland: Ministry of information threatens to kill Journalists while Police raid, shut down Daljir radio station," 24 June 2016, <http://puntlandpost.net/2016/06/24/puntland-ministry-of-information-threatens-to-kill-journalists-while-police-raid-shut-down-daljir-radio-station/>, Accessed 14 October 2016

⁷¹ DefendDefenders, "Puntland: Minister of Information restricts free speech, harasses and threatens journalists", 22 July 2016, <https://www.defenddefenders.org/2016/07/puntland-minister-information-restricts-free-speech-harasses-threatens-journalists/>, Accessed 17 October 2016

⁷² DefendDefenders, "Somaliland: Immediately end harassment of journalists", 2 June 2016 <https://www.defenddefenders.org/2016/06/somaliland-immediately-end-harassment-journalists/>, Accessed 12 October 2016

⁷³ DefendDefenders, "Somaliland: Minister for Justice revokes license for human rights lawyer", 19 May 2016 <https://www.defenddefenders.org/2016/05/somaliland-minister-justice-revokes-license-human-rights-lawyer/>, Accessed 12 October 2016

According to Somaliland law only the Advocates Licensing and Disciplining Commission can revoke a lawyer's license after a thorough investigation is conducted and a fair hearing has taken place. The Chief Justice overturned the decision in a letter dated 11 June 2016 and Mr Guleid's license was reinstated.

SOUTH SUDAN

In South Sudan, human rights defenders and journalists face growing threats since the July 2016 resurgence in violence saw the security situation in several parts of the country drastically deteriorate. An acute political crisis and renewed fighting has fuelled the government's sensitivity to criticism, and South Sudanese HRDs regularly face intimidation, harassment, arbitrary arrest and detention and violent physical attacks from National Security Services (NSS) and Military Intelligence (MI) agents. Since July, many HRDs have fled to neighbouring countries in the sub-region, where some continue to report threats and intimidation by national security agents.

Freedom of expression

Freedom of expression and the media have been under sustained attack in South Sudan and since the conflict broke out in December 2013, 9 journalists have been killed. On 11 July, John Gatluak Manguet Nhial, a journalist with InterNews, was shot and killed at Terrain Hotel in Juba after the Sudan Peoples' Liberation Army (SPLA) raided the compound housing numerous NGO workers.⁷⁴ The body of freelance journalist Issac Vuni, who was abducted with his brother in June, was found on 26 September.⁷⁵ The circumstances surrounding his death are still unclear.

According to the Association for Media Development in South Sudan (AMDISS), in the first three weeks of August alone, the Nation Mirror and Juba Monitor had over six articles removed by South Sudanese national security. On 14 September, NSS indefinitely closed the Nation Mirror in Juba leaving the Juba Monitor as the only independent national English newspaper operating in the country.⁷⁶

⁷⁴ DefendDefenders, "South Sudan: Journalist killed amidst resurgence of violence in Juba," 15 July 2016, <https://www.defenddefenders.org/2016/07/south-sudan-journalist-killed-amidst-resurgence-violence-juba/>, Accessed 17 October 2016

⁷⁵ IFJ, "South Sudan: Journalist killed and dumped in neighbour's farm," 30 September 2016 <http://www.ifj.org/nc/news-single-view/backpid/1/article/south-sudan-journalist-killed-and-dumped-in-neighbours-farm/>, Accessed 17 October 2016

⁷⁶ Radio Tamazuj, "National Security close Nation Mirror newspaper in Juba," 14 September 2016, <https://radiotamazuj.org/en/article/national-security-close-nation-mirror-newspaper-juba>, Accessed 17 October 2016

Violations by South Sudanese police, military, and intelligence have become commonplace. On 16 July, a prominent journalist, editor and media freedom advocate, Alfred Taban, was arrested and charged with “publishing or communicating false statements prejudicial to Southern Sudan,” and “undermining the authority of and insulting the president.”⁷⁷ Taban, who is editor-in-chief of the Juba Monitor, was later released on 29 July.

In early May, national security forces in Yei stormed Radio Easter, a branch of the national Catholic Radio Network, demanding the whereabouts of two journalists that broadcasted a story accusing SPLA soldiers of killing eight people.⁷⁸ Father Emmanuel Sebit, the station director, was taken to their offices and questioned. On 16 May, the editor-in-chief of al-Watan newspaper, Michael Christopher, and al-Watan reporter Lal Chol Makuac were arrested and charged with defamation for publishing a story accusing an SPLA General of abuses.⁷⁹ Christopher was again arrested on 23 July after al-Watan published inaccurate information about the arrival of regional peacekeeping forces in the country.⁸⁰ On 23 May, Gale Julius, a journalist with Radio Bakhita, was arrested for taking photographs at a court session where a senior government official was implicated of embezzlement.⁸¹

International journalists have also been subjected to restrictions. On 28 May, South Sudanese soldiers briefly detained two American journalists and on 30 May, American journalist Justin Lynch was “roughed up” by SPLA soldiers in Yei.⁸²

Freedom of peaceful assembly

⁷⁷ DefendDefenders, “South Sudan: Arrested Editor-in-Chief of Juba Monitor should be immediately released,” 16 July 2016, <https://www.defenddefenders.org/2016/07/south-sudan-arrested-editor-chief-juba-monitor-immediately-released/>, Accessed 17 October 2016

⁷⁸ Radio Tamazuj, “S Sudan security storm Yei radio station after report on extrajudicial killings,” 6 May 2016, <https://radiotamazuj.org/en/article/s-sudan-security-storm-yei-radio-station-after-report-extrajudicial-killings>

⁷⁹ The Red Times, “South Sudan Police Arrests Two Scribes for Reporting on Salvar Kiir’s In-law Case,” 17 May 2016, Accessed 17 October 2016, <http://theredtimes.com/index.php/2016/05/17/south-sudan-police-arrests-two-scribes-for-reporting-on-salvar-kiirs-in-law-case/>, Accessed 17 October 2016

⁸⁰ Radio Tamazuj, “Journalist arrested in Juba over report on regional forces,” 25 July 2016, <https://radiotamazuj.org/en/article/journalist-arrested-juba-over-report-regional-forces>, Accessed 17 October 2016

⁸¹ Radio Tamazuj, “National Security arrest journalist covering Juba court session,” 23 May 2016, <https://radiotamazuj.org/en/article/national-security-arrest-journalist-covering-juba-court-session>, Accessed 17 October 2016

⁸² The Intercept, “New national, long war,” 10 May 2016, <https://theintercept.com/2016/06/10/we-can-assassinate-you-at-any-time-journalists-face-abduction-and-murder-in-south-sudan/>, Accessed 17 October 2016

Freedom of assembly is protected in Article 25 of South Sudan's 2011 transitional constitution, yet the security situation and tense political climate have made large assemblies a rare occurrence. During a student election at the University of Juba on 13 June, South Sudan's national security forces violently intervened and were accused of shooting into the building to disrupt the election.⁸³

Freedom of association

In the month following the formation of the Transitional Government of National Unity on 29 April 2016, over 10 civil society activists and journalists were arrested.⁸⁴

The repression of freedom of association intensified in the aftermath of fighting in Juba in July 2016. Many journalists and civil society activists have gone into hiding or left the country after receiving threats from government or national security officials. One HRD reported that their home was broken into twice in the days following the onset of fighting.

Following the UN Security Council's visit to Juba in September 2016, during which they convened meetings with civil society actors, several human rights defenders received threats and were forced to flee the country.⁸⁵

In June 2016, the South Sudan Relief and Rehabilitation Commission announced that all NGOs must renew their certificates by the end of the month in accordance with the new NGO laws.⁸⁶ In February 2016, the NGO Bill and the Relief and Rehabilitation Commission Bill were both signed into law amid concerns that they contained provisions contrary to international norms.⁸⁷

SUDAN

Sudan continues to experience high levels of repression and on-going conflict in Darfur, South Kordofan, and Blue Nile, where 3.2 million people have been internally

⁸³ Sudan Tribune, "South Sudan security personnel fire at students of Juba University," 14 June 2016, <http://www.sudantribune.com/spip.php?article59286>, Accessed 17 October 2016

⁸⁴ AP, "South Sudan cracks down on journalists, activists, critics," 31 May 2016, <http://www.bigstory.ap.org/article/6f384791c56248739c9490e96a054a45/south-sudan-cracks-down-journalists-activists-critics>, Accessed 17 October 2016

⁸⁵ Associated Press, "South Sudan activists say intimidated for meeting diplomats", 8 September 2016, <http://bigstory.ap.org/article/2731beaf514a48d29dc9fe582f497748/south-sudan-activists-say-intimidated-meeting-diplomats> Accessed on 19 October 2016

⁸⁶ Eye Radio, "NGOs asked to renew licenses", 10 June 2016, <http://www.eyeradio.org/ngos-asked-renew-licenses/> Accessed on 19 October 2016

⁸⁷ International Center for Not-For-Profit Law "South Sudan", www.icnl.org/research/monitor/southsudan.html

displaced.⁸⁸ Sudanese government forces continue to attack villages and bomb civilian areas indiscriminately, and to block humanitarian aid groups from accessing affected areas. The National Human Rights Monitoring Organisation and Sudan Consortium documented twenty incidents of aerial bombardment in South Kordofan's Heiban County in May 2016, including one incident on 1 May 2016, which resulted in the deaths of six children.⁸⁹ In Darfur, where conflict has continued for 13 years, government forces continue to attack civilians, especially in Jebel Mara. Over 80,000 civilians were newly displaced in Darfur in the first five months of 2016.⁹⁰ In September 2016, Amnesty International published documented evidence of chemical attacks in Darfur.⁹¹

Freedom of peaceful assembly

The Sudanese government has a long history of using excessive force to disperse demonstrations. Over three years after at least 185 individuals were killed during demonstrations in Khartoum, there has yet to be any accountability.⁹² The mandate, composition and findings of three commissions of inquiry reportedly established by authorities to investigate the killings have never been made public. Out of at least 85 criminal complaints pursued by victims' families, only one progressed to court. The murder conviction of the accused, a Sudan Armed Forces officer, was overturned on appeal. Human rights defenders and victims rights groups calling for justice and accountability for the 2013 protest killings have been subjected to arbitrary arrests and harassment.⁹³

Authorities continue to break up demonstrations and political forums using excessive force and mass arrests. In April 2016, demonstrations ignited in several cities across the country. Violent confrontations between students and security agents went on for three weeks at the University of Khartoum. Dozens of students were arrested during these

⁸⁸ OCHA, "Sudan humanitarian snapshot," 30 September 2016, reliefweb.int/sites/reliefweb.int/files/resources/Sudan_Humanitarian_Snapshot_A3_30_Sep_2016.pdf Accessed on 10 October 2016

⁸⁹ National Human Rights Monitoring Organisation and Sudan Consortium, "[Human Rights Update: May 2016](#)", August 2016.

⁹⁰ UN Office for the Coordination of Humanitarian Affairs, "[Sudan: Darfur Humanitarian Overview](#)", 1 June 2016.

⁹¹ Amnesty International, "Scorched Earth, Poisoned Air", September 2016.

⁹² DefendDefenders, "HRC33: Joint Oral Statement during the Interactive Dialogue on Sudan," 29 September 2016, <https://www.defenddefenders.org/2016/09/hrc33-joint-oral-statement-during-the-interactive-dialogue-on-sudan/>

⁹³ African Centre for Justice and Peace Studies, "[Protestors calling for justice for victims of 2013 protest killings beaten and detained by Sudan's security agency in Khartoum](#)", 10 February 2016.

protests, with an unknown number of detainees held in NISS custody, raising serious concern for the safety and well-being of all detainees.⁹⁴

Two students were killed in separate incidents in which government security forces and armed students used live ammunition to break up protests at two university campuses. On 19 April 2016, Abubakar Hassan, 18 years of age and a student at the University of Kordofan in El Obeid was killed by a gunshot wound to the head.⁹⁵ In the following days students demonstrated at universities across the country protesting Mr. Hassan's death. On 27 April 2016, Mohamed al-Sadiq Wayo, 20 years of age and a student at Omdurman Ahlia University was killed by a gunshot wound to the chest.⁹⁶

Freedom of association

The NISS has continued to use its sweeping powers to detain activists, civil society, human rights defenders, and political opponents for up to four and a half months without charge. The NISS routinely holds detainees incommunicado and without charge for prolonged periods, sometimes in excess of the period permitted by the 2010 National Security Act. The African Center for Justice and Peace Studies has documented patterns of torture and ill-treatment of detainees and other forms of intimidation and harassment, such as summonses and threatening phone calls, to threaten perceived political opponents and activists.⁹⁷

Over the past eighteen months, TRACKS has been raided twice, on 26 March 2015⁹⁸ and 29 February 2016.⁹⁹ National security officials have detained several of TRACKS' staff and affiliates, and brought criminal cases against individuals following each raid, charging them with a number of offences including crimes against the state, which carry the death penalty.

⁹⁴ ACJPS, "Open letter from 39 Sudanese NGOs and individuals concerning excessive use of force by Sudanese authorities," 3 May 2016, <http://www.acjps.org/open-letter-from-39-sudanese-ngos-and-individuals-concerning-excessive-use-of-force-by-sudanese-authorities/>

⁹⁵ Amnesty International, "[Sudan: Government must investigate brutal killing of 18-year old university student by intelligence agents](#)", 20 April 2016.

⁹⁶ 39 NGOs, "[Open letter from 39 Sudanese NGOs and individuals concerning excessive use of force by Sudanese authorities](#)", 3 May 2016.

⁹⁷ Human Rights Watch, "[Sudan: Students, Activists at Risk of Torture](#)", 25 May 2016.

⁹⁸ African Centre for Justice and Peace Studies, "[Sudanese human rights defenders detained on baseless charges and others at risk after armed raid on Khartoum training centre](#)", 18 April 2015.

⁹⁹ African Centre for Justice and Peace Studies, "[Sudan: TRACKs office once again raided and staff targeted by NISS](#)", 23 March 2016.

For example, on 22 May, nine HRDs affiliated with TRACKS for Training and Development were arrested. Six were released within two weeks of their arrest but TRACKS director Khalafalla al Afif Mukhtar, TRACKS trainer Midhat Afif al-Deen Hamdan, and the director of Alzarqaa Organisation for Rural Development, Mustafa Adam, remain in detention. These three were detained without charge for 86 days by the Office of the Prosecutor for State Security before being transferred to Al Huda Prison, where they remain as the trial proceedings are ongoing. In addition, charges pending for over a year were reactivated against a human rights defender, Adil Bakhiet, in May 2016.¹⁰⁰

On 5 May 2016, the National Intelligence Security Services (NISS) raided the offices of prominent human rights lawyer Nabil Adib. 11 students who were seeking legal council after being dismissed from the University of Khartoum for their involvement the April demonstrations and two employees were arrested.¹⁰¹

Freedom of expression

Confiscation of print runs is a common tactic to limit freedom of expression in Sudan and is regularly used to inflict financial punishments on papers publishing content deemed critical by (NISS). According to Reporters Without Borders, in the first seven months of the year, there were at least 27 cases of confiscations.¹⁰² For example, NISS confiscated five print runs of Algareeda, one of only two Sudanese independent print newspapers, during the second week of May.¹⁰³ In addition to confiscations of print runs, the media also encounters threats and harassment by NISS. For example, in April, the Editor-in-Chief of *Alrahil*, Ms Awaif Ishag, was arrested, interrogated, and had her laptop confiscated in an incident reportedly linked to articles on the Darfur referendum.¹⁰⁴ In August 2016, NISS suspended *El Watan*, *Awal El Nahar*, *El Mustagilla* and *Elaph* newspapers evoking the Press and Publications Act (2009).¹⁰⁵

¹⁰⁰ DefendDefenders, "Sudan: Release detainees and stop harassing civil society activists," 29 August 2016, <https://www.defenddefenders.org/2016/08/sudan-release-detainees-stop-harassing-civil-society-activists/>

¹⁰¹ Sudan Tribune, "Sudanese security storm office of prominent lawyer and arrest his clients," 6 May 2016, http://www.sudantribune.com/spip.php?iframe&page=imprimable&id_article=58871

¹⁰² RSF, "Sudanese intelligence agency's war on freedom of information," 18 August 2016, <https://rsf.org/en/news/sudanese-intelligence-agencys-war-freedom-information>

¹⁰³ ACJPS, "Independent Khartoum newspaper confiscated five times in one week, local Al Fashir paper's editor harassed," 18 May 2016, <http://www.acjps.org/independent-khartoum-newspaper-confiscated-five-times-in-one-week-local-al-fashir-papers-editor-harassed/>

¹⁰⁴ Ibid.

¹⁰⁵ Radio Dabanga, "Newspapers covering Sudan peace talks seized," 16 August 2016, <https://www.dabangasudan.org/en/all-news/article/newspapers-covering-sudan-peace-talks-seized>

Post-print censorship, whereby entire print runs of daily editions are confiscated prior to morning distribution, continues to be routinely used at the expense of newspapers. A number of Sudanese laws restrict the right to peaceful expression, association and assembly, including provisions of the 1991 Sudanese Penal Code and the 2009 Press and Publications Act. NISS officials have repeatedly summoned journalists and threatened them with prosecution, arbitrarily detained them, and harassed them with threatening visits or telephone calls from NISS officials ordering them not to report on so-called “red line” issues deemed to be controversial or critical of the NCP.¹⁰⁶ For example, in April 2016, newspapers were prevented from publishing information on the arrests of students at Khartoum University.

TANZANIA

Freedom of peaceful assembly

On 1 September, Tanzania’s main opposition party Chadema was forced to call off a planned day of defiance activities after the police declined to give them authorisation.¹⁰⁷ The Attorney General of Tanzania justified the Police’s action as being in line with the country’s 1977 constitution and further said that the planned activities were a security threat.¹⁰⁸

Freedom of expression

The restrictive 1976 Newspaper Act is used on a regular basis by Tanzanian authorities to restrict press freedom. In August 2016, the government banned Mseto Newspaper for three years on the grounds that it breached the Act following an article that it published claiming the Deputy Minister for Works, Transport and Communication, Engineer Edwin Ngonyani, had ‘implicated’ President John Magufuli in corruption during elections.¹⁰⁹ The Minister of Information, Mr Nape Nnauye, said that Mseto newspaper had a history of ‘irresponsible’ reporting and had been warned several times in the past.

¹⁰⁶ ACJPS and the International Federation for Human Rights, “[Oral Statement submitted under item 11: Activity report of the Special Rapporteur on Freedom of Expression and Access to Information in Africa](#)”, 10 November 2015.

¹⁰⁷ Reuters, “Tanzania’s opposition suspends pro-democracy demonstrations,” 31 August 2016 <http://www.reuters.com/article/us-tanzania-politics-idUSKCN11622W>, Accessed 12 October 2016

¹⁰⁸ AllAfrica, “Ban on Planned Protests in Tanzania ‘Constitutional’”, 30 August, <http://allafrica.com/view/group/main/main/id/00045611.html> Accessed on 19 October

¹⁰⁹ The East African, “Tanzania bans Mseto newspaper for three years”, 11 August 2016, <http://www.theeastafrican.co.ke/news/Tanzania-bans-Mseto-newspaper-for-three-years/2558-3340844-nvpdvy/index.html>, Accessed 14 October 2016

Exercising press freedom has become steadily more challenging for independent media houses that are facing both censorship from the state and self-censorship due to the climate of intimidation. On August 29, after hosting political discussions, Magic FM and Radio Five were accused by the Minister of Information, Culture, Arts and Sports of broadcasting “seditious” material that could incite the public and disturb the peace, citing Section 28(1) of the Tanzania Communications Regulatory Authority Act, shut down and ordered to cease broadcasting immediately.¹¹⁰

In an attempt to continue suppressing the voice of the Sexual Orientation and Gender Minorities (SOGI) community, the government announced that it would monitor the social media accounts of citizens who identify as SOGI and their followers. The Minister of Justice told a crowd at a religious rally in Dar es Salaam that “If there is a homosexual who has a Facebook account, or with an Instagram account, all those who ‘follow’ him... are just as guilty as the homosexual.”¹¹¹

In August, the Content Committee of the Tanzania Communications Regulatory Authority ordered Cloud Television to apologise to viewers for five consecutive days after airing an interview with a homosexual man.¹¹²

Freedom of association

In July, Tanzania’s Justice Minister announced plans to suspend the registration of any non-governmental organisations that promote homosexuality.¹¹³ On 15 August, the Deputy Minister of Health unexpectedly visited the offices of Community Health Education Services and Advocacy (CHESA) to inspect compliance with the recent ban on the sale and import of lubricants.¹¹⁴ The Deputy Minister confiscated a number of documents and some of the staff members were asked to report to the police for interrogation. The Deputy Minister also accused CHESA of promoting same-sex relations.

¹¹⁰ The Citizen, “Government shuts down two radio stations”, 30 August 2016, <http://www.thecitizen.co.tz/News/Govt-shuts-two-radio-stations/1840340-3362478-x78orr/index.html>, Accessed 12 October 2016

¹¹¹ NewNowNext, “Tanzanian Official Wants To Arrest People Who Follow Homosexuals On Instagram”, <http://www.newnownext.com/tanzania-gay-lgbt/08/2016/>, Accessed 12 October 2016

¹¹² DefendDefenders, “HRC33: Statement on the adoption of Tanzania’s UPR outcome”, 22 September 2016 <https://www.defenddefenders.org/2016/09/hrc33-statement-adoption-tanzanias-u-outcome/>, Accessed 14 October 2016

¹¹³ The Guardian, “Seeds of hate sown As Tanzania starts LGBTI crackdown,” 8 August 2016, <https://www.theguardian.com/world/2016/aug/08/seeds-of-hate-sown-as-tanzania-starts-lgbt-crackdown>, Accessed 12 October 2016

¹¹⁴ DefendDefenders, “Tanzania: End harassment of human rights defenders”, 22 August 2016, <https://www.defenddefenders.org/2016/08/tanzania-end-harassment-of-human-rights-defenders/>, Accessed 12 October 2016

Human rights defenders working on land issues are often targeted by the state through arbitrary arrests and spurious charges. On 19 July, seven human rights defenders were arrested on espionage-related charges for cooperating with Ms Susanna Nordlund, one of the most outspoken voices covering the disputes in Loliondo.

On 12 August Maanda Ngoitiko, a female activist defending pastoralists' rights was also arrested and detained on espionage-related charges and for cooperating with Ms Susanna Nordlund.¹¹⁵ On 22 July, lawyer Shilinde Ngalula, who was sent by Tanzania Human Rights Defenders Coalition (THRDC) and the Legal Human Rights Center to follow up on the arrests was also detained and accused of inciting the community and espionage.¹¹⁶ Mr. Ngalula's arrest came after a statement from the head of the Zanzibar Police Force urged lawyers to let police handle suspects in the absence of legal representation.¹¹⁷

UGANDA

Uganda held its fifth presidential and parliamentary elections on 18 February 2016, elections that were marred with irregularities and criticised for not respecting minimum standards of being free and fair. The pre- and post-electoral period tested Uganda's commitment to respect human rights and fundamental freedoms as a signatory of the African Charter on Human and Peoples Rights, with reports of increased infringement on the rights to expression, association and peaceful assembly.¹¹⁸

Freedom of association

The past six months in Uganda have seen several NGOs targeted through office break-ins, which generally result in theft of equipment and information, and have not been promptly and thoroughly investigated by Ugandan authorities.

¹¹⁵ Dira Yetu Newsletter, "Maanda Ngoitiko has been arrested and detained for three days", 16 August 2016, <http://www.dirayetu.com/2016/08/16/maanda-ngoitiko-arrested-detained-three-days/>, Accessed 14 October 2016

¹¹⁶ Pan African Lawyers Union, "PRESS RELEASE: TLS Statement on the Arrest of Advocate Shilinde Ngalula while in the Course of Performing His Duties as an Officer of the Court," 22 July 2016, <http://lawyersofafrica.org/shilinde-arrest/>, Accessed 14 October 2016

¹¹⁷ DefendDefenders, "Tanzania: End harassment of human rights defenders", 22 August 2016, <https://www.defenddefenders.org/2016/08/tanzania-end-harassment-of-human-rights-defenders/>, Accessed on 19 October

¹¹⁸ DefendDefenders "Uganda: Government clamps down on fundamental rights and dismisses obligations under Rome Statute", 13 May 2016, <https://www.defenddefenders.org/2016/05/uganda-government-clamps-fundamental-rights-dismisses-obligations-rome-statute/>, Accessed on 19 October 2016

On 22 May 2016, the Human Rights Awareness and Promotion Forum (HRAPF) offices were broken into and the guard on duty was beaten to death. The offices of the Executive Director and Deputy Executive Director were broken into and left ransacked, and an unknown number of documents were taken. Other valuable items, such as laptops and other electronics, were left in the offices.¹¹⁹

On 10 April 2016, unknown assailants attempted to break into the offices of Human Rights Network for Journalists-Uganda (HRNJ-U) after sedating their security guard. HRNJ-Uganda was last broken into on 29 June 2015, when robbers stole computers, valuable documents, cash, and other property reportedly worth 45 million Ugandan shillings. Police investigations were inconclusive.

Moreover, on 10 August, lawyers representing petitioners in a case against the Inspector General of Police (IGP) and seven other senior police officers were attacked, after a mob supporting the IGP forced their way into the courthouse. The IGP and other police officers were expected in Court to answer charges of torture arising out of alleged police brutality towards supporters of opposition leader Dr. Kizza Besigye on 13 and 14 July. Despite heavy deployment by the Uganda Police Force (UPF), police officers failed to take appropriate action to restrain the crowd and only intervened when the physical safety of the lawyers was threatened.¹²⁰

Freedom of expression

Journalists continue to be targeted through spurious charges of criminal defamation. Two journalists, Benon Tugumisirize and Fred Mukasa Kiku were arrested and interrogated by Ugandan Police over their work.¹²¹ Tugumisirize was held for over 5 hours and questioned on accusations of circulating pornography. This followed an article that was published in the Red Pepper, a local newspaper on a prominent city lawyer, according to the Human Rights Network for Journalists – Uganda. Kiku, on the other hand, was arrested on 14 September after he hosted a local political show where one of the guest speakers allegedly made defamatory statements against the Managing Director of UMEME Company, the largest energy distributor in Uganda.

¹¹⁹ DefendDefenders, “Uganda: Government should immediately take steps to end pattern of office break-ins”, 23 May 2016, <https://www.defenddefenders.org/2016/05/uganda-government-immediately-take-steps-end-pattern-office-break-ins/> Accessed on 19 October 2016

¹²⁰ DefendDefenders, “Uganda: Police should adequately protect officers of the court “ 12 August 2016 <https://www.defenddefenders.org/2016/08/uganda-police-should-adequately-protect-officers-of-the-court/>, Accessed 12 October 2016

¹²¹ Human Rights Network for Journalists- Uganda, “Police interrogates two journalists”, 15 September 2016 <https://hrnjuganda.org/?p=2968>, Accessed 12 October 2016

On 1 September, Police in Moroto district, North Eastern Uganda summoned Teba Amkol a freelance journalist over a post that he published on Facebook on 29 August on Karamojong cultural leaders.¹²² In his post, Amkol alleged that the cultural leaders attended a cultural event in Kenya and were paid fifty thousand Kenya shillings and shunned one organised in Karamoja. According to the police the post tainted the image of the leaders.

Freedom of peaceful assembly

Ugandan authorities' use of the Public Order Management Act increased during and in the aftermath of the electoral period, in particular to target opposition political activists and demonstrators. Arbitrary arrests and use of force hampered efforts to ensure a real political dialogue and debate took place ahead of the February 2016 polls.¹²³

On 24 September, police blocked an event organised as part of the Ugandan LGBTI Pride celebrations.¹²⁴ The celebrations were postponed in August, after police shut down a beauty pageant organised by the LGBTI community in Uganda and arrested several prominent activists.¹²⁵ In response to the raid, State Minister of Ethics and Integrity Fr. Simon Lokodo held a press conference on 8 August where he claimed that the activities organised as part of the Pride Week were “criminal in nature and intent.” However, although Sections 145 – 148 of the Ugandan Penal Code prohibit same-sex relations, there is no law prohibiting LGBTI citizens from assembling peacefully. Contrary to claims by Fr. Lokodo, the UPF had been notified of the event.¹²⁶

On 13 September, police arrested and detained 25 women who had gathered to present a petition to the Speaker of Parliament challenging a proposed constitutional amendment

¹²² Human Rights Network for Journalists- Uganda, “Police ‘summons’ journalist over a Facebook post”, 1 September 2016 <https://hrnjuganda.org/?p=2955>, Accessed 12 October 2016

¹²³ Amnesty International, “Uganda: Arbitrary arrests and excessive use of force hindering debate in run-up to elections”, 7 December 2015, <https://www.amnesty.org/en/latest/news/2015/12/uganda-arbitrary-arrests-and-excessive-use-of-force-hindering-debate-in-run-up-to-elections/> Accessed on 19 October 2016

¹²⁴ BBC News, “Ugandan Police block gay pride parade”, 24 September 2016 <http://www.bbc.com/news/world-africa-37462627>, Accessed 12 October 2016

¹²⁵ DefendDefenders, “Uganda: Civil society, human rights activists condemn Ugandan police attack on lawful LGBTI pride celebration”, 5 August 2016 <https://www.defenddefenders.org/2016/08/uganda-civil-society-human-rights-activists-condemn-ugandan-police-attack-lawful-lgbti-pride-celebration/>, Accessed 12 October

¹²⁶ DefendDefenders, “Uganda: End indiscriminate attacks on the basis of sexual orientation and gender identity”, 10 August 2016, <https://www.defenddefenders.org/2016/08/uganda-end-indiscriminate-attacks-basis-sexual-orientation-gender-identity/>, Accessed on 19 October 2016

that seeks to remove age limits for judicial officers and term limits for Commissioners of the Electoral Commission.¹²⁷ The women were eventually released without charge.

¹²⁷ Human Rights Watch, "Amending Uganda's Constitution - Again?", 13 September 2016 <https://www.hrw.org/news/2016/09/13/amending-ugandas-constitution-again>, Accessed 12 October 2016