



# DEFENDDEFENDERS

**East and Horn of Africa Human Rights Defenders Project**

**Overview of the Human Rights Situation  
in the East and Horn of Africa  
October 2017 – April 2018**

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Report submitted to the 62nd Ordinary Session of the  
African Commission on Human and Peoples' Rights (ACHPR)  
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DEFENDDEFENDERS  
(THE EAST AND HORN OF AFRICA HUMAN RIGHTS DEFENDERS PROJECT)

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## **Introduction & Executive Summary**

DefendDefenders (the East and Horn of Africa Human Rights Defenders Project) welcomes the opportunity offered by the 62nd Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) to highlight some of the human rights issues in the East and Horn of Africa sub-region for the period of October 2017 to April 2018.

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 (EHAHRD-Net), by our members and partners throughout the sub-region. Disregarding their obligations under the African Charter on Human and Peoples' Rights (the African Charter), over the past six months governments in the sub-region have sought to restrict legitimate expressions of civilian dissent like peaceful demonstrations, the free expression of media, and targeted civil society through various strategies of harassment and repression.

Serious human rights abuses continue to be committed in conflict areas like **South Sudan**, with state security organs like the National Security Service increasingly cracking down on civil society and HRDs through harassment and arbitrary arrests. In **Burundi**, the ongoing crisis has prompted the International Criminal Court to open an investigation into crimes against humanity allegedly committed by state agents and the youth wing of the ruling party, known as the *Imbonerakure*, while a controversial constitutional referendum in May 2018 could allow the President to potentially remain in power until 2034.

In **Eritrea**, the government has taken no significant steps in addressing grave and ongoing human rights violations, and continues to disregard previous ACHPR resolutions and decisions, and recommendations from the UN Commission of Inquiry on Eritrea. **Djibouti** also remains one of the most closed states in the sub-region, with authorities unwilling to address major human rights violations such as the relentless targeting of human rights defenders (HRDs), limitations on, and violations of, civil and political rights, and continued intolerance of critical voices and civilian dissent.

**Ethiopia** has released thousands of political prisoners in recent months, yet imposed a new State of Emergency following the surprise resignation of the Prime Minister in March in a bid to foster political dialogue. A new Prime Minister was appointed but it remains to be seen how this political shakeup will affect the severe repression of dissent, and limitations on the freedoms of expression, association, and peaceful assembly that continue to fuel massive civilian unrest across the country.

A contentious presidential election re-run in **Kenya**, boycotted by the opposition, led to highly publicised instances of government repression of civil society, peaceful demonstrators,

independent media outlets, and opposition politicians, often with brazen disregard for court orders. Similarly, since the August 2017 elections in **Rwanda**, there has been a sharp political crackdown with several members of unregistered opposition parties and other political opponents being threatened, arrested, and tried on questionable charges.

Despite the long-running conflict between Al-Shabaab militants and the government of **Somalia**, civic space has slowly improved despite continued issues over security for HRDs. Contrarily, the self-declared Republic of Somaliland has seen a sharp decline in free expression, particularly due to judicial harassment of journalists, artists, and media professionals, especially in the run-up to and aftermath of the presidential elections in November 2017.

The signing of the a controversial constitutional amendment removing the presidential age limit in **Uganda** sparked citizen protests and a harsh crackdown on dissent that resulted in arbitrary arrests, raids on non-governmental organisations (NGOs), and attacks on journalists.

Civic space has come under increased attack in **Tanzania**, continuing worrying trends that began in 2015, including the harsh silencing of critical media, increased hostility towards Key Populations, and several brutal attacks on HRDs and opposition members.

Massive anti-austerity demonstrations in **Sudan** led to a crackdown on opposition parties, the overt censorship of several independent newspapers, and violence against peaceful demonstrators which left many injured and several dead.

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## **Recommendations**

In light of the updates and trends observed in this report, DefendDefenders makes the following recommendations for action by the African Commission on Human and Peoples' Rights:

- 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 to adopt specific legislative measures to recognise the status of HRDS, protect the rights of their colleagues and family members, and provide a working environment conducive for civil society, as per Res. 376 (LX) 2017 adopted by the Commission during its 60th Ordinary Session Niamey, Niger;
- Call on the government of Djibouti, ahead of its May 2018 UN Universal Periodic Review, to address recommendations raised by civil society, including removing all undue obstacles to the registration of associations, creating an environment in which independent media can operate freely, and amending the Constitution to include explicit protection of the right to freedom of peaceful assembly;
- Call on member states, particularly Eritrea and Sudan to implement the recommendations passed by the ACHPR in the respective Communication decisions;
- Call on member States to cease the harassment and arbitrary detention of HRDs, especially those working on LGBT rights, and 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;
- Call on States to abide by the Guidelines on Freedom of Association and Assembly adopted by the Commission during its 60th Ordinary Session, ensuring that they fulfil their obligations under the African Charter by fully protecting these non-derogable rights;
- Call on the African Union Commission to ensure the establishment of the Hybrid Court for South Sudan (HCSS), to prioritise the prompt establishment of the investigative branch of the HCSS, and call on the Government of South Sudan to cooperate fully with this process;
- Call upon member States to adopt appropriate laws and measures to give effect to the Principles and Guidelines on Human Rights while Countering Terrorism in Africa, as per

Res. 368 (LX) 2017, adopted by the Commission during its 60th Ordinary Session  
Niamey, Niger;

- 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;

## **Burundi**

In its report released in September 2017, the UN Commission of Inquiry on Burundi concluded that it had reasonable grounds to believe that crimes against humanity have been committed and continue to be committed in Burundi since April 2015. These include serious human rights violations such as extrajudicial killings, arbitrary arrests and detentions, torture, sexual violence, cruel, inhuman or degrading treatment, and enforced disappearances.<sup>1</sup> On 29 September 2017, the UN Human Rights Council (UN HRC) voted to extend the Commission's mandate.<sup>2</sup>

On 9 November 2017, the International Criminal Court (ICC) in The Hague announced its decision to open an investigation into crimes against humanity allegedly committed in Burundi between 26 April 2015 and 26 October 2017.<sup>3</sup> While Burundi withdrew from the ICC on 27 October 2017,<sup>4</sup> the decision to investigate was made two days prior to the withdrawal, allowing the court to exercise its jurisdiction over the period when Burundi was still a state party to the Rome Statute, which established the ICC. The Court will initiate a probe into the deaths of more than 1,200 people, as well as cases of torture, rape, and enforced disappearances allegedly committed by state agents such as the Burundian National Police, national intelligence service, units of the Burundian army, and the youth wing of the ruling party known as the *Imbonerakure*. The Burundian Coalition for the ICC expressed concerns that authorities in Burundi could erase evidence and eliminate witnesses, and therefore requested additional funds and support for the protection of victims and potential witnesses still present in the country.<sup>5</sup>

During its interactive dialogue with the UN HRC on 13 March 2018, the Commission of Inquiry on Burundi denounced the deterioration of security and human rights in the country. Members of the commission said that public liberties continue to be restricted and members of civil society organisations continue to be harassed and arrested.<sup>6</sup> During the 37th session of the UN HRC, UN

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<sup>1</sup> Commission of Inquiry on Burundi, "Report of the Commission of Inquiry on Human Rights in Burundi – A/HRC/36/54," 4 September 2017.

<sup>2</sup> Reuters, "U.N. Human Rights Council extends Burundi rights probe," 29 September 2017, <https://af.reuters.com/article/topNews/idAFKCN1C418K-OZATP>.

<sup>3</sup> International Criminal Court, "Public Redacted Version of "Decision Pursuant to Article 15 of the Rome Statute on the Authorization of an Investigation into the Situation in the Republic of Burundi", ICC-01/17-X-9-US-Exp, 25 October 2017," 9 November 2017, <https://www.icc-cpi.int/Pages/record.aspx?docNo=ICC-01/17-9-Red>.

<sup>4</sup> Voice of America, "Burundi Withdraws From International Criminal Court," 27 October 2017, <https://www.voanews.com/a/burundi-withdraws-from-international-criminal-court/4088579.html>.

<sup>5</sup> The East African, "Safety sought for witnesses, victims as ICC prepares case against Burundi," 9 December 2017, <http://www.theeastafrican.co.ke/news/ICC-seeks-Burundi-witnesses-victims-protection-/2558-4221562-ey83cc/index.html>.

<sup>6</sup> Radio Publique Africaine, "La Commission d'enquête sur le Burundi s'inquiète des violations des droits humains au Burundi," 14 March 2018, <http://www.rpa.bi/index.php/2011-08-15-07-10-58/droits-de-l-homme/item/4783-la-commission-d-enquete-sur-l-e-burundi-s-inquiete-des-violations-des-droits-humains-au-burundi>.

High Commission for Human Rights Zeid Ra'ad Al Hussein described Burundi being as among "the most prolific slaughterhouses of humans in recent times."<sup>7</sup>

### Freedom of Association

Leopold Habarugira, an official with the opposition *Union pour la Paix et la Démocratie*, was abducted in Bujumbura on 12 September 2017 while walking with his wife. According to his wife, four men, one of whom was wearing a police uniform, took him away in a car. Habarugira was one of the few opposition leaders to remain in Burundi after the political crisis erupted in 2015.<sup>8</sup>

On 21 November 2017, police arrested HRD Nestor Nibitanga in Gitega after searching his home early in the morning. Police confiscated his cell phone and documents related to his work with the *Association Burundaise pour la Protection des Droits Humains et des Personnes Détenues* (APRODH). Police have suggested that the possession of such documents could justify a charge of "threatening national security."<sup>9</sup> Nibitanga served as the principal human rights observer in Central-East Burundi for APRODH until it was deregistered in 2016, along with a host of other organisations. According to a statement from the *Coalition Burundaise des Défenseurs des Droits de l'Homme*, Nibitanga was held in the headquarters of the *Service National des Renseignements* (NSS) in Bujumbura before being transferred to Rumonge prison on 4 December 2017.<sup>10</sup>

On 9 March 2018, Emmanuel Nshimirimana, Aime Constant Gatore, and Marius, Nizigiyimana, all members of members of the campaign group *Parole et Action pour le Reveil des Conscience et l'Evolution des mentalities* (PARCEM) were sentenced to 10 years in prison on charges of undermining state security.<sup>11</sup> The three members of PARCEM were arrested in the central province of Muramvya between 13-17 June 2017 and detained since. Their case was heard in

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<sup>7</sup> UN HRC, "Opening statement by UN High Commissioner for Human Rights," 26 February 2018, <http://www.ohchr.org/EN/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=22702&LangID=E>.

<sup>8</sup> Africa News, "Burundi opposition official abducted in the capital Bujumbura," 13 September 2017, <http://www.africanews.com/2017/09/13/burundi-opposition-official-abducted-in-the-capital-bujumbura/>

<sup>9</sup> Frontline Defenders, "Nestor Nibitanga detained incommunicado," 22 November 2017, <https://www.frontlinedefenders.org/en/case/nestor-nibitanga-detained-incommunicado>.

<sup>10</sup> Coalition Burundaise des Défenseurs des Droits de l'Homme, "Statement on the arrest and detention of human rights defender Nibitanga Nestor," 6 December 2017, [http://burundihrdcoalition.org/wp-content/uploads/2017/12/Statement\\_on\\_the\\_arrest\\_and\\_detention\\_of\\_Nestor\\_Nibitanga.pdf](http://burundihrdcoalition.org/wp-content/uploads/2017/12/Statement_on_the_arrest_and_detention_of_Nestor_Nibitanga.pdf).

<sup>11</sup> Radio France International, "Burundi: trois militants de la société civile condamnés à dix ans de prison," 10 March 2018, [http://www.rfi.fr/afrique/20180310-burundi-justice-trois-militants-jugement-condamnation-dix-ans-prison-absence-avocat?ref=fb\\_i](http://www.rfi.fr/afrique/20180310-burundi-justice-trois-militants-jugement-condamnation-dix-ans-prison-absence-avocat?ref=fb_i).

their presence of the President of Parcem, Faustin Ndikumana who was obliged to testify in the case on 5 January 2018. The pronouncement was laid down in the absence of the accused.

HRD Germain Rukuki was expected to appear before the Ntahangwa High Court on 27 March 2018 for the second hearing of his trial, but this was abruptly postponed.<sup>12</sup> On 3 April, prosecutors sought a sentence of life imprisonment on charges of “assassination, destruction of public and private buildings, and participation in an insurrectionist movement” as well as “breaching the internal security of the State and rebellion.”<sup>13</sup> Rukuki was arrested on 13 July 2017, and the charges stem from his former involvement in *L'Action des Chrétiens pour l'Abolition de la Torture au Burundi* (ACAT-Burundi), a civil society organisation that the government has accused of being complicit in the 13 May 2015 failed coup attempt.

5,000,742 people registered to vote in the 17 May 2017 constitutional referendum and 2020 elections which could allow President Pierre Nkurunziza to remain in power until 2034. Opposition politicians claimed that citizens were being forcibly enrolled in rural areas, with police forces and the *Imbonerakure* youth militia compelling people to register,<sup>14</sup> while the coalition of opposition parties in exile, CNARED, described the results as misleading and imaginary.<sup>15</sup> The highly controversial proposed constitutional amendment could fall afoul of the Arusha peace accords that helped to end the 1993-2006 civil war. The accords stipulate a 10-year limit for ruling presidents, while the current constitution sets a limit of two five-year mandates. When Nkurunziza ran for a third term in 2015 and won, his victory sparked a violent crisis that has led to a severe breakdown of the country, and forced more than 400,000 to flee. In late February 2018, Burundi's ruling party bestowed the title of "eternal supreme guide" on Nkurunziza, with critics claiming he wants to lock in power for life.<sup>16</sup>

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<sup>12</sup> Protection International, “Statement: Protection International condemns the postponement of Germain Rukuki’s second hearing,” 27 March 2018,

<https://www.protectioninternationale.org/en/pi-condemns-postponement-germain-rukuki-second-trial>.

<sup>13</sup> FIDH, “Burundi : Prison à perpétuité requise contre Germain Rukuki arbitrairement détenu depuis le 13 juillet 2017,” 5 April 2018,

<https://www.fidh.org/fr/themes/defenseurs-des-droits-humains/burundi-prison-a-perpetuite-requise-contre-germain-rukuki>.

<sup>14</sup> The East African, “Over 5 million list to vote in controversial Burundi poll,” 20 February 2018,

<http://www.theeastafrican.co.ke/news/5-million-look-to-vote-in-controversial-Burundi-poll/2558-4312984-cc8901/index.html>.

<sup>15</sup> Iwacu, “CNARED qualifies voters’ registration results as misleading and imaginary,” 21 February 2018,

<http://www.iwacu-burundi.org/englishnews/cnared-qualifies-voters-registration-results-as-misleading-and-imaginary/>.

<sup>16</sup> The East African, “Burundi's Nkurunziza dubbed 'eternal supreme guide' by party,” 12 March 2018,

<http://www.theeastafrican.co.ke/news/Burundi-s-Nkurunziza-dubbed-eternal-supreme-guide-by-party/2558-4337778-738u20z/index.html>.



## Freedom of Expression

In its decision on 28 September 2017, the National Council of Communication (CNC) suspended radio station CCIB FM+ for a period of three months on charges of violating "professional ethics and the media law".<sup>17</sup> The charges allegedly relate to an editorial aired on 18 September 2017 that criticised the authorities' supposed indifference to the massacre of some 36 Burundian asylum seekers at a demonstration in Democratic Republic of the Congo, as well as the lack of investigation into the corpses appearing on the streets of Bujumbura and elsewhere.<sup>18</sup> Director of CCIB FM+, Eddy Claude Nininahazwe, who read the editorial, was fired from his job and thereafter threatened by unknown assailants, leading him to flee the country. In that same decision, the CNC also withdrew the licenses of several media outlets – *Radio Publique Africaine*, *Radio Bonasha*, *Radio Renaissance* and *Télévision Renaissance* – claiming they had gone three months without broadcasting. While the outlets had gone some time without broadcasting, the journalists working for them were still reporting and publishing stories online and on social media.<sup>19</sup>

At least 60 people were arrested in mid-January 2018 for publicly advocating that citizens reject the proposed constitutional amendment which would extend President Nkurunziza's term in office beyond 2020.<sup>20</sup> While the total number of people persecuted because of their opposition to the constitutional referendum is difficult to confirm, the case of Simon Bizimana, a citizen who was arrested, tortured, and died in hospital for allegedly refusing to register to vote, is indicative of the dangers associated with publicly opposing the referendum.<sup>21</sup>

## Freedom of Peaceful Assembly

Police agents arrested seven nurses in Ruyigi province on 13 January 2018. According to eyewitness reports, the nurses were waving protest signs against what they termed as "illegal" taxation. The police accused the nurses of holding an unauthorised protest. All seven were subsequently released on 17 January.<sup>22</sup> The government of Burundi began deducting from

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<sup>17</sup> Iwacu, "Les émissions de la CCIB FM+ suspendues pendant trois mois," 28 September 2017, <http://www.iwacu-burundi.org/les-emissions-de-la-ccib-fm-suspendues-pendant-trois-mois/>.

<sup>18</sup> Reporters Without Borders, "Licences rescinded in new threat to media freedom in Burundi" 13 October 2017 <https://rsf.org/en/news/licences-rescinded-new-threat-media-freedom-burundi>.

<sup>19</sup> Ibid.

<sup>20</sup> Atrocities Watch, "Burundi Watch Update," 22 January 2018, <http://atrocitieswatch.org/wp-content/uploads/2018/01/Burundi-Watch-Update-97.pdf>.

<sup>21</sup> Atrocities Watch, "Burundi Watch Update," March 2018, <http://atrocitieswatch.org/wp-content/uploads/2018/04/Monthly-report-March-Report.pdf>.

<sup>22</sup> SOS-Torture, "Report No. 110 of SOS-Torture," 20 January 2018, <http://sostortureburundi.over-blog.com/2018/01/report-no.110-of-sos-torture/burundi-published-on-january-20-2018.html>.

professional salaries to fund the country's 2020 general election after some international donors withdrew funding following the heavily disputed 2015 election.

740 prisoners, including 450 accused of protesting against Nkurunziza's third term, were released on 16 March 2018 following a presidential pardon. The released detainees include 200 women, 103 children, 80 minors.<sup>23</sup>

## **Djibouti**

Djibouti's President Ismaïl Omar Guelleh has been in office for nearly two decades, making him one of Africa's longest-serving leaders. His ruling party claimed a resounding victory in legislative elections in February 2018, winning 90 per cent of seats and further consolidating its longstanding rule over the small but strategically important nation.<sup>24</sup>

DefendDefenders, CIVICUS, and the International Federation for Human Rights (FIDH) published a joint Universal Periodic Review (UPR) stakeholder submission on 12 October 2017 ahead of Djibouti's May 2018 UPR review. The joint submission outlines the continued unwillingness of authorities in Djibouti to address major human rights violations such as the relentless targeting of HRDs, as well as the limitations on and violations of civil and political rights, including continued intolerance towards critical voices and dissent.<sup>25</sup>

## **Freedom of Association**

In early January 2018, the opposition *Mouvement pour le développement et la liberté* announced a boycott on legislative elections scheduled for February 2018.<sup>26</sup> Opposition Movement for

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<sup>23</sup> Iwacu, "Over 700 detainees received presidential pardon," 19 March 2018, <http://www.iwacu-burundi.org/englishnews/over-700-detainees-received-presidential-pardon/>.

<sup>24</sup> Arab News, "Djibouti ruling party claims landslide parliamentary win," 26 February 2018, <http://www.arabnews.com/node/1254491/world>.

<sup>25</sup> DefendDefenders, "Civil society submits joint report ahead of Djibouti's 2018 Universal Periodic Review," 12 October 2017, <https://www.defenddefenders.org/submissions/civil-society-submits-joint-report-ahead-of-djiboutis-2018-univers-al-period-review/>.

<sup>26</sup> Al Wihda, "Djibouti : Le parti d'opposition le MoDeL ne participera pas aux élections législatives de 2018," 2 January 2018, [https://www.alwihdainfo.com/Djibouti-Le-parti-d-opposition-le-MoDeL-ne-participera-pas-aux-elections-legislativ-es-de-2018\\_a60340.html](https://www.alwihdainfo.com/Djibouti-Le-parti-d-opposition-le-MoDeL-ne-participera-pas-aux-elections-legislativ-es-de-2018_a60340.html).

Democratic Renewal and Development leader Daher Ahmed Farah, who also boycotted the vote, claimed the government backpedalled on a 2014 agreement to establish an independent national electoral commission.<sup>27</sup> Civil society organisations like the *Observatoire Djiboutien pour la promotion de la Démocratie et des Droits Humains* and the *Ligue Djiboutienne des Droits Humains* (LDDH), echoed similar concerns over the integrity and fairness of the electoral process.<sup>28 29</sup>

Amnesty International's "The State of the World's Human Rights 2017/18" report released in February 2018 noted that thousands of prisoners of conscience and political prisoners, including former politicians, journalists, and adherents of unauthorised religions, remain detained without charge in Djibouti, with many being denied the right to a fair trial, and access to lawyers or family members. Many have been in detentions for over a decade.<sup>30</sup>

### Freedom of Expression

Army spokesperson and novelist Rachid Hachi was arrested and detained for a day on 14 March 2018, allegedly in connection to a story he published entitled "The Al Capones of Milk," which he described as a work of pure fiction. His offices and home were also searched.

### Freedom of Peaceful Assembly

On 27 October 2017, protests erupted in Tadjourah, northern Djibouti, where a commercial port is to be built. According to LDDH, the protests erupted because the list of candidates for jobs to build the port did not include local youth from Tadjourah. Several protesters were seriously

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<sup>27</sup> Voice of America, "Djibouti's Main Opposition Party Boycotts Legislative Elections," 23 February 2018, <https://www.voanews.com/a/djibouti-opposition-party-boycotts-elections/4267282.html>.

<sup>28</sup> Al Wihda, "République de Djibouti : Elections législatives de février 2018, l'illusion démocratique se poursuit inlassablement," 13 February 2018, [https://www.alwihdainfo.com/Republique-de-Djibouti-Elections-legislatives-de-fevrier-2018-l-illusion-democratique-se-poursuit-inlassablement\\_a61404.html](https://www.alwihdainfo.com/Republique-de-Djibouti-Elections-legislatives-de-fevrier-2018-l-illusion-democratique-se-poursuit-inlassablement_a61404.html).

<sup>29</sup> Ligue Djiboutienne des Droits Humains, "Elections Legislatives," 9 February 2018, <http://www.iddh.net/elections-legislatives/>.

<sup>30</sup> Amnesty International, "The State of the World's Human Rights 2017/18," 22 February 2018, <https://www.amnesty.org/en/documents/POL10/6700/2018/En/>.

injured during the demonstrations, including a 10-year-old boy. Police allegedly used live ammunition and tear gas to disperse protesters.<sup>31</sup>

## **Eritrea**

Forced labour continues to be practiced in Eritrea, with every citizen compelled to serve 18 months in national military service – in practice, however, conscripts can serve for decades or, in some cases, indefinitely. Thousands have fled the country in recent years to avoid conscription. On 21 November 2017, a Canadian court unanimously dismissed an appeal from mining company Nevsun Resources to block a case brought against it by three Eritrean refugees. The case concerns allegations of forced labour at Nevsun's Bisha mine, 150 kilometres west of Asmara. The plaintiffs claim that they were national service conscripts, forced into slavery at the mine under threat of torture, imprisonment, and reprisals against their families. Since the company is headquartered in Vancouver, Canada, the plaintiffs are now able to pursue a civil case in Canada for Nevsun's alleged complicity in crimes against humanity, slavery, forced labour, and torture at the mine.<sup>32</sup>

## **Freedom of Expression**

BBC Radio announced in late January 2018 that it would begin broadcasting news, current affairs, features, and English language training for Ethiopians and Eritreans from Monday to Friday in Amharic, Afaan, Oromo, and Tigrinya languages. As Eritrea remains one of the most heavily censored countries in the world with highly restricted airwaves, the programmes will be broadcast via shortwave and satellite, and available for streaming on the BBC's Facebook page.<sup>33</sup>

## **Freedom of Peaceful Assembly**

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<sup>31</sup> Ligue Djiboutienne des Droits Humains, "Justice !!!," 28 October 2017, <http://www.iddh.net/justice/>.

<sup>32</sup> Human Rights Concern Eritrea, "ERITREA: Canadian Appeal Court Affirms Eritreans' Slavery and Forced Labour Claims Can Proceed," 21 November 2017, <http://hrc-eritrea.org/eritrea-canadian-appeal-court-affirms-eritreans-slavery-and-forced-labour-claims-can-proceed/>.

<sup>33</sup> BBC, "New BBC Radio services and English Language Learning for Ethiopia and Eritrea," 30 January 2018, <http://www.bbc.co.uk/mediacentre/latestnews/2018/english-language-learning-ethiopia-eritrea>.

On 31 October 2017, security forces allegedly dispersed a protest with live ammunition in Asmara.<sup>34</sup> The U.S. embassy in Asmara confirmed receiving reports of gunfire in several locations of Asmara due to protests.<sup>35</sup> The demonstrations were apparently related to government interference in the administration of the *Al Diaa* Islamic School, located in the Akria district of Asmara.<sup>36</sup> According to Human Rights Concern – Eritrea (HRCE), the former director of the school, Haji Musa Mohamed Nur, was arrested on 20 October 2017 after speaking to a community meeting on the government's plans to seize and close the school. HRCE also noted that an unknown number of protesters were detained during and after the protest, including young demonstrators ranging 13 to 15 years old, some of whom were tortured.<sup>37</sup> Videos emerged on social media of a running crowd amid gunfire in Harnet Avenue, close to the President's office.<sup>38</sup> After four months *incommunicado* imprisonment, Haji Mussa died in detention on 1 March 2018 – the government arrested hundreds of mourners at his funeral who are still being detained *incommunicado*.<sup>39</sup>

## **Ethiopia**

On 30 January 2018, the Association for Human Rights in Ethiopia (AHRE) launched a report on human rights and the decline of civic space in Ethiopia since 2005. It also included accounts from journalists, HRDs, and activists imprisoned during the initial 10-month state of emergency that was lifted in August 2017.<sup>40</sup>

Hailemariam Desalegn unexpectedly resigned as both Prime Minister and Chairman of the country's ruling coalition on 15 February 2018 after releasing a significant number of prisoners

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<sup>34</sup> DW, "Rare protests reported in Eritrea with 28 deaths," 1 November 2017, <http://www.dw.com/en/rare-protests-reported-in-eritrea-with-28-deaths/a-41200325>.

<sup>35</sup> U.S. Embassy in Asmara, "Security Message for U.S. Citizens: Protests in Asmara," 31 October 2017, <https://er.usembassy.gov/security-message-u-s-citizens-protests-asmara/>?

<sup>36</sup> Asmarino Independent, "Eritrea : A short account of the events that took place in Asmara this afternoon," 1 November 2017, <http://www.asmarino.com/news/4971-eritrea-a-short-account-of-the-events-that-took-place-in-asmara-this-after-noon>.

<sup>37</sup> Human Rights Concern – Eritrea, "Eritrean Children Arrested, Tortured and Hospitalised in the Aftermath of Protests," 15 November 2017, <http://hrc-eritrea.org/eritrean-children-arrested-tortured-and-hospitalised-in-the-aftermath-of-protests/>.

<sup>38</sup> ASSANA, "VOICE OF ASSENNA: Another video of the People's Demonstration in Asmara," 31 October 2017, [https://www.youtube.com/watch?time\\_continue=1&v=X4RZhuxH2yE](https://www.youtube.com/watch?time_continue=1&v=X4RZhuxH2yE).

<sup>39</sup> OHCHR, "Eritrea: UN expert says more arrests, detentions after elderly school chief dies in custody," 14 March 2018, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22823&LangID=E>.

<sup>40</sup> Association for Human Rights in Ethiopia, "Ailing Civic Space in an Authoritarian State," 30 January 2018, [https://ahrethio.org/2018/01/30/association-for-human-rights-in-ethiopia-launches-new-report-on-human-rights-in-ethiopia/ailingcivicspace\\_large-3/](https://ahrethio.org/2018/01/30/association-for-human-rights-in-ethiopia-launches-new-report-on-human-rights-in-ethiopia/ailingcivicspace_large-3/).

failed to quell massive protests across the country. Desalegn said that his resignation was an attempt "to facilitate peace and dialogue."<sup>41</sup> One day after the announcement, the government imposed a new six-month state of emergency to prevent more anti-government protests.<sup>42</sup> In late March 2018, the ruling Ethiopian People's Revolutionary Democratic Front (EPDRF) elected Dr. Abiy Ahmed as its new leader following a closed meeting of 170 of the party's senior leadership members. Dr. Ahmed, 42, is a former minister and is Ethiopia's first prime minister from the Oromo ethnic group since the ruling party took power in 1991.<sup>43</sup>

### Freedom of Association

According to the AHRE, ethnic violence and brutal police crackdowns in the Oromia and Somali regions displaced at least a thousand people in September and October 2017.<sup>44</sup> On 22 October, a regional government official said that 11 people were killed during ethnic clashes in Oromia.<sup>45</sup> Continued clashes between the two groups left 20 dead on 27 November 2017.<sup>46</sup>

Research group Citizen Lab issued a report on 6 December 2017 alleging that surveillance software purchased from an Israeli company was being used to spy on Ethiopians living abroad, notably diaspora-based Oromo dissidents and organisations.<sup>47</sup>

More than 30 alleged members of banned political group Ginbot 7 were sentenced to lengthy prison terms of 15-18 years on 12 January 2018, while dozens more were jailed in the preceding

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<sup>41</sup> Al Jazeera, "Ethiopia prime minister Hailemariam Desalegn resigns," 15 February 2018, <https://www.aljazeera.com/news/2018/02/ethiopia-prime-minister-hailemariam-desalegn-resigns-180215115215988.html>.

<sup>42</sup> BBC, "Why has Ethiopia imposed a state of emergency?," 21 February 2018, <http://www.bbc.com/news/world-africa-43113770>.

<sup>43</sup> Al Jazeera, "Abiy Ahmed elected as chairman of Ethiopia's ruling coalition," 28 March 2018, <https://www.aljazeera.com/news/2018/03/abiy-ahmed-elected-chairman-ethiopia-ruling-coalition-180327201015850.html>.

<sup>44</sup> Association for Human Rights in Ethiopia, "Addressing another wave of ethnic violence in Ethiopia," 24 October 2017, <https://ahrethio.org/2017/10/24/addressing-another-wave-of-ethnic-violence-in-ethiopia/>.

<sup>45</sup> Reuters, "Eleven killed in clashes in Ethiopia's Oromiya region, official says," 22 October 2017, <https://www.reuters.com/article/us-ethiopia-violence/eleven-killed-in-clashes-in-ethiopias-oromiya-region-official-says-idUSKBN1CROTH>.

<sup>46</sup> Africa News, "Ethiopia: 20 perish in ethnic conflict, over 90 others arrested by the police," 27 November 2017, <http://www.africanews.com/2017/11/27/20-perish-in-ethnic-conflict-in-ethiopia-with-over-90-others-arrested-by-police/>.

<sup>47</sup> The Citizen Lab, "Champing at the Cyberbit: Ethiopian Dissidents Targeted with New Commercial Spyware," 6 December 2017, <https://citizenlab.ca/2017/12/champing-cyberbit-ethiopian-dissidents-targeted-commercial-spyware/>.

weeks due to their association with the group.<sup>48</sup> The Ethiopian government claims the group wants to overthrow the government and has designated Ginbot 7 a terrorist organisation under its contentious Anti-Terrorism Proclamation.

Bekele Gerba, an opposition leader from the Oromo Federalist Congress was given a six-month prison sentence on 5 February 2018 for contempt of court after refusing to stand and speak to judges – he had previously been given a similar sentence for singing a protest song during another hearing.<sup>49</sup> However, during the mass release of prisoners in February 2018, Bekele and seven other political figures were cleared of their charges and released from jail.<sup>50</sup>

On 24 March 2018, roughly 19 people who had travelled to Bahir Dar to discuss the formation of a new political party, including academics and journalists, were arrested and allegedly ill-treated in the process. These include: Dr. Dessalegn Chane (a professor at Bahir Dar University), Gashawu Mersha, Yesuf Ibrahim (a lawyer and former university lecturer), Temesgen Tessema (a lecturer at Wolo University), Belete Molla (a lecturer at Addis Ababa University), Nigatu Asress (a journalist at Amhara Regional TV), Belete Kassa (a former editor-in-chief of *Qelem Qend* newspaper), and Kassu Hailu (a lecturer at Enjibar University).<sup>51</sup> All 19 detainees were released on 4 April 2018 without charge.<sup>52</sup>

### Freedom of Expression

On 8 November 2017, the Federal High Court acquitted journalist Elias Gebru and opposition member Daniel Shibeshi of criminal charges. Both were arrested on 18 November 2016 under the State of Emergency provisions after posting a photo of themselves on social media with crossed arms above their head, a symbol of support for the protests in Oromia and Amhara. Gebru and Shibeshi were released on bail in August 2017 after months in detention without

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<sup>48</sup> BBC, "Ethiopia court jails members of outlawed group Ginbot 7," 12 January 2018, <http://www.bbc.com/news/world-africa-42661440>.

<sup>49</sup> The East African, "Ethiopian opposition politicians jailed for contempt," 5 February 2018, <http://www.theeastafrican.co.ke/news/Ethiopian-opposition-politicians-jailed-for-contempt/2558-4292526-jsogs3/index.html>.

<sup>50</sup> The Guardian, "Mass protests force Ethiopia to free opposition leader," 14 February 2018, <https://www.theguardian.com/world/2018/feb/14/mass-protests-force-ethiopia-to-free-opposition-leader>.

<sup>51</sup> CIVICUS Monitor, "Journalists, bloggers, and activists arrested under new state of emergency," 29 March 2018, <https://monitor.civicus.org/newsfeed/2018/03/29/journalists-bloggers-and-activists-arrested-under-new-state-emergency/>.

<sup>52</sup> Addis Standard, "NEWS: Despite promises of release on individual bail, rearrested journalists, bloggers and opposition politicians remain in police custody," 4 April 2018, <https://addisstandard.com/news-despite-promises-of-release-on-individual-bail-rearrested-journalists-bloggers-and-opposition-politicians-remain-in-police-custody/>.

official charges, while also being subject to a travel ban that has now been lifted with the acquittal.<sup>53</sup>

On 10 January 2018, radio journalists Darsema Sori and Khalid Mohammed were released from lengthy prison terms on anti-state charges related to their work at faith-based Radio Bilal. The two were arrested in 2015 for their coverage of the 2012 Ethiopian Muslim community protests over government interference in Islamic affairs.<sup>54</sup>

In mid-February 2018, Ethiopian journalists Eskinder Nega and Woubshet Taye were released from prison and pardoned after each serving nearly seven years in prison – both were arrested in 2011 and convicted in 2012 in unrelated cases.<sup>55</sup> Prior to his release, Eskinder allegedly refused to sign a confession which falsely stated that he was a member of Ginbot 7 in exchange for his freedom.<sup>56</sup>

11 journalists, bloggers, and activists were arrested by Ethiopian security forces on 25 March 2018, including recently released political prisoners: Eskinder Nega and Temesgen Desalegn, Zone9 bloggers Mahlet Fantahun, Befekadu Hailu, blogger Zelalem Workaggahu and political activists Andualem Arage, Addisu Getinet, Yidnekachewu Addis, Sintayehu Chekol, Tefera Tesfaye and Woynshet Molla. According to AHRE, they were arrested while attending a private meeting at the home of journalist Temesgen Desalegn.<sup>57</sup> They had also allegedly displayed a flag that differed from the official national banner at the meeting.<sup>58</sup> The media professionals were released on 5 April 2018.<sup>59</sup>

On 8 March 2018, university lecturer and prominent blogger Teshome Seyoum was arrested by security forces at his home and accused of using his social media accounts to instigate violence

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<sup>53</sup> Addis Standard, "NEWS: Ethiopia court acquits a journalist, opposition party member from charges under defunct state of emergency," 8 November 2017, <http://addisstandard.com/news-federal-court-acquits-journalist-eliasgebru-opposition-party-member-danielshibes-hi/>.

<sup>54</sup> Committee to Protect Journalists, "Why release of two journalists in Ethiopia does not signal end to press crackdown," 25 January 2018, <https://cpj.org/blog/2018/01/why-release-of-two-journalists-in-ethiopia-does-no.php>.

<sup>55</sup> Committee to Protect Journalists, "Ethiopian journalists Eskinder Nega and Woubshet Taye released from prison," 14 February 2018, <https://cpj.org/2018/02/ethiopian-journalists-eskinder-nega-and-woubshet-t.php>.

<sup>56</sup> Committee to Project Journalists, "Ethiopia's Eskinder Nega refuses to sign false confession in exchange for prison release," 9 February 2018, <https://cpj.org/2018/02/ethiopias-eskinder-nega-refuses-to-sign-false-conf.php>.

<sup>57</sup> CIVICUS Monitor, "Journalists, bloggers, and activists arrested under new state of emergency," 29 March 2018, <https://monitor.civicus.org/newsfeed/2018/03/29/journalists-bloggers-and-activists-arrested-under-new-state-emergency/>.

<sup>58</sup> Bloomberg, "Ethiopia Arrests a Dozen Opposition Activists Over Flag Display," 26 March 2018, <https://www.bloomberg.com/news/articles/2018-03-26/ethiopia-arrests-a-dozen-opposition-activists-over-flag-display>.

<sup>59</sup> New York Times, "Ethiopia Releases 11 Journalists, Politicians Once Again," 5 April 2018, <https://www.nytimes.com/aponline/2018/04/05/world/africa/ap-af-ethiopia-journalists-freed-.html>.



against the state. According to reports, Teshome was due to appear in court 22 March 2018 but authorities failed to produce him,<sup>60</sup> arguing that, since he was arrested under the current State of Emergency, his case will be handled by a yet to be established special commission. Teshome attended the 60th Ordinary Session of the ACHPR as part of DefendDefenders' delegation.

Taye Dendea, Head of Public Relations and Communications for the Oromia Justice Bureau, was arrested on 15 March 2018 after publicly stating in a radio interview that the killing of 15 people by Ethiopian forces in Moyale on 8 March 2018 was deliberately planned, and not accidental as the government had reported.<sup>61</sup>

### Freedom of Peaceful Assembly

On 26 October 2017, security forces killed at least 10 people and wounded 20 in the town of Ambo in Oromia after they fired live ammunition on a crowd that had gathered due to a rumour that a shipment of smuggled sugar would be coming through the town, despite a national shortage that had plagued the country for months.<sup>62</sup>

On 10 November 2017, the government announced a ban on public demonstrations and rallies across the country, as part of a national security plan to consolidate peace and security.<sup>63</sup> The new ban followed the initial 10-month State of Emergency that was lifted in August 2017. The government also vowed to prosecute officials who compromise state security. Despite the ban, authorities allowed a protest by Eritrean refugees and opposition groups against the Eritrean regime at the African Union headquarters in Addis Ababa on 15 November 2017.<sup>64</sup>

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<sup>60</sup> Africa News, "Ethiopia police fail to produce detained blogger who criticized martial law," 23 March 2018, <http://www.africanews.com/2018/03/23/ethiopia-police-fail-to-produce-detained-blogger-who-criticized-martial-law/>.

<sup>61</sup> Amnesty International, "URGENT ACTION: Two men held for criticizing the government," 19 March 2018, <https://www.amnesty.org/download/Documents/AFR2580812018ENGLISH.pdf>.

<sup>62</sup> Voice of America, "10 Dead in Ethiopia After Security Forces Fire on Protesters," 26 October 2017, <https://www.voanews.com/a/ten-dead-in-ethiopia-after-security-forces-fire-on-protesters/4088437.html>.

<sup>63</sup> Africa News, "Ethiopia bans protest rallies across the country in 'national security' move," 11 November 2017, <http://www.africanews.com/2017/11/11/ethiopia-bans-protest-rallies-across-the-country-in-national-security-move/>.

<sup>64</sup> Africa News, "[Photos] Ethiopia allows anti-Eritrea march to A.U. despite protest ban," 15 November 2017, <http://www.africanews.com/2017/11/15/photos-ethiopia-allows-anti-eritrea-march-to-au-despite-protest-ban/>.

Reports indicated that security forces killed at least 15 people and injured dozens more in Chelenko, Oromia, on 11 December 2017 during a protest against the alleged killing of Oromo citizen Ahimadin Ahmed Asasa by the Somali regional special police.<sup>65</sup>

On 15 January 2018, Attorney General Getachew Ambaye announced that the country would drop charges against 528 prisoners after two days of "rehabilitation training." The authorities would release 115 suspects at the federal level, along with 361 suspects in the Dilla district and 52 in the Konso district.<sup>66</sup> Most of the prisoners had been arbitrarily arrested and charged with terrorism during anti-government demonstrations that started in late 2015 and during the initial State of Emergency between October 2016 and August 2017.

On 26 January 2018, Oromia region spokesperson Addisu Arega announced the pardon and release of more than 2,000 prisoners, 1,568 of whom had been formally convicted while the rest had merely been under investigation.<sup>67</sup>

On 8 February 2018, state-affiliated Fana Broadcasting reported that the government would pardon and release another 746 more suspects and prisoners, among them opposition politician Andualem Arage.<sup>68</sup>

At least five people were killed at a religious festival in the town of Waldiya in northern Ethiopia on 21 January 2018 after security forces allegedly fired on a crowd reportedly shouting anti-government slogans.<sup>69</sup>

## **Kenya**

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<sup>65</sup> Addis Standard, "NEWS: Number of civilians killed by security forces in Chelenko climbs to fifteen, several wounded; two students killed in Wolega UNV," 12 December 2017, <http://addisstandard.com/news-number-of-civilians-killed-by-security-forces-in-chelenko-climbs-to-fifteen-several-wounded-two-students-killed-in-wolega-unv/>.

<sup>66</sup> Voice of America, "Ethiopia to Free 528 People Arrested During Anti-Government Protests," 15 January 2018, <https://www.voanews.com/a/ethiopia-to-free-opposition-leader-others-jailed-for-involvement-in-unrest/4208412.html>.

<sup>67</sup> The Guardian, "Ethiopia 'pardons 2,000 prisoners' jailed over Oromo protests," 26 January 2018, <https://www.theguardian.com/world/2018/jan/26/ethiopia-pardons-2000-prisoners-jailed-over-oromo-protests>.

<sup>68</sup> Fana Broadcasting, "Ethiopia pardons 746 suspects and prisoners, including Eskindr Nega and Andualem Arage," 8 February 2018, <http://www.fanabc.com/english/index.php/news/item/11299-ethiopia-pardons-746-prisoners-including-eskindr-nega-and-andualem-arage>.

<sup>69</sup> BBC, "Ethiopia Waldiya: Five killed by police at religious festival," 21 January 2018, <http://www.bbc.com/news/world-africa-42767234>.

Amid heightened tensions and fears of violence, Kenya saw a controversial rerun of the presidential election on 26 October 2017, after a Supreme Court ruling on 1 September annulled the results of the initial 8 August vote. Main opposition candidate Raila Odinga withdrew from the rerun, and urged Kenyans to boycott the election, promising civil disobedience. The revote was marred by violence and controversy, but ultimately brought victory to incumbent President Uhuru Kenyatta with 98.2 per cent of the vote – only 39 per cent of the registered voters turned up to cast ballots. Human Rights Watch estimate that police and arm gangs killed at least 37 people between September and November 2017.<sup>70</sup>

On 30 January 2018, Odinga was informally sworn in as “The People’s President,” after staging a mock inauguration with his supporters in Nairobi, which led to a severe crackdown on opposition members and independent media who were providing live coverage of the event. The government then designated the National Resistance Movement (NRM) an activist wing of Odinga’s National Super Alliance (NASA) coalition, as a criminal group.<sup>71</sup>

### Freedom of Association

On 6 November 2017, the NGO Coordination Board ordered three NGOs – Inuka Kenya, Katiba Institute, and Muhuri – to respond to allegations, among others, of operating without a proper license, employing foreigners without a work permit, and money laundering.<sup>72</sup> That same day, the NGO Coordination Board issued a communication directing citizen-led coalition Kura Yangu Sauti Yangu and We The People, a coalition of group of trade unions, civil society organisations, academics, media and citizens at large, to “cease all its political operations in Kenya and including all electoral related programs and desist from all and any engagements with legally registered charitable organisations in Kenya.” The organisations were also accused of operating illegal accounts at NIC Bank and CitiBank, receiving funding from the George Soros Foundation, and employing foreigners without a valid work permit.<sup>73</sup>

On 18 December 2017, Kenya's High Court revoked the decision of the NGO Coordination Board to deregister the African Centre for Open Governance (AfriCOG) for allegedly operating

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<sup>70</sup> Human Rights Watch, “Kenya: Fresh Evidence of Election-Period Abuses,” 25 February 2018, <https://www.hrw.org/news/2018/02/25/kenya-fresh-evidence-election-period-abuses>.

<sup>71</sup> Standard, “State declares National Resistance Movement a criminal group,” 31 January 2018, <https://www.standardmedia.co.ke/article/2001267860/state-declares-national-resistance-movement-a-criminal-group>.

<sup>72</sup> Standard, “NGOs targeted hours to petition deadline,” 5 November 2017, <https://www.standardmedia.co.ke/article/2001259351/ngos-targetted-hours-to-petition-deadline>.

<sup>73</sup> Capital FM, “‘Dissenting’ NGOs back in Fazul’s cross hairs on account of Soros link,” 6 November 2017, <https://www.capitalfm.co.ke/news/2017/11/dissenting-ngos-back-in-fazuls-cross-hairs-on-account-of-soros-link/>.

illegally. The decision also prohibited the Directorate of Criminal Investigations from investigating and prosecuting the directors of AfriCOG, and also prohibited the Central Bank of Kenya from freezing AfriCOG's accounts.<sup>74</sup> On 15 August 2017, the NGO Coordination Board ordered the DCI to immediately shut down AfriCOG and arrest its directors.<sup>75</sup>

Hours prior to Odinga's mock swearing-in on 30 January 2018, deputy opposition leader and presidential running mate Kalonzo Musyoka claimed that gunmen had opened fire on his home and detonated a stun grenade in the early hours of the morning, in what he described as an "assassination attempt." He did not attend the swearing-in.<sup>76</sup>

Lawyer and opposition MP Tom J. Kajwang was arrested outside a Nairobi courthouse on 31 January 2018, a day after he attended the swearing-in. He was later released on a Ksh 50,000 (USD 498\$) bond after spending the night in a police cell.<sup>77</sup> He was later charged with treason and taking part in an unlawful assembly.<sup>78</sup>

At least a dozen high-ranking opposition members had their passports suspended after the swearing-in, including Mombasa Governor Hassan Joho, Siaya Senator James Orengo, businessman Jimi Wanjigi, and NASA strategist David Ndi. Orengo and Wanjigi were later prevented from leaving the country and had their passports confiscated at the airport in Nairobi.<sup>80</sup>

Opposition figure and central NRM leader, Miguna Miguna, who also attended the swearing-in, was seized in a dawn raid at his Nairobi home on 2 February 2018 and subsequently deported to Canada, where he holds dual citizenship.<sup>81</sup> In mid-February 2018, a judge in Nairobi declared Miguna's deportation illegal and ordered the government to reissue his Kenyan passport within seven days – Miguna alleged that when he received the document, it had been defaced and

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<sup>74</sup> Capital FM, "Court quashes Fazul de-registration of AfriCOG," 18 December 2017,

<https://www.capitalfm.co.ke/news/2017/12/court-quashes-fazul-de-registration-of-africog/>.

<sup>75</sup> CIVICUS Monitor, "Human Rights NGOs Face Close and Possible Arrest of their Leadership," 16 August 2017,

<https://monitor.civicus.org/newsfeed/2017/08/16/kenya-deregistration-human-rights-CSOs/>.

<sup>76</sup> The Guardian, "'Assassination attempt' at home of senior opposition leader in Kenya," 31 January 2018,

<https://www.theguardian.com/world/2018/jan/31/kenyan-opposition-leader-kalonzo-musyoka-assassination-attempt>.

<sup>77</sup> Daily Nation, "Ruaraka MP TJ Kajwang' freed on a Sh50,000 bond," 1 February 2018,

<https://www.nation.co.ke/news/Ruaraka-MP-TJ-Kagwang-freed-bond/1056-4287866-662y7p/index.html>.

<sup>78</sup> Citizen TV, "TJ Kajwang charged with aiding Raila commit treason," 1 February 2018,

<https://citizentv.co.ke/news/tj-kajwang-charged-with-aiding-raila-commit-treason-189804/>.

<sup>79</sup> Citizen TV, "Gov't suspends passports of James Orengo, David Ndi, Jimi Wanjigi," 6 February 2018,

<https://citizentv.co.ke/news/govt-suspends-passports-of-james-orengo-david-ndii-jimi-wanjigi-190164/>.

<sup>80</sup> Reuters, "Kenyan opposition politicians stopped from leaving the country: Odinga adviser," 20 February 2018,

<https://www.reuters.com/article/us-kenya-politics/kenyan-opposition-politicians-stopped-from-leaving-the-country-odinga-adviser-idUSKCN1G326A>.

<sup>81</sup> The Guardian, "Deported Kenyan opposition figure rails against 'despotic regime'," 7 February 2018,

<https://www.theguardian.com/world/2018/feb/07/kenya-opposition-lawyer-miguna-miguna-deported-crackdown-row-judiciary>.

perforated.<sup>82</sup> On 26 March, Miguna attempted to regain entry into Kenya using his national ID card, but was held in Jomo Kenyatta International Airport after security guards manhandling him and tried to force him onto a plane headed for Dubai.<sup>83</sup> He spent several nights in limbo at the airport before being allegedly assaulted, drugged, and forcibly put on another flight out of the country.<sup>84</sup>

Several HRDs working on land rights in Elgeyo Markwet County have also been targeted and harassed. On 25 December 2017, more than 100 armed Forest Service guards entered the traditional lands of the Sengwer in the Embobut Forest, firing gunshots, burning at least 15 homes, and killing livestock. On 9 January 2018, a Sengwer leader was shot at by Forest Service guards who later burnt and destroyed his property.<sup>85</sup> On 2 April 2017, Kenya Forest Service guards violently attacked Elias Kimaiyo, a Sengwer community leader/HRD. The Forest Guards were allegedly burning houses belonging to the Sengwer, and Kimaiyo was taking photographs.<sup>86</sup>

### Freedom of Expression

On 25 September 2017, police officers arrested MP Paul Ongili on charges of subversion and uttering abusive words against President Kenyatta for comments he made during an opposition rally.<sup>87</sup>

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<sup>82</sup> The Star, "Kenya defaced my passport to prevent my return, Miguna says," 21 February 2018, [https://www.the-star.co.ke/news/2018/02/21/kenya-defaced-my-passport-to-prevent-my-return-miguna-says\\_c1718697](https://www.the-star.co.ke/news/2018/02/21/kenya-defaced-my-passport-to-prevent-my-return-miguna-says_c1718697).

<sup>83</sup> Daily Nation, "Miguna Miguna spends night at JKIA in Nairobi," 27 March 2018, <https://www.nation.co.ke/news/Miguna-Miguna-spends-the-night-at-JKIA-Nairobi/1056-4359384-6ndc26z/index.html>.

<sup>84</sup> BBC, "Miguna Miguna: Kenya opposition figure deported again," 29 March 2018, <http://www.bbc.com/news/world-africa-43578510>.

<sup>85</sup> OHCHR, "Indigenous rights must be respected during Kenya climate change project, say UN experts," 15 January 2018, <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22584>.

<sup>86</sup> REDD Monitor, "Conservation violence: More evictions of the Sengwer in the Embobut Forest, Kenya," 7 April 2018, <http://www.redd-monitor.org/2017/04/07/conservation-violence-more-evictions-of-the-sengwer-in-the-embobut-forest-kenya/>.

<sup>87</sup> Daily Nation, "Babu Owino faces subversion, uttering abusive words charges," 26 September 2017, <https://www.nation.co.ke/news/Babu-Owino-charged-court/1056-4112452-ihdaiw/index.html>.

On 27 October 2017, a cameraman with Ebru TV in Migori County reported that he received verbal threats from a police officer who threatened to discipline him during a demonstration – the cameraman was not harmed.<sup>88</sup>

According to a statement by the Kenya Editors Guild, President Kenyatta and other senior government officials summoned media managers and editors days prior to Odinga's mock swearing-in and threatened to shut down and revoke the licenses of any media broadcasting the event.<sup>89</sup>

Three television stations and several local radio stations were taken off the air by the authorities during the unofficial swearing-in on 30 January 2018. Nation Media Group's NTV, Royal Media's Citizen TV, and Standard Group's KTN News, all independent broadcasters, were switched off mid-morning for airing live pre-coverage of the event, but their live YouTube streams were unaffected.<sup>90</sup> On 1 February, a High Court in Nairobi issued temporary orders to the Communications Authority to restore signal transmissions, which were nonetheless ignored for several days.<sup>91</sup> NTV and KTN resumed broadcasting on 5 February, but only on paid TV platforms.<sup>92</sup> On 8 February, Citizen TV, along with its Kikuyu-language sister station Inooro TV, were switched back on. By 9 February, all stations were again available on free-to-air platforms.

On 31 January 2018, NTV claimed via Twitter that plainclothes police were outside their offices attempting to arrest the station's general manager and two journalists, though they did not enter the building. The media workers spent the night at the Nation Media offices in Nairobi, unable to leave the premises as lawyers filed court petitions to ensure their freedom.<sup>93</sup>

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<sup>88</sup> National Coalition for Human Rights Defenders Kenya, "Election Monitoring Report on The Situation of HRDs, Election Monitors and Journalists During the 2017 Elections in Kenya," 24 November 2017, <http://nchr.dk.org/nchrd-ks-summarised-elections-findings/>.

<sup>89</sup> Kenya Editors Guild, "Editors guild condemns threats to media houses by jubilee government," 29 January 2018, <http://www.kenyaeditorsguild.org/78-latest/news/114-editors-guild-condemns-threats-to-media-houses-by-jubilee-government-read-more-at-httpswwwstandardmediacokearticle2001267731editors-guild-condemns-threats-to-media-houses-by-jubilee-government>.

<sup>90</sup> Committee to Protect Journalists, "Kenya cuts TV transmissions over live coverage of opposition's Odinga," 30 January 2018, <https://cpj.org/2018/01/kenya-cuts-tv-transmissions-over-live-coverage-of-.php>.

<sup>91</sup> The East African, "Kenyan court orders govt to end televisions shutdown," 1 February 2018, <http://www.theeastafrican.co.ke/news/Kenya-court-order-government-end-TVs-shutdown/2558-4287664-ken5hw7/index.html>.

<sup>92</sup> The East African, "Kenya TV stations resume operations," 5 February 2018, <http://www.theeastafrican.co.ke/news/Kenya-TV-stations-resume-operations/2558-4292568-msm8lwz/index.html>.

<sup>93</sup> The East African, "Kenyan journalists, fearing arrest, camp out in the newsroom," 1 February 2018, <http://www.theeastafrican.co.ke/news/NTV-Kenya-TV-shutdown-arrest-journalists/2558-4287096-ev8f2lz/index.html>.

Journalists from several media houses were threatened and beaten on 26 March 2018 at Jomo Kenyatta International Airport in Nairobi while attempting to cover the attempted return of opposition figure Miguna Miguna. Shortly before midnight, officers verbally and physically harassed journalists, ordering them to leave the international arrivals terminal. Two journalists, Stephen Letoo, a political reporter with privately-owned Citizen TV network, and Robert Gichira, a cameraman with the privately owned Nation TV channel, allege that they were beaten by police.<sup>94</sup> A journalist working with the privately owned Standard Group Network, Sophia Wanuna, was also assaulted during the scuffle at JKIA.<sup>95</sup>

### Freedom of Peaceful Assembly

According to a 15 October 2017 joint report by Amnesty International and Human Rights Watch, police killed at least 33 people, possibly as many as 50, and injured hundreds during repressions of protests that followed the 8 August elections in some opposition strongholds in parts of Nairobi.<sup>96</sup> The report "Mirage at Dusk" by the Kenya National Human Rights Commission documented 37 deaths due to police use of excessive force at opposition protests.<sup>97</sup>

On 26 September 2017, police used batons and lobbed teargas canisters to disperse two rival groups as protests erupted in Nairobi.<sup>98</sup>

At least one person died on 2 October 2017 during opposition protests in Siaya – the person allegedly died of shock after police used tear gas to disperse the protesters.<sup>99</sup> Other opposition protests took place that day, with reports of police firing tear gas during clashes with

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<sup>94</sup> Committee to Protect Journalists, "Kenyan journalists assaulted by police at Nairobi airport," 27 March 2018, <https://cpj.org/2018/03/kenyan-journalists-assaulted-by-police-at-nairobi-.php>.

<sup>95</sup> Ewewoman, "KTN's Sophia Wanuna roughed-up by police while covering Miguna's return," 27 March 2017, <https://www.standardmedia.co.ke/ewewoman/article/2001274616/ktn-s-female-reporter-assaulted-by-police-while-covering-miguna-s-arrival>.

<sup>96</sup> Human Rights Watch, "'Kill Those Criminals: Security Forces Violations in Kenya's August 2017 Elections," 15 October 2017, <https://www.hrw.org/report/2017/10/15/kill-those-criminals/security-forces-violations-kenyas-august-2017-elections>.

<sup>97</sup> Kenya National Human Rights Commission, "Mirage at Dusk," October 2017, <http://www.knchr.org/Portals/0/CivilAndPoliticalReports/MIRAGE%20AT%20DUSK%20-%20A%20Human%20Rights%20Account%20of%20The%202017%20General%20Election.pdf.pdf?ver=2017-10-09-130024-457>.

<sup>98</sup> The East African, "Opposition supporters stage anti-IEBC demos in Nairobi, Kisumu," 26 September 2017, <http://www.theeastafrican.co.ke/news/Nasa-supporters-stage-demos-want-IEBC-CEO-out/2558-4112754-8qgen7z/index.html>.

<sup>99</sup> Africa Review, "Kenya opposition poll protests leave one dead," 2 October 2017, <http://www.africareview.com/news/Kenya-poll-protests-leave-one-dead/979180-4121040-stft2fz/index.html>.

demonstrators who lit fires and blocked roads in Kisumu, as well as riot police dispersing protesters in Kakamega.<sup>100</sup>

On 11 October 2017, protests in the opposition stronghold of Kisumu injured at least 17 people during clashes with police accused of using live ammunition.<sup>101</sup>

On 12 October 2017, during a press conference, Acting Interior Cabinet Secretary Fred Matiangi warned that the central business districts and the city centres of Nairobi and Mombasa and were "no-go zones" for protesters.<sup>102</sup> That day, the government officially banned opposition protests against the national electoral commission in three major cities, Nairobi, Mombasa, and Kisumu, citing lawlessness.<sup>103</sup>

On 20 October 2017, police reported that four people had been killed as a result of police interventions during opposition demonstrations over the preceding two weeks.<sup>104</sup>

On 28 November 2017, President Kenyatta's inauguration day, police used tear gas and plastic bullets at a rally with main opposition leader Odinga, preventing demonstrators from marching to the Jacaranda grounds in Nairobi for a prayer rally.<sup>105</sup>

On 17 November 2017, at least five people died when police used violence to disperse supporters who had gathered to greet opposition leader Odinga as he returned from a visit to the United States of America. At least two of the victims were shot dead, while others may have been stoned to death by an angry mob.<sup>106</sup>

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<sup>100</sup> Daily Nation, "Nasa supporters stage anti-IEBC demos as stalemate persists," 2 October 2017, <https://www.nation.co.ke/news/Nasa-supporters-stage-demos/1056-4120748-106gdx7z/index.html>.

<sup>101</sup> Voice of America, "Demonstrators for Electoral Reform in Kenya Injured in Clashes With Police," 11 October 2017, <https://www.voanews.com/a/demonstrators-for-electoral-reform-in-kenya-injured-in-clashes-with-police/4066954.html>.

<sup>102</sup> Capital News FM, "Govt bans demos in Nairobi, Mombasa and Kisumu CBDs," 12 October 2017, <https://www.capitalfm.co.ke/news/2017/10/govt-bans-demos-nairobi-mombasa-kisumu-cbds/>.

<sup>103</sup> The East African, "Kenya govt bans opposition protests in major cities," 12 October 2017, <http://www.theeastafrican.co.ke/news/Kenya-bans-opposition-protests-/2558-4136260-cwqlfj/index.html>.

<sup>104</sup> Reuters, "Kenyan police say 4 people killed during opposition demonstrations in past two weeks," 20 October 2017, <https://af.reuters.com/article/topNews/idAFKBN1CP10Y-OZATP>.

<sup>105</sup> Reuters, "Kenya's inauguration day marred by violence," 28 November 2018, <https://www.reuters.com/video/2017/11/28/kenyas-inauguration-day-marred-by-violence?videoId=373062893&videoChannel=1>.

<sup>106</sup> Reuters, "At least five killed in Kenya as violence greets opposition leader's return," 17 November 2017, <https://af.reuters.com/article/africaTech/idAFKBN1DH1J7-OZATP>.



On 19 November 2017, Mathare MP Antony Oluoch of the opposition NASA alliance was shot in the leg during clashes between police and local residents.<sup>107</sup>

On 5 February 2018, police fired tear gas to disperse protesters who had gathered to demand that the government obey a court order that would allow the three banned TV stations to resume broadcasting.<sup>108</sup>

Student protest movement leader Evans Njoroge was shot dead by police on 27 February 2018 in Meru after participating in a demonstration with other students over high fees and poor conditions on the university campus.<sup>109</sup> Njoroge was a prominent student HRD at Meru University and Secretary General of the Student Council and had been subjected to police harassment, intimidation, and detentions as a result of his human rights work.<sup>110</sup>

## **Rwanda:**

Since the August 2017 elections, there has been a sharp political crackdown with several members of unregistered opposition parties and other political opponents being threatened, harassed, and arrested.<sup>111</sup>

### Freedom of Association

In early November 2017, the government announced plans to seize and sell family assets of former presidential candidate Diane Rwigara in order to settle an outstanding tax bill of approximately six million USD. On 23 March 2018, Rwandan authorities sold assets belonging to the family including stock in the Premier Tobacco Company for roughly 500 million Rwandan francs (USD \$576,844).<sup>112</sup> The authorities accused Rwigara and her family of tax evasion while the family maintains that the charges against her, which include "inciting public insurrection,"

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<sup>107</sup> Standard, "Mathare MP Antony Oluoch injured during confrontations between locals, police," 19 November, <https://www.standardmedia.co.ke/article/2001260653/mathare-mp-antony-oluoch-shot-during-confrontations-between-locals-police>.

<sup>108</sup> Reuters, "Kenya police fire teargas at demonstrators demanding TV stations reopen," 5 February 2018, <https://af.reuters.com/article/topNews/idAFKBN1FP19F-OZATP>.

<sup>109</sup> Daily Nation, "Meru University student leader shot dead by police," 27 February 2018, <https://www.nation.co.ke/news/Police-kill-student-leader-/1056-4322028-wf1ptwz/index.html>.

<sup>110</sup> Frontline Defenders, "Evans Njoroge," <https://www.frontlinedefenders.org/en/profile/evans-njoroge>.

<sup>111</sup> Human Rights watch, "Rwanda: Post-Election Political Crackdown," 28 September 2018, <https://www.hrw.org/news/2017/09/28/rwanda-post-election-political-crackdown>.

<sup>112</sup> Reuters, "Rwanda auctions assets belonging to jailed critic of President Kagame," 28 March 2018, <https://www.reuters.com/article/us-rwanda-opposition/rwanda-auctions-assets-belonging-to-jailed-critic-of-president-kagame-idUSKBN1H42K0>.

are politically motivated and meant to silence their criticism of the government. Rwigara and her mother have been repeatedly denied bail and remain in police custody as their trial continues.<sup>113</sup>

Former presidential candidate Gilbert Mwenedata fled the country in November 2017, saying that he feared being arrested and charges in court like Rwigara. Mwenedata was one of two independent candidates disqualified from running in the August 2017 elections, and claimed he had been questioned by the police on several occasions over signatures he submitted to the electoral commission during the election.<sup>114</sup>

### Freedom of Peaceful Assembly

Congolese refugees alleged that Rwandan soldiers wounded two people when they opened fire on 20 February 2018 after 2,000 people marched out of the Karongi camp in western Rwanda to protest a 25 per cent cut in food rations by the UNHCR in response to funding problems. A government minister denied the account.<sup>115</sup> Two days later on 22 February, three protesters were killed in Kiziba camp, and eight in Karongi town, where more than 20 were also injured after Rwandan National Police moved into UNHCR offices to evict refugees staging a sit-in over reductions in food rations.<sup>116</sup>

In early March, authorities arrested six pastors for allegedly plotting to defy orders to close some 700 small churches that did not meet structural standards, sanitation requirements, or have certificates of operation. Police spokesman Theos Badege said the preachers "conducted illegal meetings with bad intentions aimed at calling for the directives to be defied."<sup>117</sup> The six pastors

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<sup>113</sup> The East African, "Now Rwanda govt, banks to seize Rwigara properties," 11 November 2017, <http://www.theeastafrican.co.ke/news/Rwanda-taxman-banks-to-seize-Rwigara-properties-/2558-4182916-dmtq0t/index.html>.

<sup>114</sup> The East African, "Former Rwandan presidential hopeful flees country," 14 November 2017, <http://www.theeastafrican.co.ke/news/Former-Rwandan-presidential-hopeful-flees-country/2558-4186230-lfgk22/index.html>.

<sup>115</sup> Reuters, "Congo refugees in Rwanda say soldiers shoot and wound at least two during food protest," 20 February 2018, <https://www.reuters.com/article/us-congo-rwanda-refugees/congo-refugees-in-rwanda-say-soldiers-shoot-and-wound-at-least-two-during-food-protest-idUSKCN1G42M8>

<sup>116</sup> UNHRC, "UNHCR shocked over refugee deaths in Rwanda," 26 February 2018, <http://www.unhcr.org/rw/13150-unhcr-shocked-refugee-deaths-rwanda.html>.

<sup>117</sup> The East African, "Six pastors arrested in Rwanda for opposing shutdown of churches," 6 March 2018, <http://www.theeastafrican.co.ke/news/Rwandan-pastors-arrest-closed-churches/2558-4330346-7s4r1wz/index.html>

are: Apostle Rwandamura Charles, Bishop Rugagi Innocent, and Reverent Pastors Ntambara Emmanuel, Dura James, Kalisa Shyaka Emmanuel, and Nyamurangwa Fred.

## **Somalia/Somaliland**

The long-running conflict between Al-Shabaab militants and the Somali government, in addition to smaller conflicts with warlords over access to resources, continue to have a damaging effect on the state of human rights in the country, perpetuating a humanitarian crisis, and displacing civilians populations. At a press conference in Nairobi on 17 January 2018, Peter de Clercq, humanitarian coordinator of the United Nations Assistance Mission in Somalia (UNSOM), declared that food security needs had nearly doubled in the country due to drought and insecurity which had caused nearly two million Somalis to be internally displaced.<sup>118</sup> In many parts of the country, civic space is severely restricted, with the National Intelligence and Security Agency (NISA) arbitrarily arresting and detaining individuals without charge or access to legal counsel and family visits.<sup>119</sup>

There has also been a deterioration in the situation for civic space in the self-declared republic of Somaliland, particularly due to judicial harassment of journalists and media, especially in the run-up to and aftermath of the presidential elections in November 2017.

## **Freedom of Association**

Presidential elections in Somaliland on 13 November 2017 brought Muse Bihi Abdi, known as Kulmiye, of the Peace, Unity, and Development Party to power, with domestic and international observers assessing the election as “largely peaceful” and “well organised,” albeit with minor irregularities.<sup>120</sup> This was the third presidential election since the self-declared republic adopted a multiparty system in 2001, although the election was delayed for almost two years due to severe drought. However, authorities briefly detained three opposition members from the Waddani Party on election day, releasing them hours later. The detained opposition members included

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<sup>118</sup> The East African, “Somalia seeks \$1.6bn to feed starving citizens,” 20 January 2017, <http://www.theeastafrican.co.ke/news/Somalia-seeks-fund-drought/2558-4271164-7lqb8pz/index.html>.

<sup>119</sup> Human Rights Watch, “Somalia: Events of 2017,” November 2017, <https://www.hrw.org/world-report/2018/country-chapters/somalia>.

<sup>120</sup> International Election Observation, “International observers of Somaliland’s presidential election congratulate the Somaliland people on a peaceful poll,” November 2017, <http://somalilandfocus-org-uk.stackstaging.com/wp-content/uploads/2017/11/EOM-Press-Release-3.pdf>.

campaign manager Hamse Khayre, chief of staff of presidential candidate Bashe Yousuf Ahmed, and senior party member Fatimo Saeed. The opposition Waddani Party has claimed fake ballots were used during the vote.<sup>121</sup>

### Freedom of Expression

On 8 October 2017, the Hargeisa Regional Court fined and sentenced journalist Mohamed Adan Dirir to 18 months in prison on charges of criminal defamation and publishing false news. The charges were allegedly linked to articles Adan Dirir wrote accusing a group of private schools in Hargeisa of misconduct and corruption.<sup>122</sup> The one-day trial was held without the presence of Adan Dirir's lawyer.<sup>123</sup> The editor for the online news portal Horseed News and owner of the news website Saylactoday had been detained since 16 September 2017.

Freelance video journalist Ali Nur Siad-Ahmed was killed in a truck bomb attack at a crowded market in Mogadishu on 14 October 2017 that killed at least 300 civilians. The same attack wounded other journalists including Abdulkadir Mohamed Abdulle of Voice of America, Mohamed Omar Bakay of Goobjoog Radio, Abdullahi Osman of Mandeeq Radio, as well as freelance journalists Abdiqani Ali Adan and Ahmed Abdi Hadi.<sup>124</sup>

On 25 October 2017, radio journalist Jacfar Ali Daacad with Dayah FM was killed in an exchange of fire between African Union Peacekeepers with AMISOM and Al-Shabaab militants in Lower Shabelle Province, about 25 kilometres south of Mogadishu.<sup>125</sup>

On 10 November 2017, the National Electoral Commission in Somaliland announced a four-day shutdown of social media access across Somaliland from election day until the official

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<sup>121</sup> Horn Diplomat, "Somaliland: Human Rights Defenders Group expresses deep concern over the deaths of civilians at post-election disturbances," 19 November 2017, <http://www.horndiplomat.com/2017/11/19/somaliland-human-rights-defenders-group-expresses-deep-concern-over-the-deaths-of-civilians-at-post-election-disturbances/>.

<sup>122</sup> Committee to Protect Journalists, "Somaliland court jails journalist for 18 months," 10 October 2017, [https://cpj.org/2017/10/somaliland-court-jails-journalist-for-18-months.php?utm\\_medium=email&utm\\_source=engagingnetworks&utm\\_campaign=Somaliland+court+jails+journalist+for+18+months&utm\\_content=Somaliland+court+jails+journalist+for+18+months](https://cpj.org/2017/10/somaliland-court-jails-journalist-for-18-months.php?utm_medium=email&utm_source=engagingnetworks&utm_campaign=Somaliland+court+jails+journalist+for+18+months&utm_content=Somaliland+court+jails+journalist+for+18+months).

<sup>123</sup> Reporters Without Borders, "Le journaliste Mohammed Dirir condamné à 18 mois de détention au Somaliland," 11 October 2017, <https://rsf.org/fr/actualites/le-journaliste-mohammed-dirir-condamne-18-mois-de-detention-au-somaliland>.

<sup>124</sup> National Union of Somali Journalists, "Journalists among victims of massive truck bombing in Mogadishu," 16 October 2017, <http://www.nusoj.org/journalists-among-victims-of-massive-truck-bombing-in-mogadishu/>.

<sup>125</sup> National Union of Somali Journalists, "A Radio Journalist is Shot Dead in Somalia," 25 October 2017, <https://madmimi.com/p/138dd9?fe=1&pact=69992-142226500-9171803567-51e8d50b31bcfb82aac4c98c5f879252ce0769e5>.

announcement of the results on 17 November. The authorities justified the ban by stating that election commentary had the potential to spark violence and spread fake news.<sup>126</sup>

On 4 November 2017, Minister of Information Osman Abdilahi Sahardid announced an indefinite ban on UK-based Somali broadcaster Kalsan TV, revoked their licence, and ordered the closure of its offices in Somaliland. The ban was allegedly for “violating the statehood of Somaliland and broadcasting on 3rd November of false news.” On 3 November 2017, Kalsan TV covered disturbances during a campaign rally of the ruling party in Laas Anood, including the use of live ammunition by security officers.<sup>127</sup>

On 24 November 2017, the Hargeisa Regional Court ordered the blocking of access to online news website *Hadhwanaagnews* on local Internet networks. According to the Human Rights Center, the judicial order was related to the publication of articles criticising the management of the presidential election.<sup>128</sup>

On 5 December 2017, journalist and web designer Abdirisak Dayib Ali of the news website *Haldoornews* was arrested in Gabiley. Dayib Ali was accused of publishing an interview with a woman who made allegations against the mayor of Gabiley on the website *Gabileynews.net*, but Dayib Ali claims to have only created the site for the owner in 2015 and did not produce media content.<sup>129</sup>

On 18 December 2017, police arrested journalists Ahmed Sa'ed of Saab TV and Abdirahman Mohamed Ege of Eryal TV on charges of publishing false news. Both journalists ran stories about alleged misuse of public funds by the mayor of Berbera.<sup>130</sup>

On 28 December 2017, Somali authorities arrested Abdishakur Abdullahi Ahmed, popularly known as Shaasha, a correspondent with Nairobi-based RTN Somali channel and owner of local

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<sup>126</sup> Human Rights Watch, “Shuttering Social Media During Somaliland’s Elections,” 10 November 2017, <https://www.hrw.org/news/2017/11/10/shuttering-social-media-during-somalilands-elections>.

<sup>127</sup> Human Rights Centre – Somaliland, “Human Rights Centre calls on the government of Somaliland to allow Kalsan TV to resume broadcasting,” 4 November 2017, <https://www.facebook.com/HumanRightsCenterHargeisaSomaliland/photos/a.187137858157394.1073741828.146647068873140/693027780901730/?type=3&theater>.

<sup>128</sup> Human Rights Centre – Somaliland, “Human Rights Centre condemns the blocking of *Hadhwanaagnews* website,” 2 December 2017, <https://www.facebook.com/HumanRightsCenterHargeisaSomaliland/posts/704169089787599>.

<sup>129</sup> Horn Diplomat, “Somaliland: Human Rights Centre calls on the government to release jailed journalists,” 16 December 2017, <http://www.horndiplomat.com/2017/12/16/somaliland-human-rights-centre-calls-on-the-government-to-release-jailed-journalists/>.

<sup>130</sup> Committee to Protect Journalists, “Somaliland journalists detained, accused of “false news”,” 20 December 2017, <https://cpj.org/2017/12/somaliland-journalists-detained-accused-of-false-n.php>.

radio station City FM. Authorities accused him of airing false news after he reportedly criticised the local administration.<sup>131</sup> He was released on 8 January 2018.<sup>132</sup>

On 7 January 2018, a regional court in Borama, Somaliland, sentenced Kalsan TV journalist Mohamed Abdilaahi Dabshid and Ahmed Dirie Liltire, a journalist for SBC TV and *Xeegonews*, to two years in prison on charges of "subversive and anti-national propaganda, bringing the Nation or the State into contempt, and bringing into contempt the flag or national emblem of a foreign state."<sup>133</sup> The charges relate to an article allegedly published on *Xeegonews* claiming that Ethiopian militias were being trained in Awdal region. The two were arrested on 26 December 2017.<sup>134</sup>

Government forces physically assaulted five journalists on 13 January 2018 while they were attempting to report on the arrival of visiting Somali Republic President Mohamed Abdullahi Farmaajo at an airport in Galkaio. The journalists were denied entry into the airport to report the visit. Burhan Mohamed Abdi of Puntland TV, Abaadir Abdulkadir Cilmi of SBC TV, Jamal Farah Adan of Daljir Radio, and Ahmed Abdirashid of Puntland TV were not seriously injured in the assault. However, Bahja Abdullahi Mohamed of Radio Codka Nabada and Star TV sustained injuries to her face and was taken to a clinic soon after for treatment.<sup>135</sup>

On 8 February 2018, security forces in the semi-autonomous state of Jubaland arrested broadcast journalist Sabir Abdulkadir Warsame with privately-owned Somali Cable TV, and held him for several days without charge in the state capital of Kismayo. The journalist allegedly inadvertently filmed a vehicle carrying charcoal, the export of which is illegal in Somalia as per a 2012 UN Security Council resolution aimed at cutting off sources of financing for Al-Shabaab.<sup>136</sup>

On 17 February 2018, Somaliland authorities arrested Mohamed Aabi Digaale, the Hargeisa bureau chief for the London-based Universal TV, and held him without charge for several days. On 19 February 2018, authorities brought him to court where he was remanded to the Counter

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<sup>131</sup> Committee to Protect Journalists, "Somali authorities arrest local journalist following critical reporting," 4 January 2018, <https://cpj.org/2018/01/somali-authorities-arrest-local-journalist-followi.php>.

<sup>132</sup> CPJ Africa, 8 January 2018, <https://twitter.com/CPJAfrica/status/950409408856682502>.

<sup>133</sup> Human Rights Centre – Somaliland, "Somaliland: court jails two journalists for 2 years," 7 January 2017, <http://hrcsomaliland.org/somaliland-court-jails-two-journalists-for-2-years/>.

<sup>134</sup> Committee to Protect Journalists, "Somaliland journalists sentenced to two years in prison on propaganda charges," 8 January 2017, <https://cpj.org/2018/01/somaliland-journalists-sentenced-to-two-years-in-p.php>.

<sup>135</sup> Media Association of Puntland, "Puntland: MAP Denounces Assault on Journalists, Calls for Swift Retribution for Culprits," 15 January 2018, <http://mediapuntland.org/1470-2/>.

<sup>136</sup> Committee to Protect Journalists, "Somali journalist arrested, held without charge," 9 February 2018, <https://cpj.org/2018/02/somali-journalist-arrested-held-without-charge.php>.

Terrorism Unit for seven more days pending further investigation.<sup>137</sup> He was released on bail on 27 February 2018.<sup>138</sup>

Khalif Gelle with Radio Garowe was assaulted by Puntland presidential guards while en-route to cover a graduation ceremony in Garowe on 25 February 2018. The guards allegedly punched him repeatedly and kicked him in the face after he was knocked to the floor. The incident left him with a bloody nose and a severe injury to his right eye.<sup>139</sup>

On 6 March 2018, Somaliland poet and peace activist Naema Qorane was charged with spreading unpatriotic propaganda via Facebook, where she allegedly promoted the idea of a united Somalia.<sup>140</sup> She was arrested on 27 January 2018 after returning from Mogadishu where she allegedly met with President Mohamed Abdullahi Farmajo.<sup>141</sup> On 15 April, she was sentenced to three years in jail on charges of “anti-national activity of a citizen and bringing the nation or state in contempt.”<sup>142</sup>

### Freedom of Peaceful Assembly

At least two protesters died and at least four others were injured during post-election protests in Somaliland on 15 November 2017, after members of the Waddani opposition held a press conference alleging irregularities during the presidential poll.<sup>143</sup> Security forces allegedly used live ammunition to disperse the angry protesters. In Hargiesa, security forces shot and killed a female street vendor, while at least five other civilians were injured.<sup>144</sup>

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<sup>137</sup> Committee to Protect Journalists, “Somaliland journalist detained without charge,” 21 February 2018, <https://cpj.org/2018/02/somaliland-journalist-detained-without-charge.php>.

<sup>138</sup> Human Rights Centre – Somaliland, “Quarterly Report,” April 2018, <http://hrcsomaliland.org/wp-content/uploads/2018/04/HRC-Quarterly-Report-April-2018.pdf>.

<sup>139</sup> Media Association of Puntland, “Puntland: MAP Demands Puntland President to Punish the Culprits behind the Assault against Radio Garowe’s Journalist,” 2 March 2018, <http://mediapuntland.org/puntland-map-demands-puntland-president-to-punish-the-culprits-behind-the-assault-against-radio-garowes-journalist/>.

<sup>140</sup> BBC, “La poétesse Naema Qorane arrêtée au Somaliland,” 6 March 2018, <http://www.bbc.com/afrique/region-43299872>.

<sup>141</sup> Human Rights Centre – Somaliland, “Somaliland charges jailed poet Naema Ahmed,” 4 March 2018, <http://hrcsomaliland.org/somaliland-charges-jailed-poet-naema-ahmed/>.

<sup>142</sup> The Guardian, “Somaliland poet jailed for three years in crackdown on writers,” 18 April 2018, <https://www.theguardian.com/world/2018/apr/18/somaliland-poet-naema-abwaan-qorane-jailed-for-three-years-in-crackdown-on-writers>.

<sup>143</sup> Voice of America, “2 Shot Dead in Somaliland as Opposition Party Calls Voting Rigged,” 17 November 2017, <https://www.voanews.com/a/two-shot-dead-somaliland-protests-opposition-party-calls-voting-rigged/4120492.html>.

<sup>144</sup> Human Rights Centre – Somaliland, “Human Rights Defenders Group expresses deep concern over the deaths of civilians at post-election disturbances,” 19 November 2017, <https://www.facebook.com/HumanRightsCenterHargeisaSomaliland/posts/699112823626559>.

## **South Sudan**

Nearly 1.25 million people are still facing starvation in the country, according to an Integrated Food Security Phase Classification report from 6 November, with food security experts citing hyperinflation and conflict as reasons for the critical levels of malnutrition.<sup>145</sup> UN sanctions monitors informed the Security Council in a confidential report that President Salva Kiir's government was deliberately using food as a weapon of war to target civilians by blocking life-saving aid to some areas.<sup>146</sup>

Although the South Sudanese government signed a ceasefire with rebel groups on 21 December 2017, at least five incidents of violations were quickly reported, for which both government and rebel forces were blamed. For example, an attack, allegedly by rebel groups, in the Koch village in former Unity State on 24 December 2017 left 15 dead and 26 wounded.<sup>147</sup> Chairperson of the African Union Commission, Moussa Faki Mahamat, and Secretary-General of the United Nations, António Guterres, both condemned the violations of the ceasefire in a joint statement on 12 January 2018.<sup>148</sup> In mid-January, civil society leaders called on the Inter-Governmental Organisation on Development (IGAD) regional block to improve the peace talks and hold those who break the ceasefire accountable.<sup>149</sup>

In a report issued on 15 January 2018, the Ceasefire and Transitional Security Arrangements Monitoring Mechanism (CTSAMM), the body that monitors the ceasefire, identified 154 reported cases of sexual and gender-based violence committed by soldiers between February and December 2017. The report noted that sexual violence by soldiers and security personnel remains prevalent in Juba and the surrounding Central Equatoria region.<sup>150</sup> The International Committee

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<sup>145</sup> Integrated Food Security Phase Classification, "South Sudan: Food insecurity situation still dire and widespread," 6 November 2017, <https://reliefweb.int/report/south-sudan/south-sudan-food-insecurity-situation-still-dire-and-widespread-ipc-alert-issue-9>.

<sup>146</sup> Reuters, "Exclusive: South Sudan's government using food as weapon of war - U.N. report," 10 November 2017, <https://www.reuters.com/article/us-southsudan-security-un-exclusive/exclusive-south-sudans-government-using-food-as-weapon-of-war-u-n-report-idUSKBN1DA2OX>.

<sup>147</sup> Voice of America, "South Sudan's Ceasefire Broken by Both Sides, Monitors Say," 16 January 2018, <https://www.voanews.com/a/south-sudan-cease-fire/4210001.html>.

<sup>148</sup> United Nation, "Joint Statement on Situation in South Sudan by Chairperson of African Union Commission, United Nations Secretary-General," 12 January 2018, <https://www.un.org/press/en/2018/sg2241.doc.htm>.

<sup>149</sup> The East African, "Punish South Sudan ceasefire violators, Igad and Troika told," 17 January 2018, <http://www.theeastafrican.co.ke/news/Punish-South-Sudan-ceasefire-violators/2558-4267250-up8t48z/index.html>.

<sup>150</sup> Ceasefire and Transitional Security Arrangements Monitoring Mechanism, "CTSAMM Report 2018/03 – SGBV in Central Equatoria," 15 January 2018, <http://ctsamm.org/wp-content/uploads/2018/01/CTSAMM-REPORT-201803-SGBV-IN-CENTRAL-EQUATORIA.pdf>.



of the Red Cross (ICRC) suspended operations in former Equatoria State after one of its aid workers was killed on 9 September 2018. Lukudu Kennedy Laki Emmanuel, a driver for the ICRC, was traveling in a convoy of vehicles in western Equatoria when he was shot by unknown attackers.<sup>151</sup>

### Freedom of Association

In its Humanitarian Bulletin released on 18 January, the UN Office for the Coordination of Humanitarian Affairs reported that 28 aid workers were killed in South Sudan in 2017, while a total of 1,159 humanitarian access incidents were documented in 2017, a significant increase compared to a total of 908 and 909 in 2016 and 2015, respectively. The incidents included violence against humanitarian personnel and assets, such as the targeting of aid workers through robbery, looting, threats, and harassment. At least 95 aid workers have been killed since the crisis began in December 2013.<sup>152</sup>

In January 2018, South Sudan's Cabinet Affairs Minister, Martin Elia Lomuro, threatened civil society against compiling reports on ceasefire violations.<sup>153</sup> Similarly, in March 2018, Information Minister Michael Makuei accused civil society of supporting opposition forces, and warned them against participation in the IGAD-led peace process.<sup>154</sup>

### Freedom of Expression

The National Communication Authority, which regulates South Sudan's media, suspended all press organisations in the country, giving them just seven days to obtain operating licenses. At least two press organisations, the Union of Journalists in South Sudan and Association for Media

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<sup>151</sup> Vice News, "Red Cross pulls out of parts of South Sudan after worker is murdered," 13 September 2017, [https://news.vice.com/en\\_us/article/j5dbkx/red-cross-pulls-out-of-parts-of-south-sudan-after-worker-is-murdered](https://news.vice.com/en_us/article/j5dbkx/red-cross-pulls-out-of-parts-of-south-sudan-after-worker-is-murdered)

<sup>152</sup> OCHA, "Humanitarian Bulletin South Sudan," 18 January 2018, [https://reliefweb.int/sites/reliefweb.int/files/resources/SS\\_180118\\_OCHA\\_SouthSudan\\_Humanitarian\\_Bulletin01.pdf](https://reliefweb.int/sites/reliefweb.int/files/resources/SS_180118_OCHA_SouthSudan_Humanitarian_Bulletin01.pdf).

<sup>153</sup> Radio Tamajuz, "Government warns NGOs against ceasefire violation reports," 21 January 2018, <https://radiotamazuj.org/en/news/article/government-warns-ngos-against-ceasefire-violation-reports>.

<sup>154</sup> Radio Tamajuz, "South Sudan civil society dismayed over Makuei's remarks," 28 March 2018, <https://radiotamazuj.org/en/news/article/south-sudan-civil-society-dismayed-over-makuei-s-remarks>.

Development in South Sudan, received a letter from the National Communication Authority regarding the suspension.<sup>155</sup>

Speaking at a forum on “Freedom of Expression and Journalists' Safety” in Juba on 18 January, Sapanalado, Director of Media Compliance at the South Sudan Media Authority, accused reporters of acting as foreign agents and fuelling the crisis in the country through biased reporting. Lado also warned journalists to stop “assassinating the character of this country and its government” and threatened to take journalists critical of the government to court.<sup>156</sup> Earlier in January, President Salva Kiir warned foreign envoys and local media against publishing negative reports about the country, blaming them and their reporting for delaying a peaceful transition.<sup>157</sup>

On 6 February 2018, a foreign and local journalist were attacked by an angry mob as they attempted to cover a demonstration in Juba against an American arms embargo announced earlier than month.<sup>158</sup>

In March 2018, the Media Authority suspended UNMISS-operated Radio Miraya for failing to comply with national media laws.<sup>159</sup>

On 19 April, authorities shut down the BBC’s FM relay stations in the cities of Juba and Wau, alleging that the broadcaster had failed to pay certain bills.<sup>160</sup>

### Freedom of Peaceful Assembly

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<sup>155</sup> Reuters, “South Sudan media regulator bans press groups, raising censorship fears,” 1 November 2017, <https://www.reuters.com/article/us-southsudan-media/south-sudan-media-regulator-bans-press-groups-raising-censorship-fears-idUSKBN1D1566>.

<sup>156</sup> The East African, “South Sudanese regulator accuses media of bias,” 19 January 2018, <http://www.theeastafrican.co.ke/news/South-Sudan-journalists-under-threat/2558-4269280-pjprkiz/index.html>.

<sup>157</sup> The East African, “South Sudan's SalvaKiir warns against negative foreign reports,” 3 January 2018, <http://www.theeastafrican.co.ke/news/South-Sudan-Salva-Kiir-negative-foreign-reports/2558-4250270-112abc/index.html>.

<sup>158</sup> The East African, “South Sudanese youths attack journalists,” 6 February 2018, <http://www.theeastafrican.co.ke/news/South-Sudanese-youths-attack-journalist/2558-4293636-10xivad/index.html>.

<sup>159</sup> Reuters, “South Sudan's media regulator suspends U.N.-owned radio,” 9 March 2017, <https://www.reuters.com/article/us-southsudan-media/south-sudans-media-regulator-suspends-u-n-owned-radio-idUSKCN1GL25O>.

<sup>160</sup> The East Africa, “South Sudan shuts BBC stations 'over unpaid bill',” 19 April 2018, <http://www.theeastafrican.co.ke/news/South-Sudan-shuts-BBC-stations-over-unpaid-bill/2558-4488354-14etk5w/index.html>.

On 9 December 2018, hundreds of women covered their mouths with tape and demonstrated silently on the streets in Juba, demanding an end to the civil war.<sup>161</sup> Despite having registered the protest in advance, sources in South Sudan indicated that National Security Service forces attempted to shut down the demonstration while it was in progress.

## **Sudan**

Massive anti-austerity demonstrations broke out across the country in January, leading to a crackdown on opposition parties and peaceful demonstrators, leaving many injured and several dead. These protests also sparked a swift crackdown on independent media who attempted to report on the crisis, leading to the harassment and arbitrary detention of several journalists, as well as the National Intelligence and Security Services (NISS) preventing the distribution of entire print runs of several critical newspapers.

### Freedom of Expression

On 14 October 2017, the *Al-Jarida* newspaper was confiscated and removed from circulation by Sudanese authorities after it published an opinion article by journalist Al-Fatih Jabra.<sup>162</sup>

According to the African Centre for Justice and Peace Studies, the NISS carried out five post-print censorship against six media houses in the month of November.<sup>163</sup>

On 7 January, NISS officials prevented six daily newspapers in Khartoum from distributing printed copies. They include: *Altayyar*, *Almustagila*, *Algarar*, *Alsiha*, *Akhbar Alwatan*, and *Al Midan*.<sup>164</sup>

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<sup>161</sup> Radio Tamajuz, "South Sudanese woman march silently to demand peace," 10 December 2017, <https://radiotamazuj.org/en/news/article/south-sudanese-woman-match-silently-to-demand-peace>.

<sup>162</sup> Sudan Consortium, "Press release on the confiscation of the Sudanese authorities," 14 October 2017, [http://www.sudanconsortium.org/darfur\\_consortium\\_actions/reports/2017/Newspaper.pdf](http://www.sudanconsortium.org/darfur_consortium_actions/reports/2017/Newspaper.pdf).

<sup>163</sup> ACJPS, "6 newspapers prevented from distribution and a media house faces a two-day suspension," 30 November 2017, <http://www.acjps.org/6-newspapers-prevented-from-distribution-and-a-media-house-faces-a-two-day-suspension/>.

<sup>164</sup> ACJPS, "8 newspapers prevented from distribution by NISS amidst protests against recent austerity measures," 9 January 2018, <http://www.acjps.org/8-newspapers-prevented-from-distribution-by-niss-amidst-protests-against-recent-austerity-measures/>.

On 8 January 2018, the NISS confiscated daily print-runs of two newspapers, *Aljareeda*, and *Albaath*, without giving reasons. The lead story of *Aljareeda* related to student protests that took place in El Geneina, West Darfur, the previous day.<sup>165</sup>

On 21 January 2018, the NISS confiscated daily print runs of *Akhbar Alwatan* without any reasons –trucks carrying printed copies were intercepted by the NISS as they headed out of the printing house. The edition allegedly contained an article about the crackdown of the protests and the arbitrary arrests carried out in connection. *Al Midan* newspaper was prevented from distributing its daily print runs between 16-18 January 2018, without any reasons given. *Aljareeda* was prevented from distributing its daily print runs on 16, 18, 19, and 20 January 2018, without any reasons given.<sup>166</sup>

At least 13 journalists were arrested by security forces on 16 January 2018 while covering demonstrations in Khartoum against price hikes, including BBC’s Mohamed Mohamed Osman, Al-Arabiya TV’s Abdulaziz Ibrahim and the Anadolu news agency’s Behram Abdelmunim. Most were freed the same day after being held for several hours.<sup>167</sup>

Reuters reporter Khalid Abdel Aziz and AFP reporter Abdel Moneim Abu Idriss were arrested while covering demonstrations held on 17 January 2018 in Omdurman, northeast of Khartoum.<sup>168</sup>

On 28 January 2018, NISS agents in Khartoum prevented the distribution of daily prints run of two newspapers, *Al Midan* and *Akhbar Alwatan*, without giving any reason.<sup>169</sup>

On 1 February 2018, the NISS prevented the distribution of two daily newspaper, *Al Midan* and *Aljareeda* independent newspaper, without giving any reasons. According sources in Sudan, it is believed that the post-print censorship was done in response to articles discussing the protest that took place in Khartoum Bahri on 31 January 2018.<sup>170</sup>

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<sup>165</sup> ACJPS, “8 newspapers prevented from distribution by NISS amidst protests against recent austerity measures,” 9 January 2018, <http://www.acjps.org/8-newspapers-prevented-from-distribution-by-niss-amidst-protests-against-recent-austerity-measures/>.

<sup>166</sup> ACJPS, “79 activists detained incommunicado amidst heavy crackdown on popular protests in Sudan” 22 January 2018, <http://www.acjps.org/79-activists-detained-incommunicado-amidst-heavy-crackdown-on-popular-protests-in-sudan/>.

<sup>167</sup> Reporters Without Borders, “RSF condemns arrests of 15 journalists in Sudan,” 19 January 2018, <https://rsf.org/en/news/rsf-condemns-arrests-15-journalists-sudan>.

<sup>168</sup> Reporters Without Borders, “RSF condemns arrests of 15 journalists in Sudan,” 19 January 2018, <https://rsf.org/en/news/rsf-condemns-arrests-15-journalists-sudan>.

<sup>169</sup> ACJPS, “Update: Continued arbitrary arrests and incommunicado detention of Sudanese citizens amidst crackdown on January 2018 peaceful protests, 30 January 2018, <http://www.acjps.org/update-continued-arbitrary-arrests-and-incommunicado-detention-of-sudanese-citizens-amidst-crackdown-on-january-2018-peaceful-protests/>.

<sup>170</sup> Committee to protect Journalists, “Sudan detains local journalist, confiscates newspapers following reporting on protests,” 2 February 2018, <https://cpi.org/2018/02/sudan-detains-local-journalist-confiscates-newspap.php>.

## Freedom of Peaceful Assembly

In January 2018, massive protests spread across several cities in Sudan in response to price hikes, notably for bread, leading them being unofficially dubbed the “bread protests.” On 6 January 2018, police fired teargas to disperse some 400 demonstrators marching through the city of Sennar.<sup>171</sup>

On 7 January 2018, Omar Al-Dageir, President of the Sudanese Congress Party, was arrested for allegedly encouraging the unrest.<sup>172</sup> Also on 7 January, in El Geneina, West Darfur one student was killed and six other students were injured when live ammunition was fired to disperse a student protest.<sup>173</sup> As the protests escalated, three demonstrators were reported dead on 12 January 2018.<sup>174</sup>

On 10 January 2018, Sudanese authorities arrested more than 10 women HRDs (WHRDs) at a vigil held by the No to Women Oppression Initiative, including Ihsan Fakiri, director of the initiative, Najla Nurin, Rashida Shamseldine, and Ihsan Kzam. The authorities released them after five hour of detention, but summoned many for daily questioning after the arrests.<sup>175</sup>

On 16 January 2018, Sudanese authorities arrested more than 100 protesters, and released most of them after nine hours of detention, save for journalist Amal Habbani, and Nahed Jabrallah, Director of Sima For Training and Protection of Women and Children’s Rights, who were held for a longer period.<sup>176</sup>

On 17 January 2018, authorities arrested Heba Dafallah, nicknamed “Abouni”, a student at al Ahfad University, and WHRD Mahdiya after participating in demonstrations.<sup>177</sup>

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<sup>171</sup> Reuters, “Sudanese police scatter protest sparked by bread price hike,” 6 January 2018, <https://www.reuters.com/article/us-sudan-protests/sudanese-police-scatter-protest-sparked-by-bread-price-hike-idUSKBN1EVOJJ>.

<sup>172</sup> Reuters, “Sudan bread protests spread, opposition leader detained,” 7 January 2018, <https://uk.reuters.com/article/sudan-protests/sudan-bread-protests-spread-opposition-leader-detained-idUKL8N1P20G5>.

<sup>173</sup> ACJPS, “Sudanese forces fire live ammunition at student protesters killing one student and injuring six others in El Geneina, West Darfur,” 8 January 2018, <http://www.acjps.org/sudanese-forces-fire-liveammunition-at-student-protesters-killing-one-student-and-injuring-six-others-in-el-geneina-west-darfur/>.

<sup>174</sup> Al Jazeera, “Sudan protests: Three dead in 'bread protests',” 12 January 2018, <https://www.aljazeera.com/news/2018/01/sudan-protests-dead-bread-protests-180112095320512.html>.

<sup>175</sup> Regional Coalition for Women Human Rights Defenders in the Middle East and North Africa, “Arrests of WHRDs because of peaceful protesting against Sudanese government’s arbitrary policies,” 22 January 2018, <http://whrdmena.org/2018/01/22/solidarity-women-human-rights-defenders-sudan/>.

<sup>176</sup> Regional Coalition for Women Human Rights Defenders in the Middle East and North Africa, “Arrests of WHRDs because of peaceful protesting against Sudanese government’s arbitrary policies,” 22 January 2018, <http://whrdmena.org/2018/01/22/solidarity-women-human-rights-defenders-sudan/>.

<sup>177</sup> Regional Coalition for Women Human Rights Defenders in the Middle East and North Africa, “Arrests of WHRDs because of peaceful protesting against Sudanese government’s arbitrary policies,” 22 January 2018, <http://whrdmena.org/2018/01/22/solidarity-women-human-rights-defenders-sudan/>.

By 19 February 2018, 80 activists and students detained during the bread protests were released.<sup>178</sup>

On 20 January 2018, 5 people were killed and 26 others sustained injuries after live ammunition were fired on a crowd of protestors at Hasahisa camp for internally displaced persons (IDPs) in Zalingei in Central Darfur.<sup>179</sup>

On 18 February 2018, the Government announced that it would releasing 80 detainees from custody<sup>180</sup> – 59 more were released on 10 April, by way of a presidential decree.<sup>181</sup>

## **Tanzania**

Tanzania has seen a dramatic reduction in civic space over the last six a months, which is a continuation of several worrying trends that intensified in 2015 under President John Magufuli's administration. These include a harsh crackdown on critical media, increased hostility towards SOGI activists, and several violent attacks against HRDs and opposition members.

### Freedom of Association

On 17 October 2017, police arrested 13 people at the Peacock Hotel in Dar es Salaam for “promoting homosexuality” at a meeting organised by the Initiative for Strategic Litigation in Africa (ISLA), and the Tanzanian Community Health Services and Advocacy (CHESA).<sup>182</sup> On 20 October, the state's Registrar of Non-Governmental Organisations announced the suspension

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<sup>178</sup> Al Jazeera, “Sudan releases activists arrested over 'bread protests',” 19 February 2018, <https://www.aljazeera.com/news/2018/02/sudan-releases-activists-arrested-bread-protests-180219092625283.html>.

<sup>179</sup> ACJPS, “Five IDPs killed as SAF and RSF use live ammunition to disperse a protest in Central Darfur,” 24 January 2018, <http://www.acjps.org/five-idps-killed-as-saf-and-rsf-use-live-ammunition-todisperse-a-protest-central-darfur/>

<sup>180</sup> ACJPS, “Urgent concern for individuals detained in unknown locations and dozens still in detention amidst release,” 23 February 2018, <http://www.acjps.org/urgent-concern-for-individuals-detained-in-unknown-locations-and-dozens-still-in-detention-amidst-release-of-sudan-2018-detainees/>.

<sup>181</sup> ACJPS, “Sudan should charge or release remaining 248 individuals in prolonged detention,” 16 April 2016, <http://www.acjps.org/sudan-should-charge-or-release-remaining-248-individuals-in-prolonged-detention/>

<sup>182</sup> Mail & Guardian, “UPDATE: SA lawyers arrested in Tanzania for 'promoting homosexuality' get bail,” 22 October 2017, <https://mg.co.za/article/2017-10-22-sa-human-rights-lawyers-arrested-in-tanzania-for-promoting-homosexuality>.

of CHESA's activities and started an investigation in the organisation's alleged "sensitization of homo sexual activities in various parts of the country."<sup>183</sup>

On 2 November 2017, HRDs Bibiana Mushi and Nicholas Ngelela Luhende were acquitted of charges of Disobedience of Statutory Duty under Section 123 of the Penal Code. Both were arrested on 12 July 2017 while conducting a capacity-building workshop for local officials serving regions hosting extractive industries.<sup>184</sup>

In February 2018, two politicians with the opposition CHADEMA party were brutally murdered. On February 13, Daniel John's body was found dumped at a beach covered in machete wounds. On 22 February, Godfrey Luena left his home to investigate a power cut and was attacked by unknown assailants armed with machetes.<sup>185</sup>

On 6 March 2018, student activist and HRD Abdul Nondo was abducted, driven to a remote area, before he made his way to a police station on 7 March, after which he was taken to Dar es Salaam and held *incommunicado* by the police for fifteen days. Later he was charged with publication of false information contrary under Section 16 of the Cyber Crimes Act (2015) and giving false information to persons employed in the public service contrary to Section 122(a) of the Penal Code.<sup>186</sup>

### Freedom of Expression

On 24 October 2017, the government suspended the Swahili-language Tanzania Daima newspaper for a period of 90 days, alleging that it had published false news.<sup>187</sup>

On 15 November 2017, a court in Dar Es Salaam sentenced HRD Bob Chacha Wangwe to one and a half years in prison or a fine of five million Tsh (USD 2,190) on charges of "publication of

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<sup>183</sup> Daily News, "State suspends NGO supporting gay marriages," 21 October 2017, <http://dailynews.co.tz/final/index.php/home-news/53703-state-suspends-ngo-supporting-gay-marriages>.

<sup>184</sup> Tanzania Human Rights Defenders Coalition, "UPDATE: Human rights defenders Bibiana Mushi and Nicholas Ngelela Luhende acquitted," 2 November 2017, <https://www.facebook.com/THRDCOALITION/posts/873847332770339>.

<sup>185</sup> The East African, "Second opposition politician killed in Tanzania," 23 February 2018, <http://www.theeastafrican.co.ke/news/Second-opposition-politician-killed-in-Tanzania/2558-4317234-fa46olz/index.html>.

<sup>186</sup> Frontline Defenders, "Abduction of human rights defender Adbul Nondo," <https://www.frontlinedefenders.org/en/case/abduction-human-rights-defender-abdul-nondo>.

<sup>187</sup> The Citizen, "Govt bans Tanzania Daima newspaper for 90 days," 24 October 2017, <http://www.thecitizen.co.tz/News/Govt-bans-Tanzania-Daima-newspaper-for-90-days/1840340-4154086-liil03/index.html>.

false information" under the contentious Cybercrimes Act (2015). The charges allegedly stemmed from comments made on Facebook regarding procedural issues during the 2015 elections in Zanzibar.<sup>188</sup>

On 21 November 2017, Mwananchi Communications Limited journalist Azory Gwanda disappeared near his workplace in Kibiti.<sup>189</sup> Prior to his disappearance, Gwanda allegedly wrote several articles regarding local administrative officials and police officers murdered by unknown assailants on motorcycles.<sup>190</sup>

On 2 January 2018, Tanzania's Communications Regulatory Authority fined five television stations for broadcasting "offensive and unethical" content: Star TV, Azam Two, East Africa TV, Channel 10, and ITV.<sup>191</sup> The stations had aired a press statement issued on 30 November 2017 by the Legal and Human Rights Centre alleging human rights violations during local elections in November 2017, including detentions, intimidation, and physical abuse.<sup>192</sup>

On 26 February 2018, CHADEMA MP Joseph Mbilinyi and local party leader Emmanuel Masonga were jailed for statements they made during a political rally in December 2017 allegedly insulting President Magufuli.<sup>193</sup>

In early March 2018, The Tanzania Communications Regulatory Authority banned 13 songs it said breached broadcasting laws, in order to protect "cultural norms."<sup>194</sup>

On 13 March 2018, three Tanzanian NGOs – the Media Council of Tanzania, Legal and Human Rights Centre, and Tanzania Human Rights Defenders Coalition – filed a complaint at the East

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<sup>188</sup> Frontline Defenders, "Judicial harassment of human rights defender Bob Chaha Wangwe," <https://www.frontlinedefenders.org/en/case/judicial-harassment-human-rights-defender-bob-chaha-wangwe>.

<sup>189</sup> Committee to Protect Journalists, "Azory Gwanda – Missing" 21 November 2017, <https://cpj.org/data/people/azory-gwanda/index.php>.

<sup>190</sup> The Citizen, "Activists condemn disappearance of reporter," 10 December 2017, <http://www.thecitizen.co.tz/News/Activists-condemn-disappearance-of-reporter/1840340-4221658-14ku22l/index.html>.

<sup>191</sup> Africa News, "Tanzania fines TV stations for airing human rights report," 3 January 2017, <http://www.africanews.com/2018/01/03/tanzania-fines-tv-stations-for-airing-human-rights-report/>.

<sup>192</sup> Legal Human Rights Centre, "Continuing suppression of freedom of opinion and expression in Tanzania," 5 January 2018, <http://www.humanrights.or.tz/posts/b/News/continuing-suppression-of-freedom-of-opinion-and-expression-in-tanzania>.

<sup>193</sup> Reuters, "Tanzania opposition MP jailed for five months for insulting president," 26 February 2018, [https://www.reuters.com/article/us-tanzania-politics/tanzania-opposition-mp-jailed-for-five-months-for-insulting-president-idUSKCN1GA1H5?feedType=RSS&feedName=worldNews&utm\\_source=feedburner&utm\\_medium=feed&utm\\_campaign=Feed%3A+Reuters%2FworldNews+%28Reuters+World+News%29&rpc=401](https://www.reuters.com/article/us-tanzania-politics/tanzania-opposition-mp-jailed-for-five-months-for-insulting-president-idUSKCN1GA1H5?feedType=RSS&feedName=worldNews&utm_source=feedburner&utm_medium=feed&utm_campaign=Feed%3A+Reuters%2FworldNews+%28Reuters+World+News%29&rpc=401)

<sup>194</sup> RFI, "Tanzania music ban - protecting cultural norms or limiting freedom of expression," 1 March 2018, <http://en.rfi.fr/africa/20180301-tanzania-music-ban-protecting-cultural-norms-or-limiting-freedom-expression>.



Africa Court of Justice alleging that the Media Services Act (2016) violates international conventions ratified by the regional bloc of the East African Community.<sup>195</sup>

On 16 March 2018, the government introduced the Electronic and Postal Communications (Online Content) Regulations (2018),<sup>196</sup> giving authorities sweeping controls over content published online. Among other provisions, bloggers are now asked to provide details including share capital, tax certificates, estimated investments, and other information to secure accreditation, as well as pay a USD \$930 registration fee before they even begin publishing material. The regulations also prohibit "content that causes annoyance... or leads to public disorder."<sup>197</sup>

### Freedom of Peaceful Assembly

On 16 February 2018, student Akwinlina Akwiline was killed after being hit by a bullet fired by police officers attempting to disperse an opposition rally.<sup>198</sup>

### Uganda

On 2 January 2018, President Yoweri Museveni signed into law the controversial Constitutional Amendment Act (2017) that *inter alia* removes the presidential age limit cap of 75 years, thereby allowing him to run in the next presidential election.<sup>199</sup> These plans to amend the constitution sparked citizen protests and a harsh state crackdown on dissent that resulted in arbitrary arrests, raids on NGOs, attacks on opposition members, and a physical confrontation between MPs in parliament. Although some of the violations detailed here do not relate to the effects of the

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<sup>195</sup> The East African, "Tanzania civil society in East African court, say press law a 'violation'," 17 March 2018, <http://www.theeastafrican.co.ke/news/Tanzania-civil-society-in-East-African-court-media-law/2558-4345970-1bdi/bnz/index.html>.

<sup>196</sup> Government of Tanzania, "Electronic and Postal Communications (Online Content) Regulations," 16 March 2018, [https://www.tcra.go.tz/images/documents/regulations/SUPP\\_GN\\_NO\\_133\\_16\\_03\\_2018\\_EPOCA\\_ONLINE\\_CONTE\\_NT\\_REGULATIONS\\_2018.pdf](https://www.tcra.go.tz/images/documents/regulations/SUPP_GN_NO_133_16_03_2018_EPOCA_ONLINE_CONTE_NT_REGULATIONS_2018.pdf).

<sup>197</sup> CNN, "Tanzanian govt demands \$930 fee from bloggers in internet clampdown," 13 April 2018, <https://edition.cnn.com/2018/04/12/africa/tanzania-blogging-internet-freedoms-africa/index.html>.

<sup>198</sup> African Arguments, "Tanzania: Everyone is scared," 2 March 2018, <http://africanarguments.org/2018/03/02/tanzania-everyone-is-scared/>.

<sup>199</sup> The Independent, "Museveni signs bill removing Uganda presidential age limits," 2 January 2018, <https://www.independent.co.ug/museveni-signs-bill-removing-uganda-presidential-age-limits/>.

controversial constitutional amendments, most of the incidents are directly or indirectly connected to developments on the political stage.

### Freedom of Association

HRD and Twerwaneho Listeners Club (TLC) member James Rukampena was shot in both legs on 12 September 2017 by armed guards, hired by engineering and construction company Ferdult Engineering Services Limited. Rukampena, had been advocating for the rights of local communities and vocally opposed the agreement with the Kabarole District Local Government Council granting the company sole access to 20 crater lakes in the Rwenzori region. Four other TLC members – Suleiman Trader, Jackson Magezi, Fred Kyaligonza and Prosper Businge – have been judicially harassed after legally challenging the company's acquisition of the 20 lakes. Harassment included frivolous criminal charges that were laid on them for "the use of explosives, electronic gadgets and the poisoning of fish."<sup>200</sup>

In the early morning of 3 October 2017, unidentified individuals attacked the homes of two opposition MPs with suspected grenades just days after another opposition member, Moses Kasibante, experienced a similar incident on 27 September 2017.<sup>201</sup> Allan Ssewanyana (MP for Makindye West), says one grenade was thrown into his home, while Robert Kyagulanyi (MP for Kyaddondo West), popularly known as Bobi Wine, said three grenades had exploded and smashed the window of his son's bedroom.<sup>202</sup> The MPs were among a group of 25 MPs suspended from parliament on 27 September 2017 following chaos and a brawl during a motion over the controversial removal of the presidential age limit from the constitution.

On 13 October 2017, government officials announced that all five bank accounts of the NGO ActionAid Uganda had been frozen while they were being investigated by the Criminal

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<sup>200</sup> FIDH, "Uganda: Shooting of Mr. James Rukanpana and judicial harassment of Messrs. Suleiman Trader, Jackson Magezi, Fred Kyaligonza and Prosper Businge," 21 September 2017, [https://www.fidh.org/en/issues/human-rights-defenders/uganda-shooting-of-mr-james-rukanpana-and-judicial-harassment-of?utm\\_source=feedburner&utm\\_medium=twitter&utm\\_campaign=Feed%3A+Fidh\\_africa+%28FIDH++Human+Rights+in+Africa%29..](https://www.fidh.org/en/issues/human-rights-defenders/uganda-shooting-of-mr-james-rukanpana-and-judicial-harassment-of?utm_source=feedburner&utm_medium=twitter&utm_campaign=Feed%3A+Fidh_africa+%28FIDH++Human+Rights+in+Africa%29..)

<sup>201</sup> Monitor, "Age limit: Explosions rip MP Kasibante's home," 28 September 2017, <http://www.monitor.co.ug/News/National/Age-limit-Explosion-rip-MP-Kasibante-s-home/688334-4116032-7uwl5bz/index.html>.

<sup>202</sup> Monitor, "Suspected grenades detonated at MPs' homes," 3 October 2017, <http://www.monitor.co.ug/News/National/Grenades-detonated-at-Bobi-Wine-Allan-Ssewanyana-home/688334-4122186-c7fypnz/index.html>.

Investigation Directorate for alleged conspiracy to commit a felony and money laundering.<sup>203</sup> Police raided ActionAid's offices in Kampala on 19 September 2017, confiscating computers and mobile phones. The accounts were unfrozen on 25 December 2017 and no legal action has since been undertaken by the government.<sup>204</sup>

On 16 December 2017, Ugandan police raided offices in Kampala and arrested 16 youth activists known for their nonviolent activism opposing the president's controversial age limit removal during a training. These youth were held without charge for over 48 hours and were denied adequate access to food and water.<sup>205</sup> Among them was HRD Arinaitwe Scovia with Action Alliance and Solidarity Uganda, who was beaten by police during her detention and hospitalised on 18 December 2017.<sup>206</sup>

On 9 February 2018, nine unidentified individuals broke into the Kampala office of Human Rights Awareness and Promotion Forum (HRAPF). The two guards on duty were beaten with iron bars and batons, and sustained severe injuries. The intruders were blocked from accessing senior management offices by a heavy metal door, and did not steal any of the electronic equipment readily available in the reception area and resource centre.<sup>207</sup> HRAPF's offices were previously broken into in May 2016, resulting in the death of a guard. On 12 February 2018, HRAPF staff demonstrated in front of a police station in Kampala, demanding legal action, police reports, and investigations and into both office break-ins. In the last five years, several civil society organisations in Kampala have had their offices broken into, and despite promises by police to investigate, few of the perpetrators have been held accountable, even in cases where evidence, such as video footage from security cameras, has been available.<sup>208</sup>

Kulihoshi Musikami Pecos, an exiled Congolese human right activist and Executive Director of the refugee-led Foundation People for Peace and Defense of Human Rights, was abducted on 14

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<sup>203</sup> Monitor, "Bank of Uganda freezes ActionAid accounts," 14 October 2017, <http://www.monitor.co.ug/News/National/Bank-of-Uganda-freezes-Action-Aid-accounts/688334-4139336-whadng/index.html>.

<sup>204</sup> ActionAid Uganda, "ActionAid Uganda Accounts Finally Unfrozen!," 25 December 2017, <http://www.actionaid.org/uganda/news/actionaid-uganda-accounts-finally-unfrozen>.

<sup>205</sup> CIVICUS Monitor, "URGENT ACTION: Release 16 detained activists immediately," 18 December 2017, <https://monitor.civicus.org/newsfeed/2017/12/18/urgent-action-release-16-detained-activists-immediately/>.

<sup>206</sup> Frontline Defenders, "Scovia Arinaitwe hospitalised, beaten while in detention," 19 December 2017, <https://www.frontlinedefenders.org/en/case/scovia-arinaitwe-hospitalised-beaten-while-detention>.

<sup>207</sup> FIDH, "Uganda: Break-in of the Human Rights Awareness and Promotion Forum (HRAPF)'s premises," 12 February 2018, <https://www.fidh.org/en/issues/human-rights-defenders/uganda-break-in-of-the-human-rights-awareness-and-promotion-forum>.

<sup>208</sup> DefendDefenders, "Uganda: Government should immediately take steps to end pattern of office break-ins," 23 May 2016, [https://www.defenddefenders.org/press\\_release/uganda-government-immediately-take-steps-end-pattern-office-break-ins/](https://www.defenddefenders.org/press_release/uganda-government-immediately-take-steps-end-pattern-office-break-ins/).

February 2018 by unknown individuals. He was found a day later at the Old Kampala police station. The activist had been vocal in denouncing the scandal surrounding cases of fraud and misuse of funds intended for Uganda's 1.4 million refugees.<sup>209</sup> He was released a week later on bond and continues to report to police on bond.<sup>210</sup>

## Freedom of Expression

On 2 October 2017, 230 journalists from several media houses within the informal Uganda Press Freedom Network issued a press statement denouncing the gagging of journalists over the presidential age limit debate. The journalists condemned the arrests of journalists, confiscation of equipment, and the UCC's order on 26 September 2017 for broadcasters to immediately refrain from showing live feeds of ongoing parliamentary debates over the age limits that turned into fistfights.<sup>211</sup>

In mid-October 2017, the Criminal Investigations Directorate (CID) of the Ugandan police summoned two editors from the Red Pepper and the Daily Monitor newspapers.<sup>212</sup> Both were interrogated on 16 October 2017 for about three hours by the CID over their reporting on the controversial presidential age limit issue.<sup>213</sup>

On 21 October 2017, the UCC ordered the temporary shutdown of a privately-owned radio station, Kanungu Broadcasting Services Ltd., days after it hosted four-time presidential candidate

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<sup>209</sup> Human Rights Defenders Solidarity Network, "RE: Arbitrary Arrest of Musikami Kulihoshi Pecos," 16 February 2018, [https://civicus.contentfiles.net/media/uploads/research\\_nodes/researchfile/2018/02/21/14\\_16\\_56/7.2%20-%20OC%201%20-%20EXILED%20HRDS%20IN%20DANGER.pdf](https://civicus.contentfiles.net/media/uploads/research_nodes/researchfile/2018/02/21/14_16_56/7.2%20-%20OC%201%20-%20EXILED%20HRDS%20IN%20DANGER.pdf).

<sup>210</sup> Foundation People for Peace and Defense of Human Rights, "Thank You All: Kulihoshi Musikami Pecos Finally Released From Old Kampala Police Station," 1 March 2018, <http://foundationppdr.org/2018/03/01/thank-you-all-kulihoshi-musikami-pecos-finally-released-from-old-kampala-police-station/>.

<sup>211</sup> African Centre for Media Excellence, "Ugandan journalists push back against regulator," 2 October 2017, <https://acme-ug.org/2017/10/02/ugandan-journalists-push-back-against-regulator/>.

<sup>212</sup> African Centre for Media Excellence, "Police to question Daily Monitor, Red Pepper over presidential age limit stories," 13 October 2017, <https://acme-ug.org/2017/10/13/police-summon-daily-monitor-red-pepper-editors-over-presidential-age-limit-stories/>.

<sup>213</sup> Human Rights Network for Journalists – Uganda, "Police quizzes and charges newspaper editors over Presidential Age Limit stories," 16 October 2016, <https://hrnjuganda.org/?p=3896>.

and opposition leader Dr. Kizza Besigye. The UCC alleged that the station breached the minimum broadcasting standards, but gave no official reason for the two-day shutdown.<sup>214</sup>

On 6 November 2017, Kampala City Hall Magistrate's Court released journalists Stanley Ndawula and Robert Ndawula with the online news site The Investigator on bail after they spent seven days in police custody. The journalists were accused of criminal libel and offensive communication under the controversial Computer Misuse Act (2011). The accusations were in connection to a story they published on social media claiming that police chief Gen. Kale Kayihura was under arrest and his home cordoned off by the army.<sup>215</sup>

Authorities arrested singer David Mugema and producer John Muwanguzi on 5 December 2017 on charges of disturbing the peace of President Museveni for composing and disseminating the pop song "Wumula" (Retire) and accompanying video on YouTube. The song does not directly mention the name of the President, but the video shows pictures of Museveni alongside deposed leaders like Robert Mugabe and Saddam Hussain, as well as photos of protests.<sup>216</sup> The two musicians were released on bail on 7 December 2017.<sup>217</sup>

On 21 November 2017, armed with a search warrant issued by a magistrate's court, authorities raided the offices of the Red Pepper tabloid in Kampala and arrested three editors, the CEO, and four senior managers, charging them on seven counts, including publication of information prejudicial to national security, libel, and offensive communication.<sup>218</sup> The charges were in connection with a front-page story on 20 November 2017 claiming that President Museveni was planning to oust Rwandan President Paul Kagame.<sup>219</sup> Police confiscated computers and mobile phones during the raid, and several managers' homes were also searched.<sup>220</sup> Their offices remained closed while the eight were held for nearly a month and released on bail on 19 December 2017.<sup>221</sup> The trial was closed after President Museveni held a meeting with the

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<sup>214</sup> Human Rights Network for Journalists – Uganda, "UCC Shutdown Radio Station for two days, orders suspension of senior staff.," 24 October 2017, <https://hrnjuganda.org/?p=3910>.

<sup>215</sup> Human Rights Network for Journalists – Uganda, "Court releases the Investigator journalists after a week in police detention," 6 November 2017, <https://hrnjuganda.org/?p=3949>.

<sup>216</sup> <https://www.youtube.com/watch?v=Wth-Ex03piE&feature=youtu.be>.

<sup>217</sup> Daily Nation, "Musician arrested for 'disturbing' Yoweri Museveni's peace," 5 December 2017, <https://www.nation.co.ke/news/africa/Musician-arrested-for-disturbing-Yoweri-Museveni-peace/1066-4216504-8t88m4/index.html>.

<sup>218</sup> Committee to Protect Journalists, "Uganda detains newspaper editors, directors, holds them without charge," 22 November 2017, <https://cpj.org/2017/11/uganda-detains-newspaper-editors-directors-holds-t.php>.

<sup>219</sup> Human Rights Network for Journalists – Uganda, "Red Pepper Directors and Editors charged with seven counts and remanded to prison," 27 November 2017, <https://hrnjuganda.org/?p=3995>.

<sup>220</sup> Reuters, "Uganda police say raid newspaper, detain staff over article about president," 22 November 2017, <https://www.reuters.com/article/us-uganda-media/uganda-police-say-raid-newspaper-detain-staff-over-article-about-president-idUSKBN1DM1CK>.

<sup>221</sup> Human Rights Network for Journalists – Uganda, "Red Pepper Directors and Editors released on bail," 19 December 2017, <https://hrnjuganda.org/?p=4052>.

accused proprietors and pardoned them on condition that they refrain for publishing similar articles in the future, and issue an apology. Copies of the tabloid were back on newsstands on 29 January 2018, almost three months after the raid and siege.<sup>222</sup>

Five unidentified men dressed in military camouflage seized investigative journalist Charles Etukuri from the state-owned New Vision newspaper on 13 February 2018 outside his office in Kampala, days after he published an investigation linking the Internal Security Organisation and Chief of Military Intelligence to the death of a Finnish businessman at a Kampala hotel.<sup>223</sup> Etukuri was held incommunicado for several days, while various security agencies refused to comment or denied any connection to his arrest. On 19 February 2018, Etukuri was released and brought back to the New Vision premises after a high court in Kampala ordered he be produced in court a week later.<sup>224</sup> Etukuri later recounted his abduction, including how officers illegally interrogated him and demanded he reveal his sources and explain his involvement in the case.<sup>225</sup>

On 13 February 2018, the Resident District Commissioner of Gulu District recommended the closure of Radio Maria, a Catholic media house, on allegations that it was causing disunity among the people. The allegations concerned the broadcasting of live Sunday masses by Reverend Father Charles Onen. Similarly, Chowoo Willy, a journalist and news editor with Choice FM in Gulu, was arrested on 12 February 2018 and charged with criminal libel for allegedly posting an audio recording of the Reverend in question on Facebook.<sup>226</sup>

On 19 February 2018, prosecutors withdrew charges against Lira-based Rhino FM Programmes Director Augustine Okello after nearly five years in court. Okello was arrested on 13 July 2011 and held *incommunicado* for more than two weeks. He suspects that his arrest was linked to a tribute song to former Ugandan President Milton Obote – ousted by President Museveni in 1986 – frequently played on Rhino FM. Okello was initially charged with treason in 2011, but this was later amended to "abuse of inferiors" in October 2017, under Section 141 of the Uganda Peoples' Defence Forces Act (2005).<sup>227</sup>

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<sup>222</sup> African Centre for Media Excellence, "Red Pepper resumes operations after editors meet President Museveni," 24 January 2018,

<https://acme-ug.org/2018/01/24/red-pepper-to-reopen-after-editors-meet-president-museveni/>.

<sup>223</sup> Committee to Protect Journalists, "Ugandan journalist seized in Kampala following investigative report," 14 February 2018, <https://cpj.org/2018/02/ugandan-journalist-seized-in-kampala-following-inv.php>.

<sup>224</sup> Human Rights Network for Journalists – Uganda, "Vision group journalist released soon after Court Orders for his production," 19 February 2018, <https://hrnjuganda.org/?p=4190>.

<sup>225</sup> New Vision, "New Vision's Etukuri explains why he was abducted," 20 February 2018, [https://www.newvision.co.ug/new\\_vision/news/1471534/emotional-reunion-visions-etukuri-freed](https://www.newvision.co.ug/new_vision/news/1471534/emotional-reunion-visions-etukuri-freed).

<sup>226</sup> Human Rights Network for Journalists – Uganda, "RDC orders for radio closure as Gulu based journalist is charged with criminal libel," 15 February 2018, <https://hrnjuganda.org/?p=4173>.

<sup>227</sup> Human Rights Network for Journalists – Uganda, "State Withdraws Charges Against a Lira-based Journalist after Five Years," 19 February 2018, <https://hrnjuganda.org/?p=4192>.

## Freedom of Peaceful Assembly

On 10 October 2017, supporters of the ruling party physically assaulted opposition supporters protesting against the removal of the constitutional age limit for presidential candidates in Lwengo District. After the assault, attackers took the protesters to the nearby police station where they were detained.<sup>228</sup>

Police officers killed at least one person and injured several others on 18 October 2017 when live ammunition and tear gas were used to disperse a crowd demonstrating against the age limit amendment in the southwestern town of Rukungiri.<sup>229</sup>

Police arrested four-time opposition presidential candidate Kizza Besigye on 14 November 2017 after police and security forces prevented a rally near Kampala where he was expected to speak. Police used tear gas and live bullets to disperse the protesters.<sup>230</sup>

On 27 November 2017, police officers shot one person and arrested six others in Kasese district as citizens planned to gather and commemorate the 2016 raid on the palace of Rwenzururu King Charles Wesley Mumbere by the Uganda People's Defence Force, which left more than 150 people dead.<sup>231</sup>

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<sup>228</sup> Monitor, "Age limit: People opposed to the plan beaten, detained in Lwengo," 11 October 2017, <http://www.monitor.co.ug/News/National/Age-limit-People--beaten-detained-Lwengo-police/688334-4134344-20cn2c/index.html>.

<sup>229</sup> Reuters, "One dead at protest against extending Ugandan president's rule," 18 October 2017, <https://www.reuters.com/article/us-uganda-politics/one-dead-at-protest-against-extending-ugandan-presidents-rule-idUSKBN1CN2KT>.

<sup>230</sup> The East African, "Uganda opposition supremo Besigye arrested again," 4 November 2017, <http://www.theeastafrican.co.ke/news/2558-4187126-3drxdc/index.html>.

<sup>231</sup> Monitor, "Police kill one, arrest six in Kasese," 28 November 2017, <http://www.monitor.co.ug/News/National/Police-kill-one-arrest-six-Kasese/688334-4205212-1dla8/index.html>.