OVERVIEW OF THE HUMAN RIGHTS SITUATION IN THE EAST AND HORN OF AFRICA

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DefendDefenders’ Bi-Annual Report to the ACHPR

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Introduction and executive summary

The last six months have seen increased repression and armed conflict which threaten to further restrict citizens’ exercise of their human rights and fundamental freedoms in the East and Horn of Africa sub-region. The conflict in the Tigray region of Ethiopia has further destabilised an already fragile Horn of Africa, as Somalia is dealing with a 30-year armed conflict. Djibouti and Eritrea remain extremely closed and repressive, tolerating little to no dissent. Additionally, a military coup in Sudan threatens to erase the gains of the popular 2018-2019 revolution of the Sudanese people. Other countries in the sub-region have also registered downward trends with reports of harassment of human rights defenders (HRDs), including journalists and activists, curtailing of the rights to freedom of opinion and expression, association, and peaceful assembly, leading to a further shrinking of the civic and democratic space.

The COVID-19 pandemic continues to spread. Some government authorities use excessive power under the guise of curbing the pandemic, and to specifically target human rights defenders. This report illustrates key infringements on democracy, rule of law, and human rights in the East and Horn of Africa.

Burundi continues to face grave human rights violations, including widespread impunity for those committed since 2015. Despite initial improvements in press freedom after President Evariste Ndayishimiye assumed office in 2020, these have not structurally improved the human rights situation. HRDs face numerous obstacles, and the environment for civic space remains restrictive. The government continues to try and exert control over civil society, and it denies citizens their right to freedom of expression, peaceful assembly, and association. Those perceived as critical of the government have faced continued repression.

Djibouti and Eritrea remain closed authoritarian regimes and were ranked by Reporters without borders as the worst countries in Africa in terms of press freedom in 2021. In Djibouti, the exercise of the right to freedom of expression is severely curtailed and public protests are rare. Eritrea remains under the dictatorial rule of President Isaias Afwerki and the civic space environment is one of the most restricted in the world. The government controls all television channels, radio stations, and newspapers. Access to the Internet is severely regulated. Furthermore, Eritrea is accused of committing grave human rights violations in Ethiopia’s Tigray region that might amount to international crimes, including crimes against humanity.

Ethiopia’s ongoing conflict and humanitarian situation in Tigray is alarming. Gross and systematic violations and abuses such as attacks against civilians, sexual violence, arbitrary arrests, and ethnic cleansing continue to occur. On 3 November 2021, the Office of the UN High Commissioner for Human Rights (OHCHR) and Ethiopia’s National Human Rights Commission (EHRC) made public the findings of a joint investigation. Based on the information collected and assessed, it found “reasonable grounds to believe that there have been widespread violations of international human rights, humanitarian and refugee law by all parties to the conflict in Tigray. [...] Some of these violations may,

depending on their circumstances, amount to international crimes.” The enjoyment of the rights to freedom of opinion and expression, association, and peaceful assembly has further declined. Several journalists have been harassed, intimidated, deported, or arrested for reporting on the Tigray conflict. On 21 June 2021, Ethiopia held elections amid country-wide insecurity and boycott by opposition parties. The Prosperity Party of Prime Minister Abiy Ahmed won 410 out of 436 contested seats in the federal parliament.

In Kenya, civic space is relatively more open. However, the country continues to grapple with extrajudicial killings, enforced disappearance, and torture. Protestors and activists are victims of police brutality and excessive force. Police officers routinely violate the right to freedom of peaceful assembly in an attempt to implement restrictions to curb the spread of COVID-19. Additionally, the Cybercrime Act (2018) is used to target journalists, bloggers, activists, and political figures critical of the government.

Rwanda remains one of the most restrictive countries in the region. The government continues to target, harass, arrest, and intimidate critics. High-profile critics have been arrested or threatened, including the former manager of Kigali’s Hôtel des Mille Collines, Paul Rusesabagina, who was sentenced to 25 years in prison on terrorism charges. The right to freedom of expression is under pressure. Activists and journalists commenting on current affairs on YouTube are arrested or reported missing, including exiled journalists.

Somalia’s ongoing political crisis results in rising tensions. On 27 May 2021, leaders in Somalia agreed to hold elections by returning to the 17 September 2020 Electoral Agreement, which will allow for indirect presidential and parliamentary elections. However, unaddressed political tensions brought about the country’s descent into armed confrontations that almost crippled Somalia after violence broke out in the capital in April 2021. Furthermore, the feud between President Mohamed Abdullahi Mohamed and Prime Minister Mohamed Hussein Roble over the death of National Intelligence and Security Agency Ikran Tahlil, threatens to destabilise the fragile country. Civic space remains under intense pressure in Somalia, one of the most dangerous places to be a journalist. Journalists are constantly targeted, harassed, arrested, and attacked by both the state and non-state actors.

South Sudan continues to face armed conflict. Human rights violations and abuses and violations of international humanitarian law continue, including rape and sexual and gender-based violence (SGBV), as well as inter-communal violence. In accordance with the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) signed in 2018, President Salva Kiir dissolved the parliament in May, and the reconstituted Parliament was sworn in on 2 August. The National Security Service (NSS) uses abusive surveillance methods to target journalists, activists, and opposition members, resulting in fear and self-censorship. The rights to freedom of opinion and expression, association, and assembly are extremely curtailed. On 30 August, the authorities suppressed the right to freedom of peaceful assembly, association, and expression by deploying security officials, warning citizens against joining the peaceful protests, and shutting down the internet.

While Sudan achieved human rights progress since 2019, including the opening of the civic and democratic space, the country’s political, security, economic, and humanitarian
situation remains fragile. On 25 October 2021, Sudan’s military forces arrested Prime Minister Abdalla Hamdok and several civilian figures, including members of the Transitional Government and Transitional Sovereign Council (SC), who were placed under house arrest or taken to unknown locations. Military elements took control of the national television and key centres of information. They imposed a partial internet shutdown in the country and closed roads, bridges, and the airport in Khartoum. At the time of writing, military leaders led by General al-Burhan are attempting to consolidate power, despite strong African Union communiqués and statements, its decision to suspend Sudan from all activities, and the holding of a special session of the UN Human Rights Council, on 5 November 2021.

When President Samia Suluhu Hassan came to power, in March 2021, there was hope that Tanzania would change course, but these hopes are yet to materialise. Despite the positive measures taken by the government to improve freedom of expression, including public commitments in favour of the rule of law and freedom of expression and the lifting of suspension measures that had affected media outlets, journalists continue to be arrested and targeted by the authorities. Several journalists have been arrested in the reporting period. The restrictive media laws that stifle civic space are yet to be reformed. Recent developments seem to counter the commitments of President Hassan. Tanzanian authorities suspended two newspapers, Uhuru and Rai Mwema, for publishing “false information” and arrested opposition leader Freeman Mbowe just before he was due to launch a constitutional reform programme. He is facing economic crimes and financing of terrorism related charges.

Uganda continues to restrict the rights to freedom of expression, peaceful assembly, and association. The right to freedom of association is deteriorating with the suspension and halting of operations of 54 civil society organisations by the NGO Bureau. NGOs that engage in advocacy and monitoring are under pressure due to various legal restrictions and burdensome registration requirements. HRDs and journalists face arrest, harassment, intimidation, and assault in reprisal for their work. The Human Rights Journalists Network Uganda released the 2020 press freedom index report documenting over 100 violations committed by the police and Uganda’s People Defense Forces (UPDF). The law on the protection of HRDs is currently under consideration in the 11th parliament.

**Recommendations**

In light of the updates and trends observed, 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;

- Call on all member States to adopt specific legislative measures to recognise and protect the status of HRDs, 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 member States to cease the harassment and arbitrary detention of HRDs, including those working on LGBT rights;
• Call on States to abide by the Guidelines on Freedom of Association and Assembly adopted by the Commission during its 60th ordinary session;

• 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;

• Call on the Federal Government of Ethiopia through independent and impartial bodies to investigate allegations of human rights violations thoroughly and effectively and to hold those responsible accountable, following a joint investigation by the Ethiopian Human Rights Commission (EHRC) and the UN Human Rights Office into the Tigray conflict;

• Urge the Federal Government of Ethiopia to fully cooperate with the African Commission on Human and People’s Rights’ Commission of Inquiry on Tigray;

• Adopt a resolution that strongly condemns the military coup in Sudan and calls for restoration of the civilian-led Transitional Government, and urges respect for human rights and fundamental freedoms including the right to freedom of association and peaceful assembly; and

• Adopt a resolution urging, among other things, the government of South Sudan to immediately establish and operationalise the Hybrid Court for South Sudan and other transitional justice institutions as per Chapter V of the Revitalised Peace Agreement (R-ARCSS), and to ensure accountability for crimes committed since 2013, and to put an immediate end to harassment, intimidation, and repression, including by the National Security Service, of independent human rights actors and those reporting on human rights in the country.

Burundi

General situation
In July, the Ligue Burundaise des Droits de l’Homme (Ligue Iteka) reported a number of human rights violations. These include the killing of at least 31 people- of which 17 bodies were found, the abduction of seven people, five of whom may have been tortured, and 20 arbitrary arrests. Additionally, the main opposition party, the National Congress for Freedom (CNL), accused the government of arbitrarily arresting activists. During his interview with Radio France


Internationale (RFI), President Évariste Ndayishimiye claimed that there are no enforced disappearances in Burundi.4

On 18 August 2021, a group of NGOs including DefendDefenders, submitted a joint letter to the UN Human Rights Council ahead of the 48th session urging the Council to continue its independent documentation, monitoring, and public reporting on the human rights situation in Burundi and further work towards justice and accountability.5 On 5 October 2021, the UN Human Rights Council adopted a resolution that establishes a Special Rapporteur on the human rights situation in Burundi. As the work of the Commission of Inquiry (CoI) on Burundi came to an end,6 the UN Special Rapporteur is tasked with monitoring the human rights situation, making recommendations for its improvement, and reporting to the Human Rights Council.

On 23 September 2021, the government issued an international arrest warrant against the exiled president of the opposition Movement for Solidarity and Development (MSD) Alexis Sinduhije, Francois Nyamoya, MSD’s secretary general based in Rwanda, and Marguerite Brankitse, founder of the Maison Shalom home for orphans, who lives between Rwanda and Europe.7 Sinduhije who lives in exile in Belgium is accused of leading RED-Tabara a rebel group responsible for multiple terrorist acts. RED-Tabara is responsible for several attacks, explosions, and ambushes that have killed and injured several people. MSD rejected the accusation, maintaining “neither our leaders nor our members are oriented towards violence against our fellow citizens”.8

Freedom of opinion and expression
Realisation of the right to freedom of expression remains curtailed in Burundi, despite a few improvements. On 22 June 2021, the Ntahangwa Court of Appeal announced its decision to overturn Germain Rukuki’s conviction and reduced his sentence from 32 years to one year’s imprisonment.9 Germain was charged with “participation in an insurrectional movement,” “threatening internal state security,” “attacking the authority

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of the state” and “rebellion” in 2018. The Court of Appeal upheld the conviction for “rebellion” but annulled the other charges, a move which saw Rukuki eventually released on 30 June 2021.

On 16 June 2021, the National Communication Council (CNC) lifted the ban on BBC, and a local news website, Ikiriho. Acting CNC chairman Laurent Kagimbi announced that BBC could resume operations after obtaining a new operation license. BBC Radio, Voice of America, and other media outlets were suspended in 2018, officially for violating press laws. The Committee to Protect Journalists (CPJ) called on the government to reinstate all banned outlets.

On 31 August 2021, President Evariste Ndayishimiye accused RFI journalist Esdras Ndikumana of “tarnishing the country’s image” with a gloomy picture of the COVID-19 situation, stating, “we only have two journalists left who are destroying our country. But one changed his mind. He received our message”. Reporters without Borders condemned the verbal attacks against journalists and the Burundian Union of Journalists (UBJ) expressed concern at the repeated attacks against journalists by the president.

On 24 September 2021, police detained Bonesha FM journalist, Aimé Richard Niyonkuru, while investigating the explosion of a grenade that killed two people. Spokesperson of the Interior and Public Security Ministry, Pierre Nkurikiye claims that Niyonkuru failed to identify himself as a journalist. Niyonkuru was released later that day.

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16 Yahoo news, “Burundian journalist briefly held while investigating blasts official”, 24 September 2021, https://news.yahoo.com/burundian-journalist-briefly-detained-while-133903284.html?guccounter=1&guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xlLmNvbS8&guce_referrer_sig=AQAAAHz1O8ErkHMICodnyMR5a_UmNwCVZTvhu61GmbzhhSnb9dBv7O3ly8HrH0WLS5HywXQ1wEEnATB36b54iU29nR1cnFaROEG5nolt14PygljR0sNXICIRXIEjB-wt217scEDUF3AG6d7jEwZec0c1xe_YA_srvGB4sGCyNqYXK, Accessed 11 October 2021.
Freedom of association
On 29 September 2021, the Court of Appeal of Ngozi upheld the conviction and sentence of Burundian lawyer Tony Germain Nkina. The hearing, initially scheduled for 12 August, was postponed twice and finally held on 20 September. Nkina was arrested in October 2020, charged with “endangering internal security,” and sentenced to five years in prison. On 8 October 2021, six NGOs including DefendDefenders released a statement condemning the decision of the Court of Appeal of Ngozi.17

Djibouti

General situation
In Djibouti, the right to freedom of opinion and expression continues to be severely curtailed.18 The only independent media outlet, La Voix de Djibouti (Voice of Djibouti), continues to be targeted by the government and authorities.

Freedom of expression
On 2 August 2021, intercommunal violence broke out in Djibouti in several parts of the capital between the Afar group (the ethnic group surrounding Ethiopia’s and Eritrea's borders and the Issa group (Djibouti’s main ethnic group).19 The violence reportedly started in Warabaley district, where homes were torched. Three people died during the clash. The government blocked Facebook temporarily following the clashes and the internet connection was reportedly irregular.

Eritrea

General situation
The ongoing armed conflict in the northern Tigray region of Ethiopia, which borders Eritrea, continues to deteriorate. Concerns mount over the recent deployment of troops from Eritrea to Ethiopia’s Tigray region. The European Union and the United States expressed concerns over the deployment of more troops stating it raises prospects of an escalation.20 In April Eritrea acknowledged their involvement in the conflict and agreed to withdrawing their soldiers.21

On 10 May 2021, ahead of the 47th session of the UN Human Rights Council (21 June-15 July 2021), a group NGOs led by DefendDefenders, urged all states to support the adoption of a resolution extending the mandate of the Special Rapporteur on the human rights situation in the country. On 12 July 2021, the Council adopted a new resolution on Eritrea. The resolution extended the mandate of the UN Special Rapporteur on Eritrea's human rights situation for one year.

Ethiopia

General situation

The ongoing armed conflict in Ethiopia that began on 4 November 2020 in Tigray has extended to neighbouring regions Afar and Amhara. Additionally, armed incidents and local-level violence have been reported in other regions, namely South and West Oromia and Benishangul-Gumuz.

On 11 June 2021, ahead of the HRC47, a group of NGOs led by DefendDefenders wrote a letter urging the UN Human Rights Council to adopt a resolution on the ongoing human rights crisis in Tigray, Ethiopia. The letter urged the HRC to “take urgent action to address the crisis and fulfil its mandate to address and prevent violations of human rights, including gross and systematic violations and abuses, and to respond promptly to emergencies.”

On 21 June 2021, Ethiopia held its general elections amidst the conflict in Tigray and other regions, including the Benishangul-Gumuz region. Officials announced Prime Minister Abiy Ahmed won 410 out of 436 seats on 10 July 2021. International observers and political claimed the elections were undemocratic and unfair. On 26 June 2021, five opposition parties that took part in the election alleged that the ruling party interfered with the general elections. Multiple opposition parties boycotted the elections and 18 percent


of parliamentary sits from Tigray, Somali, Harari, Afar, and Benishangul-Gumuz regions, did not vote.\textsuperscript{28}

On 28 June 2021, the Federal government announced a unilateral ceasefire and the withdrawal of the Ethiopian National Defense Force from parts of Tigray.\textsuperscript{29} On 13 July 2021, the HRC adopted a resolution on the situation in Tigray, Ethiopia.\textsuperscript{30} The resolution provides for two public debates in September 2021, and March 2022 at the Human Rights Council. On 13 September 2021, at its 48 ordinary sessions, the HRC had its enhanced interactive dialogue on the High Commissioner’s oral update about human rights in the Tigray region of Ethiopia.\textsuperscript{31}

On 10 September 2021, a group of 24 CSOs called for a cessation of hostilities.\textsuperscript{32} The group of CSOs urged the government to engage in peace talks and reconciliation efforts. On 11 September 2021, Amnesty International reported that soldiers and members of militias raped and subjected hundreds of women and girls to sexual slavery and mutilation during the Tigray conflict.\textsuperscript{33} The report details incidents of gang rape and other forms of sexual violence committed by members of the Eritrean Defense Forces (EDF), the Ethiopian federal army, the Ethiopian National Defense Force (ENDF), the Amhara Regional Police Special Forces (ASF), and Fano, an informal Amhara militia group. Amnesty claims that the violations may amount to war crimes and crimes against humanity.

The UN Human Rights Office (OHCHR) and the Ethiopian Human Rights Commission (EHRC) are conducting a joint investigation into alleged violations of human rights, humanitarian and refugee law committed by all parties in the Tigray conflict.\textsuperscript{34} The joint investigation concluded its fieldwork on 10 September 2021. The team conducted more than 200 interviews with victims and witnesses, regional and national authorities, CSOs, religious institutions, medical and legal authorities, and humanitarian groups working in Tigray.


At the UN Human Rights Council’s 48th session, High Commissioner Bachelet reported that “it is already clear that cases documented comprise multiple allegations of human rights violations, including attacks on civilians, extrajudicial killings, torture, and enforced disappearances among other grave abuses. Sexual and gender-based violence has been characterised by a pattern of extreme brutality, including gang rapes, sexualised torture and ethnically targeted sexual violence.”

On 3 November 2021, OHCHR and EHRC published the report on the alleged violations of human rights, humanitarian and refugee law committed by all parties in the Tigray conflict. The Joint Investigation Team (JIT) detailed a series of violations and abuses, including extrajudicial execution and unlawful killings, torture, sexual and gender-based violence violations against refugees and forced displacements. The report found all parties to the conflict committed sexual and gender-based violence, with the Ethiopian National Defense Force (ENDF), Eritrea Defence Force (EDF), and Tigray Special Forces (TSF) implicated in multiple reports of gang rape. Victims were tortured and beaten mainly because of their ethnic identities. Additionally, the ENDF, EDF, and Tigrayan forces either directly attacked civilians and civilian objects, such as houses, schools, hospitals, and places of worship, or carried out indiscriminate attacks resulting in civilian casualties and destruction or damage to civilian objects. The investigation reported large scale destruction and appropriation of property by all parties to the conflict. The JIT made recommendations to call all parties to the conflict to end all violations and abuses and take all necessary measures to protect civilians and civilian infrastructure.

**Freedom of opinion and expression**

Ahead of Ethiopia’s parliamentary election, the Ethiopian government ordered a ‘period of silence’, which included a ban on campaign rallies and a media ban on election broadcasting. The national electoral board created new rules for media outlets, including prohibiting media outlets from interviewing political candidates. Reporters without Borders and journalists in Ethiopia voiced concerns claiming five days is a long period to restrict media. On 18 June 2021, the Committee to Protect Journalists and 46 other organisations urged Ethiopian Prime Minister Abiy Ahmed to maintain internet access during and after the election. Additionally, members of the #Keep it on Coalition called on the government to end network disruption in Tigray.

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The crackdown on journalists and freedom of expression worsens in Ethiopia. On 21 June 2021, four unidentified assailants attacked Ethiopian journalist Abebe Bayu. Bayu was threatened with a pistol, handcuffed, and beaten. The men left Bayu in Tulu Dimtu, outside Addis Ababa, where they stole his two phones and money, and forced him to lay on the ground. The assailants warned Bayu against criticising the government.

On 30 June 2021, the federal police arrested 12 journalists from Awlo Media Center following a raid in the Addis Ababa office. The journalists were detained and prevented from seeing their families or lawyers. In a separate incident, two reporters working for Ethio Forum, a YouTube media outlet, Abebe Bayu and Yayesew Shimeles were also arrested. Most of the journalists arrested were critical of the government and previously reported on the Tigray conflict. A federal police spokesman, Jeylan Abdi claimed that the journalists are affiliated with the Tigray People’s Liberation Front (TPLF), a terrorist group that was banned by the Ethiopian parliament. According to Abdi, the police are investigating the case. The deputy general of the Ethiopian Media Authority, Yonathan Tsefaye alleged that the authority is “not aware of the arrests”.

On 9 August 2021, the federal police commissioner released 10 Awlo Media staff members from prison after they provided their identity cards. The ten staff members included eight people from the editorial team, one from the human resource department, and a legal adviser. Four journalists remained in prison awaiting trial set to begin on 10 and 12 August. On 17 August 2021, the District Court in Afar released Ethio-Forum journalists Abebe Bayu and Yayesew Shimeles, and Awlo Media journalists Bekalu Alamrew and Fanuel Kinfu on 5,000 ETB ($108) bond each. The four journalists requested bail during their court proceedings on 10 and 12 August but, the court set an alternate date of 16 August to rule on bail and the federal police’s request to hold the journalists for 14 days for further investigation.


On 15 July 2021, Ethiopia’s Media Authority withdrew independent media outlet Addis Standard’s license resulting in its temporary closure. The media outlet is being accused of publishing content that advances the “terrorist group”, TPLF's agenda. The deputy director general of the media authority, Yonatan Tesfaye claims investigation is underway, following logged complaints made against Addis Standard for undermining national security. On 21 July 2021, Addis Standard resumed its online publication following an agreement reached with the Ethiopian Media Authority (EMA) on 19 July 2021.

On 24 August 2021, the federal police arrested Tsegaye Hagos, an editor at The Herald from his office. On 8 September 2021, the judge remanded Hagos and granted the federal police 14 days to investigate their claims that Hagos is leaking information to Dimitsi Weyane, an Ethiopian news-based television and radio network headquartered in Mekelle, Tigray. Hagos was arrested on 7 November 2020 together with two other journalists, and accused of “collaborating” with the TPLF.

**Freedom of association**

On 1 July 2021, Tsegaze’ab Kidanu, a coordinator of humanitarian assistance and a volunteer media manager for an association called Mahbere Kidus Yared Zeorthodox Tewahido Tigray, was arrested in his home. Prior to his arrest, his association released a statement on the human rights situation in Tigray. Kidanu was transferred to Awash Arba and is yet to be charged. According to Kidanu’s lawyer, 24 Tigrayans have been arrested between 30 June and 8 July 2021.

**Kenya**

**General situation**

While Kenya’s civil society is vibrant and Kenyan citizens enjoy the right to freedom of peaceful assembly, in practice, a number of public gatherings and demonstrations are met

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with violent repression by police and security forces. The Cyber Crime Act continues to act as the main legal instrument used in cases related to freedom of expression.

On 18 May 2021, Qatari officials arrested a Kenyan national, Malcolm Bidali, without charges and held him in an undisclosed location. Bidali works as a security guard and blogs under the pseudonym Noah. He covers stories detailing labour rights violations, poor living conditions, wages, and migrant workers’ conditions in Qatar. The arrest took place a few days after he spoke about his experience in Qatar to trade unions and civil service organisations.

**Freedom of opinion and expression**

Police officers arrested an activist, Edwin Kiama, for posting an infographic on Twitter joining the #IMFStopLoaningKenya discussion on 6 April 2021. Kiama was charged for violating Section 22 of the Computer Misuse and Cybercrimes Act of 2018, which stipulates that any person who intentionally publishes false, misleading or fictitious data shall be liable to a fine not exceeding five million shillings or to imprisonment for a term not exceeding two years, or to both. The courts barred Kiama from posting on social media and ordered for his accounts to be blocked. He was released on a cash bail of 500,000 Kenyan shillings. On 20 April 2021, the activist was unconditionally released as the prosecution failed to provide sufficient evidence.

On 20 April 2021, the Director of Criminal Investigations (DCI), George Kinoti, threatened to summon a Citizen TV journalist and a few of the senior management members for questioning. On 18 April 2021, Citizen TV published an investigative report exposing a network of brokers and police officers who allegedly rent police equipment, including guns, uniforms, and handcuffs, to criminals. The journalists obtained a pistol during the investigation and handed it over to the police once it was aired. Kinoti accused the media outlet of breaching ethical codes and violating Section 89 of Kenya’s penal code, which states that any person who, without reasonable excuse, carries or has in his possession or under his control any firearm or other offensive weapon is liable for a 15-year prison sentence.

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Kenyan officials fired teargas canisters at Mariel Müller, Deutsche Welle East Africa journalist, on 1 May 2021.56 One canister wounded her leg, and the other grazed her. Müller was reporting on the demonstration against police brutality during the lockdown.

On 24 May 2021, police officers arrested nine journalists for covering a story on evictions in Makima.57 Reportedly, the police confiscated the journalist’s equipment and manhandled them. They were released without charges on 25 May 2021.

On 9 July 2021, Yvonne Chepkwony, a journalist working for The Standard newspaper, and an intern from News Agency, Faith Lagat, were arrested in Baringo while covering a defilement case.58 The two journalists were following up on an open case against a headteacher who allegedly defiled and impregnated a 17-year-old secondary school girl. The police officers confiscated their phones and arrested them. They were later released.

On 10 July 2021, several journalists from The Standard Group, Citizen TV, NTV, KBC, The Star, and Equatoria TV were attacked while covering a political rally in Mathare by “rowdy youths”.59 The perpetrators beat, injured, and stole the journalist’s equipment. The Media Council of Kenya released a statement warning members of the public against attacking journalists following the incident.

I am Samuel, a Kenyan documentary exploring an intimate relationship between two men and affirms the lives of LGBTQ Kenyans was banned on 23 September 2021.60 The Kenya Film and Classification Board (KFCB) claimed that the documentary is an intentional attempt to promote same-sex marriage as a valid alternative. According to the acting Chief Executive, Christopher Wambua, the film violates Article 165 of the Penal Code, which prohibits homosexuality, as well as the rules of Kenya’s Films and Stage Plays Act, Cap 222.61 The film additionally affronts Article 45 of the Kenyan constitution, which recognises the family as the basic unit of society and defines marriage as between two persons of the opposite gender.62

Freedom of association
There are increased cases of attacks on HRDs. Unknown assailants shot environmental activist Joannah Stutchbury outside her home on 16 July 2021.63 Reports claim that Stutchbury received multiple death threats for her work campaigning against the development of wetlands in a national park. She vocally opposes businessmen from building near Kiambu forest. President Uhuru Kenyatta, and NGOs including, Amnesty International and the Conservation Alliance of Kenya, condemned the murder and called for an investigation.

On 8 August 2021, James Mungai, a land rights activist and his wife Priscilla Wangui were attacked at their farm in Mithini, Muranga county.64 Prior to the attack, unknown assailants destroyed his farm produce, and he received several threats of eviction from his ancestral land.65 James reported previous cases to the police and little had been done.

Freedom of peaceful assembly
The right to freedom of peaceful assembly is met with violent repression by police and security forces. Several protests were held in Kenya in solidarity with Palestinians. On 13 May 2021, approximately 200 people,66 mostly Muslims, demonstrated against the bombing of Palestine by Israel after Eid prayers in Nairobi. The police arrested several protestors and dispersed the peaceful protest with teargas.

On 27 June 2021, protests broke out in Kissi after the alleged police shooting of a 16-year-old girl.67 Reportedly, police officers shot the girl while dispersing a protest in Rioma the previous day. Residents of Rioma protested the death of a convict, Erick Achondo. Residents believe security agents beat Achondo for breaking the 7 pm curfew, but the police insist that Achondo and two other inmates were sick, and Achondo died in hospital.

On 7 July 2021, the police arrested dozens of protestors, calling for an end to police brutality and an end to the curfew put in place to curb COVID-19. Police officers dispersed the protest by shooting live bullets and firing teargas at protestors.68 This protest marks the 31st Saba Saba protest that takes place annually on 7 July. Saba Saba was initially started in 1990 to demand free elections; however, now HRDs and civil society organisations commemorate the day

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by protesting police brutality, extrajudicial killings, and demanding respect for the constitution.

On 25 May 2021, students from Maasai Mara University blocked busy Narok roads to protest reckless driving by motorcycles also known as (boda bodas). The anti-riot police dispersed the protest using teargas and arrested five students.\(^69\) On 24 May 2021, a first-year student was allegedly killed because of the irresponsible driving of a boda boda. On 14 July 2021, Nairobi university students protested a fee increase.\(^70\) Police beat protestors and used tear gas, water tanks, and non-lethal ammunition to disperse the protest. Similarly, security officials fired tear gas at students of Dedan Kimathi University in Nyeri while they protested an internet fee.\(^71\) In a different incident, students at Meru National Polytechnic University demonstrated against student election irregularities on 19 July 2021. The police fired teargas and arrested a few students.\(^72\) The students claimed the administrators staged the election to favour one group of students.

On 27 July 2021, police officers arrested seven HRDs while they peacefully protested for justice for Michelle, an eight-year-old girl who died under mysterious circumstances.\(^73\) The seven HRDs were charged with illegal demonstration but were later released on free bond after interventions from Defenders Coalition.\(^74\)

On 5 August 2021, police officers fired live bullets to disperse a protest and as a result, killed one person.\(^75\) Demonstrations broke out in Embu, following the death of two brothers who were arrested for allegedly breaking the 10 pm curfew imposed to curb the spread of COVID-19. Their bodies were discovered in Embu mortuary. Police officers claimed that the two young men jumped from a moving vehicle. On 17 August 2021, six police officers linked to the death of the two brothers were arrested and charged with murder.\(^76\) Similarly, a man was allegedly shot by the police during a protest in Kahawa


west, Kiambu County, on 25 August 2021. Protestors demonstrated the demolition of trader stalls by the Nairobi Metropolitan Service without prior eviction notice. The Independent Policing Oversight Authority (IPOA) is investigating the incident.

In a separate incident, residents of Kayole protested the death of John Kiiru on 19 August 2021. Police officers allegedly beat Kiiru to death for violating the COVID-19 curfew. Kiiru’s dead body was found on the street the next morning, causing residents to demand justice. Protestors barricaded roads and lit bonfires, and police officers fired teargas to disperse the protest.

Rwanda

General situation

Rwandan journalists, political opposition, critics, and civilians continue to be subjected to media restriction and self-censorship. On 25 May 2021, opposition leaders Victoire Ingabire and Bernard Ntaganda criticised French President Emmanuel Macron for overlooking the human rights violation by the Rwandan regime. The opposition leaders claimed that Macron remains silent regarding Rwanda’s dictatorial rule but condemns other authoritarian regimes.

Freedom of opinion and expression

Enjoyment of the right to freedom of opinion and expression deteriorated and remains restricted in the reporting period. On 6 May 2021, seven men, including Phocas Ndayizera, a freelance journalist, were sentenced to 10 years in prison by the High court. Ndayizera was arrested in November 2018 with 12 other defendants and charged with terrorism. During his trial in October 2020, his lawyer claimed that Ndayizera was initially questioned in connection with his work as a journalist and his association with BBC. In 2018, three journalists and a human rights defender alleged that his arrest is related to his work with BBC Rwanda. The Rwandan Investigation Bureau denied these allegations.

On 23 May 2021, Cassien Ntamuhanga, an exiled journalist, was allegedly arrested by ten plain-clothed officers who handed him over to the Rwandan embassy in Maputo. The

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officers confiscated his belongings, including his laptop, phone, documents, refugee card, and passport. The Mozambique Centre for Democracy Development fears that he was extradited to Rwanda. Cassien Ntamuhanga, journalist and director of the confessional radio station Amazing Grace was sentenced to 25 years in prison for conspiring against the government following the trial that started in 2014. He managed to flee to Mozambique in 2017 and has been living in exile.

According to Amnesty International and Forbidden stories, new evidence reveals that the Rwandan authorities use NSO Group's spyware to target approximately 3500 activists, journalists, political opponents, foreign politicians, and diplomats. The spyware also allegedly infected Paul Rusesabagina’s daughters’ phone, Carine Kanumba who lives in Belgium and several of his associates. Amnesty International collaborated with Forbidden Stories and more than 80 journalists to conduct cutting edge forensic investigations on mobile phones to identify traces of the spyware. The investigation found 50,000 phone numbers of potential surveillance targets, including 3500 from Rwanda.

Between 13 October and 16 October 2021, Rwandan officials arrested nine political opposition members and one journalist. The arrest is related to a planned event, "Ingabire Day," intended to take place on 14 October to discuss political repression in Rwanda. On 13 October 2021, the police arrested Théoneste Nsengiman, a YouTube journalist hosting the show, and Victoire Ingabire, the leader of unregistered opposition party Dakda Umurinzi. Five party members and representatives, namely Sylvain Sibomana, Alexis Rucubanganya, Hamad Hagengimana, and Jean-Claude Ndyishimi, and Joyeuse Uwatuj, were also arrested at their homes on 13 October. The Rwanda Investigation Bureau cited the reason for the arrest as "publication of rumours intended to cause uprising or unrest among the population" on Twitter and warned those who use social media to "undermine national security" and "incite division". Authorities arrested two more members on 14 October 2021, and Régine Kadoyimana, an administrative assistant in the party, was arrested on 16 October at her home.

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On 30 September 2021, the Rwandan High Court sentenced Yvonne Idamange to 15 years in prison. Police officers arrested Yvonne on 15 February 2021 for reportedly posting a video in which she criticised the Rwandan government and President Paul Kagame. She faced six charges, including 'spreading rumours using technology', 'contempt for genocide memorials', and 'obstruction of the implementation of government policies, among other charges.

Freedom of association

Paul Rusesabagina, the former manager of Kigali’s Hôtel des Mille Collines, was charged with nine offences, including membership in a terrorist group and financing terrorism. On 18 June 2021, the prosecutor asked for a life sentence. Rusesabagina has not shown up for his trial since 12 March 2021, when the court rejected his request to have six months to prepare for his defence. He cited that he “does not expect justice” as the reason for abandoning the process. On 18 August 2021, the High Court announced that the verdict of Paul Rusesabagina’s case will be postponed to a later date. The judgment was scheduled to take place on 20 August 2021.

On 20 September 2021, the Rwandan court sentenced Paul Rusesabagina to 25 years in prison. On 21 October 2021, the prosecutor appealed against the 25 year sentence and sought a life sentence for Rusesabagina. The daughter claimed that this proved that the case was politically motivated. Several human rights organisations, the US state department, and Belgian Foreign Minister Sophie Wilmès criticised the trial as unfair and biased.

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Somalia/ Somaliland

General situation
On 27 April 2021, gunfire erupted in Somalia between the army and armed allies of opposition leaders, resulting in three casualties. The election stalemate has increased instability and heightened clan division, as soldiers supporting opposition figures and groups “vowed to remove the president by force”.

On 2 May 2021, President Mohamed Abdullahi Mohamed “Farmajo” abandoned the two-year term extension passed by the Lower House in April and returned to the 17 September 2020 Electoral Agreement, which will allow for indirect presidential and parliamentary elections. On 27 May 2021, the Prime Minister, Mohammed Hussein Roble and the five leaders of the regional states signed an agreement to hold a parliamentary election within 60 days. In February 2021, President Farmajo faced a leadership crisis as his term ended with no clear path toward national elections. Opposition parties announced that they no longer recognised his authority. The Lower House then adopted a resolution extending all federal mandates for two years, a move that was rejected as unconstitutional and triggered strong reactions both within Somalia (particularly by the Senate and opposition forces) and abroad, with donors and partners threatening sanctions.

After months of political uncertainty, Somalia postponed the elections that were set to begin on 25 July 2021. The election was delayed because Federal regions were unable to submit candidates’ lists on time, as well as form local committees to cast the ballots. The parliamentary elections are now set to take place between 1 October to 25 November 2021.

The clash between President Mohamed Abdullahi Mohamed, popularly known as Farmajo, and Prime Minister Mohamed Hussein Roble escalated following the murder investigation of National Intelligence and Security Agency (NISA) agent, Ikran Tahliil. NISA reported that Al-Shabaab was responsible for the death, and Al-Shabaab denied the allegations. Prime Minister Roble fired the agency’s director Fahad Yasin, a close friend of President Farmajo, claiming that the report was “not convincing and lacks sufficient evidence”. Farmajo released a statement dismissing the move as illegal and unconstitutional and promoted Yasin to the position of personal security adviser. Roble

accused Farmajo of “obstructing effective investigation”, as a result, Farmajo suspended the executive powers of the Prime Minister on 18 September 2021. The UN expressed concern and urged “all stakeholders to exercise restraint, and underlined the importance of maintaining peace, security, and stability in Somalia.” 101

**Freedom of opinion and expression**

Concerns mount over the challenging media environment in Somalia. On 21 April 2021, police officers detained Ali Said Mohamed, an independent journalist who reports for a Facebook news page, Mudug Journalist.102 His arrest was related to a story claiming that the Galkayo police arbitrarily arrested citizens and solicited bribes from detainees at the police station. The police officers released him without charges and managed to use his phone to delete the post.

NISA officers allegedly threatened to shoot two journalists, Mohamed Ibrahim Bulbul and Khalid Maki, as they left the scene of a violent protest in Karan District, Mogadishu, on 25 April 2021.103 The officers confiscated the journalists’ equipment, ordered them to delete the recorded footage, and cocked their pistol after the journalist asked for an explanation. In another incident, on 25 April 2021, two police officers assaulted, detained, and damaged Bashir Ali’s equipment. Bashir Ali, a journalist, requested authorisation from the two policemen to record a story concerning the conflict between the opposition and the government; however, Ali claims that once he started recording, the policemen struck him with their firearms, forced him to lay down, and fired the gun near his ear, causing damage to his hearing. He alleged that he was then detained for two hours and that police broke his phone and camera.

On 27 April 2021, armed Haramcad officers invaded the Mustaqbal Media offices, confiscated equipment, struck Bashir Mohammed with a gun and threatened to shoot him.104 According to Bashir and the media director Ahmed Isse, five staff members were held inside the building by the officers for five hours.

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On 28 April 2021, Aden Abdi Eidle was released by the Hargeisa Court after spending 14 days in police custody. Eidle’s arrest was linked to an alleged publication of photos and an article accusing the Governor of the Central Bank of corruption.

On 16 May 2021, NISA officers assaulted and threatened Fardowsa Mohamud Sahal, a reporter from radio Kulmiye, while covering a protest. Parents protested “missing” young men who were allegedly recruited and sent to Eritrea and possibly later to Ethiopia’s Tigray region, by the Somali government. The authorities reportedly ordered all journalists to stop covering the protest and leave immediately before assaulting Sahal.

On 11 June 2021, NISA officials raided Star FM radio in Guriel town and detained a journalist, Ubeyd Hassan Mohamud. His detention is related to his report covering the unsuccessful efforts to end the inter-clan conflict in Galmudug State. Mohamud claims he was held at a house owned by the commander of NISA in Guriel for four days, and he was not eating because of his pre-existing health conditions. He was released on 14 June 2021 without charges.

On 23 June 2021, four unidentified assailants attacked Hanad Ali Guled, an editor for Goobjoog Media Group, on his way home. Guled claims the men confronted him and threatened to kill him before they attacked him. Two of the assailants stabbed him on his left arm and the back of his neck before fleeing. Guled was rushed to Kalkal Hospital and he reported the incident to the police.

On 1 July 2021, police officers stormed Bandhiga Radio and arrested three journalists and two interns. The officers held the three journalists: Ibrahim Abshir Hassan, Ilyas Daud, and Ibrahim Sheikh Hussein, at the Hamar Jajab police station until later that evening without charges but released the interns immediately. The police officers allegedly stormed the radio station in search of the radio management following a complaint made by the landlord about a dispute connected to the tenant’s agreement.

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On 3 July 2021, NISA officers arrested Mohamud Mohamed Sheikh, a Star Media Network journalist in Beledhawo, Gedo region. According to his family members, Mohamud was arrested on the orders of Beledhawo District Commissioner Abdifatah Arog and NISA Commander in Gedo Bakal Koke, for criticising the Somali Federal government’s administration in Gedo. Mohamud was transferred to a prison in Dolow district on 04 July 2021. While in custody, police officers confiscated his phone, but he posted on Facebook on 06 July 2021 that “he had been on hunger strike”.

On 4 July 2021, police officers detained Hussein Abdi Jimale, RTN television reporter, for four hours following an interview with local youth members who opposed the leadership of the State of Hirshabelle. Jimale claims that he continues to face threats and intimidation after his release.

On 5 July 2021, freelance journalist Barkhad Mohamed Bashe was arrested while covering a protest. A local women group protested the arrest of their sons in Las’Anod and transferred to Borame prison for wearing the Somali flag outfit while celebrating Somaliland’s Independenceday. Somaliland police officers released him without charges on 6 July 2021, provided that he doesn’t report news critical to Somaliland.

On 22 August 2021, the police arrested Salad Mohamed Kheyre, Abdifatah Mohamed Roble journalists working for SOMNEWS TV, and Samiir Abdirisak Omar of Hanti-TV. The three journalists were arrested while covering a demonstration against the African Union Mission of Somalia (AMISOM) for killing civilians in Lower Shabelle region. The police officers confiscated the journalists’ equipment and threatened to “arrest them for good if they are caught in a similar act again”. The three journalists were released without charges on the same day.

On 5 September 2021, police officers assaulted 12 journalists while covering the abovementioned protest demanding justice for missing NISA employee Ikraan Tahlil Farah. Police officers beat up cameramen and journalists and confiscated their equipment. Police officers dragged, beat up, and detained Goobjoog Media producer, Bashir Mohamud while he live-streamed the protest. Mohamud sustained injuries and was released without charges later that day.

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111 Ibid
112 Ibid
113 Ibid
On 28 September 2021, Dhusamareb police officers arrested freelance journalist Mohamed Abdiweli Tohow. The arrest is related to his recent coverage of attacks by Ahlu Sunna Waljama’a, an armed group that opposes the authorities in Galmudug. According to the National Union of Somali Journalists (NUSOJ), Police Commander Mohamed Sanjeh ordered his arrest. The police took Tohow to court on 30 September 2021, and there was no judge in the court as Friday is not a working day, and Tohow was not represented by a lawyer. Tohow was released on 3 October 2021 without charges on the condition that he would return to the police station once he was summoned. The journalist claimed he was beaten repeatedly while in detention and his hair was forcefully shaved.

In a separate incident, police officers detained freelance journalist Mohamed Abduqadir Said on 3 October 2021. The arrest is linked to his story covering a group of Sufi followers who announced their support for a resurgence of the Ahlusuna militia group in Galmudug. Said was released later that day without charges and cautioned not to report issues regarding Ahlusuna militia in the region. Similarly, Radio Adado and Five TV freelance journalist Hashim Omar Hassan was detained on 4 October 2021. The arrest followed his coverage of a meeting by members of the Sufi followers who supported the renewed resurgence of the Ahlusuna militia in Galmudug. Hassan was freed later that day without charges after his director agreed to bring him back once the police summons him.

On 19 August 2021, Somaliland police officers arrested Abdimalik Sheikh Coldon, a journalist and activist while he was in his office in Burao. The reason for his arrest is unknown; however, it is allegedly related to his statement claiming that the Hargeisa Cultural Center and the Abaarso school is spreading anti-Islamic and anti-Somali Ideology. President Bihi said he visited and checked the school, and the allegations were untrue.

Concerns raise over the arbitrary arrests of political opposition in Somaliland. On 28 August 2021, authorities arrested Saleeban Awale Good, the UCID Deputy Secretary of Information in Awdal region. He was arrested for criticising the job performance of the Governor of Awdal region. Saleeban is being held in Borama Central prison without charges. Similarly, on 16 September 2021, Wali Abdi Jama, the Deputy Governor of Maroodijex was arrested after criticising the President, Muse Bixi Abdi, in a media conference.

On 13 September, police officers in the Gabiley region arrested Mohammed Abdi Omar, a journalist working for SBCTV. Omar was arrested after broadcasting a story about the Kalabaydh Hospital in Wajale operating without electricity for 20 days, which resulted in a torch being lit for a woman in labour. Separately, on 2 October 2021, Somaliland police arrested Mawlid Ismail, a journalist working for Halbeeg Media, while covering a story of the mass arrests and detentions of Somalis from Southern Somalia. The police confiscated his equipment and deleted the footage. Somaliland security forces raided homes in Lasanod and arrested families from South Somalia. Several people were rounded up in a stadium and were deported to Somalia on 3 October 2021. According to the government, the deportation was due to security concerns.

**Freedom of association**

On 26 June 2021, Somaliland authorities arbitrarily detained 42 people for wearing or displaying the Somali flag on Somaliland’s independence day. 35 women who were detained from Borama are being held in Gabiley Prison, and seven people are being held in Borama Prison without charges.

**Freedom of peaceful assembly**

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On 5 September 2021, protests broke out in KM4 junction in Mogadishu demanding justice for Ikraan Tahliil, a female NISA official that was abducted on 26 June 2021 and later announced dead. Police officers arrested demonstrators, including a youth activist Mohamed Royal, fired live bullets, and attacked journalists.

South Sudan

General situation
On 9 May 2021, President Salva Kiir dissolved parliament, allowing legislators from opposing sides of the country's civil war to be appointed in accordance with the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS) signed in 2018. The accord stipulates that the new assembly will have 550 lawmakers, with 332 from the Sudan People’s Liberation Movement (SPLM) party. Additionally, the parliamentarians will be nominated by different parties instead of being elected.

Positively, on 2 August 2021, two women were appointed to senior leadership positions within the transitional National Legislative, including the first female Speaker of the Transitional National Legislative Assembly and female Deputy Speaker of the Council of States. The UN Special Representative and head of the UN Mission in South Sudan (UNMISS), Nicholas Haysom, commended the development and stressed that this must be followed by the reconstitution of the state legislature.

Freedom of opinion and expression


Four Good News Radio media personnel were assaulted by police officers while visiting a detained artist on 19 June 2021. The artist’s arrest is allegedly linked to an unreleased song that condemns police brutality. The four media personnel were reportedly tortured. They were later released but the artist remains in detention.

On 5 July 2021, the National Security Service (NSS) arrested Alfred Angasi, a radio presenter at the state-owned South Sudan Broadcasting Corporation (SSBC). Angasi was detained at NSS’s headquarters in Juba known as “Blue House” for two weeks without charges and with no access to his lawyer and family. According to the President of the Union of Journalists of South Sudan, Patrick Oyet and another journalist. Angasi was arrested for refusing to read a news bulletin following a presidential announcement on 3 July 2021. NSS officers told the union they were investigating the journalist’s motive for refusing to read the news. On 24 July 2021, Angasi was released, but family members are concerned about his health condition. He was previously diagnosed with tuberculosis. Angasi’s health declined while in detention because he was unable to take his medication.

On 27 August 2021, NSS officials raided and closed Radio Jonglei. The NSS arrested three journalists, Matuor Mabior Anyang, Ayuen Garang Kur and Deng Gai Deng and confiscated their phones. Officials suspected Radio Jonglei of sympathising with the People’s Coalition for Civil Action (PCCA) and accused the station of broadcasting a call for a protest planned for 30 August 2021. Prior to the raid, NSS officials summoned the station’s director and ordered him to stop publishing political stories.

In a separate incident, NSS officials briefly detained Ajou Luol, a reporter working for Al Jazeera on 30 August 2021. Luol was arrested for arguing with NSS agents during the Presidential speech at the opening of parliament. The NSS officials threatened and confiscated equipment of two other journalists, Maura Ajak and Yom Manas for attempting to boycott the session in protest of Luol’s detention.

On 29 August 2021, the government shutdown internet access on the eve of the planned protest. This persisted until 30 August 2021 when it was evident that the planned protest failed. According to Michael Makuei, the Minister of Information, Communication Technology and Postal Services, the internet shutdown was because of technical problems.

Freedom of association
On 8 June 2021, two aid workers from Doctors with Africa CUAMM were killed in an ambush while delivering food relief in the conflict-prone Lake State.\textsuperscript{142} The UN condemned the murder and called on the government to investigate and bring the perpetrators to justice.

On 17 July 2021, South Sudan Civil Society Forum (SSCSF) held an event to discuss the constitutional history of South Sudan. The NSS raided the event, confiscated the banners, and ordered for its immediate cancellation.\textsuperscript{143} The NSS claimed the event was cancelled because “only parliament is authorised to discuss the constitution”. SSCSF released a statement condemning the cancellation of the event. The letter criticised the NSS for violating citizens’ right to freedom of opinion and expression, association, and assembly.

On 2 August 2021, the NSS arrested Gov. Kuel Aguer Kuel, a principal member of the PCCA, and are hunting down the other two signatories Abraham Awolich and Rajab Mohandis.\textsuperscript{144} According to a statement written by the PCCA, the NSS shut down the Sudd Institute, an organisation where Abraham Awolich is the managing director. In addition, they detained the staff members and interrogated them in the Blue House. The statement claimed that the staff could only go home once Awolich surrendered.

On 2 September 2021, the NSS arrested two staff members of the Foundation for Democracy and Accountable Governance (FODAG), for allegedly being among the individuals who planned protests against the President. Jame Kolok posted on his Facebook page that “his staff members were innocent and should not be victimised”.\textsuperscript{145}

The Central Bank of South Sudan froze accounts of the PCCA, and organisations connected to it.\textsuperscript{146} Moses Makur Deng, Director General at the bank, gave a directive on 6 October 2021.

Freedom of peaceful assembly
On 12 June 2021, the Melut County commissioner ordered the arrest of seven youth leaders, namely Thon Beny, Kur Aguek, Dhieu John, Santino Doki, Jok Nun, Naywai Jok,


and Adau, for protesting the dumping of waste by Dar Petroleum Operating Company (DPOC) in their town.  

Protesters surrounded the local government offices demanding the youth leaders to be released on 15 June 2021. DPOC has allegedly failed to provide clean water and road repairs for the community.

On 1 July 2021, the NSS arrested 20 people from the Monyiemij youth organisation in Eastern Equatoria for taking part in a protest the previous day. Two members were arrested in the market, and the rest were arrested in the NSS headquarters while demanding for their colleagues to be released. The youth group held a protest demanding the evacuation of aid workers within 72 hours. South Sudan NGO forum released a statement condemning the attack on South Sudanese civilians and humanitarian workers on 30 June 2021. In Renk, Jamjang, and Torit, youth have expressed their dissatisfaction at NGOs over the lack of employment opportunities in the communities.

The NSS and the police service cautioned citizens not to participate in the planned protest against the government. According to the police spokesperson Major General, the planned protest will create public disruptions and will not be tolerated by the authorities. On 27 August 2021, there was a large police presence, and police officers had orders to arrest any protestors on the street. The PCCA had urged citizens to hold nationwide protests on 29 August 2021, in defiance of the authorities, and called on the country’s leadership to step down. The PCCA claimed that the Revitalized Transitional Government of National Unity led by President Salva Kiir is doing very little to address the many challenges facing the people of South Sudan.

On 27 August 2021, four activists were arrested in the Wau, and two others and a bishop were arrested in Yei, ahead of the planned protest. The NSS accused the activists and the bishop of having possession of information that is attributed to the (PCCA) coalition.

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Sudan

General situation

Sudan continues to face significant human rights, humanitarian, political, economic, social, and health challenges. In recent months, violence against civilians in Darfur and intercommunal conflicts in the Eastern part of the country have increased. Justice and accountability remain elusive for the egregious violations and abuses committed under the 30-year Al-Bashir dictatorship, including violations that may amount to crimes under international law.\textsuperscript{153}

Ahead of the 48th session of the UN Human Rights Council, close to 40 Sudanese, African, and international NGOs urged the Council to maintain Sudan on its agenda by adopting a resolution on the country.\textsuperscript{154} In an oral statement, DefendDefenders issued a caution, stressing that the Council decision to discontinue the formal reporting on Sudan was a premature move.\textsuperscript{155}

On 21 September 2021, an attempted coup was orchestrated by a group of army officers reportedly affiliated with the former regime of President Omar Al Bashir.\textsuperscript{156} On 25 October 2021, Sudan’s military forces arrested Prime Minister Abdalla Hamdok and several civilian figures, including members of the Transitional Government and Sovereign Council (SC), who were placed under house arrest or taken to unknown locations. Military elements took control of the national television and key centres of information. They imposed a partial internet shutdown in the country and closed roads, bridges, and the airport in Khartoum. \textsuperscript{157}

This coup occurred a month before the head of the former Transitional Military Council (TMC), General Abdel-Fattah al-Burhan, who had since August 2019 been heading the SC, was due to hand over the presidency of the SC to civilian representatives, as per the power-sharing agreement and Constitutional Document of 2019. General al-Burhan announced a nation-wide state of emergency and the dissolution of the SC and the civilian-led Transitional Government. He announced the suspension of Articles 11, 12, 15, 16, 24-3, 71, and 72 of the Constitutional Document. These articles pertain to the SC, the Transitional Council of Ministers and Cabinet, the Transitional Legislative Council (which was to be constituted), and the TMC. The latter’s dissolution seems to have been annulled, paving the way for military rule.\textsuperscript{158}


General al-Burhan sought to justify the illegal takeover by blaming “political infighting” within civilian bodies and groups, including the Transitional Government and the Forces for Freedom and Change (FFC), the coalition that brings together the Sudanese Professionals Association (SPA), civic groups, and political parties that signed the Declaration on Freedom and Change of January 2019 and led the peaceful popular revolution of 2018-2019 that led to the ouster of former President Omar al-Bashir, in April 2019, and the political transition. General al-Burhan even asserted that the army had ousted the government to avoid a “civil war”.159

On 5 November 2021, the UN Human Rights Council adopted a resolution on Sudan in a special (emergency) session. The Council requested the UN High Commissioner for Human Rights to designate an expert to monitor the situation in Sudan and engage with all relevant parties, including civil society, until the restoration of the civilian-led Transitional Government.160

Freedom of opinion and expression

On 30 June 2021, Sudanese authorities arrested Al Jazeera Arabic correspondent, Ali Abu Shaleh,161 while covering the protest demanding the resignation of the transitional government following the economic reforms that reduced subsidies on petrol and diesel resulting in an increase in price. He was later released on the same day.

On 6 July 2021, the Sudanese authorities blocked 30 websites to prevent the dissemination of misinformation162. El Sudani newspaper threatened to take legal measures against the head of the Information Crimes and Digital Investigations Prosecution, Abdelmunim Hafiz for “randomly deciding to block all registered and unregistered sites and pages”. The Coordinator of Journalists Association for Human Rights (JAHR), Feisal El Bagir, condemned the action of the authorities describing it as “a heinous and full-fledged crime against the right to expression, access to information and the right to an independent press”.

On 17 August 2021, the National Council for Press and Publications suspended the publication of Al-Dar newspaper for three days due to publishing an article with the headline "Homosexuals demonstrate and demand the abolition of Article 148".163


163 Darfur 24, “Sudan: Suspension of publishing a newspaper for three days”, 17 August 2021, https://www.darfur24.com/2021/08/17/%D8%A7%D9%84%D8%B3%D9%88%D8%AF%D8%A7%D9%86-%D8%A8-%D8%B5%D9%84%D9%8A%D9%B2-%D8%B5%D8%AF%D9%88%D8%B1-
According to the Council, the suspension is in accordance with Article 33 of the 2009 Press and Publications Law and the 2013 Regulations for the Development of Press Work. The Council claimed that the article “lacked the foundations and of a news item, and was full of contradictions.

On 23 September 2021, a member of the army dressed in civilian clothes kidnapped journalist Ataf Abdel Al-Tom from his home, blindfolded him, and detained him in an unknown location. According to the National Council for Press and Publications, Al-Tom is under investigation for criticising the Arab Socialist Baath Party, one of the components of the ruling coalition in the country on his Facebook page. The Council confirmed that he was held in a detention center affiliated with the Committee for Dismantlement of the former NCP regime in Khartoum.

On 22 September 2021, police officers arrested journalist and director of Al-Naba Center for Press Services, Otaf Abdelwahab Altom, at his home. Altom is accused of coordinating with members of the ousted National Congress Party. Police officers charged him with Article 50 “undermining the constitutional systems” and Article 51 “waging war against the state” of the Criminal Act 1991. These charges carry a death penalty or life imprisonment.

On 25 October 2021, military elements took control of the national television and key centres of information. They imposed a partial internet shutdown in the country and closed roads, bridges, and the airport in Khartoum. At the time of writing, the internet disruption continues for the 16th day.

On 25 October 2021, military officers arrested Maher Abugoukh, the manager of several news and political programs on Sudan’s state television channels, from his home in Khartoum and held him in an undisclosed location.

**Freedom of peaceful assembly**

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164 Alrakoba, "The arrest of journalist Ataf Abdel Wahab", 23 September 2021, [https://www.alrakoba.net/31617347/%D8%A7%D8%B9%D8%AA%D9%82%D8%A7%D9%84-%D8%A7%D9%84%D8%B5%D8%AD%D9%81%D9%8A-%D8%B9%D8%B7%D8%A7%D9%81-%D8%B9%D8%A8%D8%AF%D8%A7%D9%84%D9%88%D9%87%D8%A7%D8%AB/](https://www.alrakoba.net/31617347/%D8%A7%D8%B9%D8%AA%D9%82%D8%A7%D9%84-%D8%A7%D9%84%D8%B5%D8%AD%D9%81%D9%8A-%D8%B9%D8%B7%D8%A7%D9%81-%D8%B9%D8%A8%D8%AF%D8%A7%D9%84%D9%88%D9%87%D8%A7%D8%AB/), Accessed 24 October 2021.


167 Twitter, “@netblocks”, 8 November 2021, [https://twitter.com/netblocks/status/1457676232791822338](https://twitter.com/netblocks/status/1457676232791822338), Accessed 9 November 2021.

On 11 May 2021, protestors gathered in Khartoum to demand justice for the victims of the 2019 anti-government protests.\textsuperscript{169} Sudanese security forces killed at least two people and injured several others during the protest. Witness reports suggest that soldiers were beating protestors and shooting indiscriminately. On 15 May 2021, the Attorney General stated that seven security personnel accused of attacking protestors have been arrested and charged with murder and crimes against humanity.\textsuperscript{170}

On 30 June 2021, protests broke out in Khartoum over the controversial economic reforms backed by the International Monetary Fund (IMF).\textsuperscript{171} Protestors demanded the resignation of the transitional government following the economic reforms that reduced subsidies on petrol and diesel resulting in an increase in price. Police officers fired tear gas and violently dispersed the crowd.

On 11 September 2021, the Rapid Support Forces (RSF) arrested two activists, Musab Zakaria, and Suleiman Jamal, inside a mosque in the Umbada neighborhood in the Omdurman city for protesting against the Vice-President of the Sovereign Council and the Commander-in-Chief of the RSF, General Mohammed Hamdan Dagalo who was inside the mosque.\textsuperscript{172} The two demanded justice for crimes committed by the RSF. The RSF charged the activists with “disturbance of public peace” under Article 69, and “public nuisance” under Article 77 of the Criminal Act 1991. The activists were released on bail on 12 September 2021.

On 25 October 2021, protestors peacefully took to the streets to denounce the military’s illegal actions and demand the reinstatement of the government and a transition to civilian rule. The SPA called for strikes and civil disobedience.\textsuperscript{173} Soldiers opened fire on crowds and reportedly killed 10 people.\textsuperscript{174} On 7 November 2021, Sudanese security forces fired tear gas and arrested protestors in Khartoum, and other cities who joined a call for two days of civil disobedience and a strike campaign against the coup. Since the 25 of October 14 protestors were killed and over 300 were reportedly injured.\textsuperscript{175}

\begin{itemize}
\item \textsuperscript{172} African Centre For Justice and Peace, “Two civic rights activists at risk of being sentenced to imprisonment or whipping for trumped up charges”, 20 September 2021, \url{https://www.acjps.org/two-civic-rights-activists-at-risk-of-being-sentenced-to-imprisonment-or-whipping-for-trumped-up-charges/}, Accessed 24 October 2021.
\end{itemize}
On 7 November 2021, security forces, including police and the military violently dispersed a sit-in called by the teachers’ association in northern Khartoum. Security forces fired teargas, assaulted protestors, and arrested at least 87 teachers.176

Tanzania

General situation
Tanzania’s civic space continues to decline under the leadership of President Samia Suluhu Hassan. In the reporting period, journalists and political opposition members continue to be targeted, harassed and arrested. Additionally, at least two newspapers have been suspended due to the repressive laws and regulations.

During a meeting with editors of major Tanzanian media outlets, President Hassan requested Tanzanians to give her more time to improve the country’s economy before resuming the stalled new constitution process and allowing political rallies to begin.177 Political rallies have been banned since the announcement, by former President John Magufuli, of a blanket ban on such rallies.178 In practice, the measure has been selectively applied against opposition parties.

On 29 July 2021, the East Africa Law Society (EALS) and the Media Council of Tanzania (MCT) encouraged Tanzanian journalists to share their experiences of threats, abuse, intimidation, and attacks, in an attempt to enhance their safety.179

Freedom of opinion and expression
On 14 June 2021, the Committee to Protect Journalists (CPJ) released a statement urging President Hassan, to reform the restrictive media laws that stifle civic space and lead to self-censorship.180 Additionally, CPJ requested that the government investigate attacks against journalists.181 Freelance Journalist Azory Gwanda has been missing since 2017. Authorities have failed to effectively investigate his case to determine his fate or whereabouts and holding those responsible to account.


On 29 June 2021, in the abovementioned joint meeting with the Tanzanian media outlet, President Hassan dedicated to promoting media development and upholding media freedom.\(^{182}\) President Hassan stated that her administration was willing to listen to and engage in communication with the media to enhance press freedom.

On 5 October 2021, the authorities suspended a local newspaper, *Raia Mwema*, for 30 days.\(^{183}\) Gerson Msigwa, the Tanzanian government spokesperson, accused *Raia Mwema* of “continually undermining the foundations of professional journalism through reporting false information and incitement.”\(^{184}\) The newspaper was previously accused of publishing “false information” and suspended, together with its counterpart, *Uhuru*.

On 4 October 2021, police officers arrested a cartoonist, Opptertus John Fwema, at his home in Dar es Salaam, and held him at Oyster Bay police station.\(^{185}\) Fwema’s arrest is related to an Instagram post of a political cartoon critical of President Samia Suluhu Hassan. The cartoon depicts former President Kikwete being weak and acting as her protector at the same time. According to the Tanzania Human Rights Defenders Coalition (THRDC), police officers interrogated Fwema in the absence of his lawyer.\(^{186}\) On 8 October 2021, Fwema was charged with publishing “false information” contrary to section 16 of the Cybercrimes Act (2015).

On 2 October 2021, police officers arrested and detained Harlod Shemsanga, a Mgawe TV journalist,\(^{187}\) while covering a jogging event by Bawacha, the women’s league of Tanzania’s leading opposition party, Chadema.\(^{188}\) The officers confiscated his camera and laptop, reviewed the footage of his interviews, and locked him up in a cell. In addition, police officers arrested Earnest Mgawe as he was seeking bail for Shemsanga. The police said they are investigating Mgawe for being complicit in the act of “illegal assembly” because he had sent the journalist on the assignment. The two journalists were released on 4 October 2021

**Freedom of association**

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On 5 May 2021, Haki Africa, a human rights group, released a statement calling on President Hassan to release 100 HRDs, journalists and political opposition. Haki Africa made this appeal following the news of the pardoning of 5,000 prisoners on 28 April 2021. The human rights group claims that 100 HRDs were arrested during the 2020 general elections and remain in prison.

On 28 June 2021, leading opposition activist and CHADEMA party member Mdude Nyagali was set free by the Resident Magistrate’s Court of Mbeya as the prosecution failed to present sufficient evidence to convict him on drug trafficking charges. Nyagali was accused of drug trafficking, a violation of Section 15 A(1) of the Drug Control and Enforcement Act (2005).

On 22 July 2021, police officers arrested 11 members of the opposition, including Freeman Mbowe, the party chairman of the country’s main opposition party, Chama cha Demokrasia na Maendeleo (Party of Democracy and Progress, or Chadema). The officers held 10 members in Mwanza central police station. The arrests took place while the opposition members were preparing for a meeting to discuss proposals for a new constitution. According to the party’s spokesperson, Mbowe was taken 1,200 kilometres away from Dar es Salaam, where authorities searched his home.

On 26 July 2021, Mbowe was charged with terrorism-related crimes. He is facing charges related to economic crimes and financing terrorist activities. In a statement made by the Police spokesman David Misime, Mbowe was arrested for “accusations on plotting terrorist acts including conspiracy to kill government leaders where his six fellows have already been charged in court”. In an interview with the BBC, President Samia Suluhu Hassan stated that “as far as she knows, the case was opened in September last year” and that she does not believe the arrest is politically motivated.

In a statement released on 26 July 2021, John Mrema, Chadema’s director for communication, claimed that Mbowe was sick, and the authorities allegedly took him to court “quietly” after telling his family and lawyers that he was being transferred to the

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hospital for health checks. Separately, the authorities searched Mbowe’s house and confiscated laptops and other devices.\(^{196}\)

Mbowe appeared in court on 5 August 2021, and the case was adjourned until 13 August 2021 as the prosecutor wanted the case to be handled by a higher court.\(^{197}\) Mbowe and three others failed to appear in court on 13 August 2021 because of a prison vehicle breakdown and the court postponed the case to 27 August 2021.\(^{198}\)

On 27 August 2021, Freeman Mbowe, appeared in the High Court. His party claims that the police tortured him in custody to force him to make a statement.\(^{199}\) On 31 August 2021, Mbowe went on trial alleging that the police violated his constitutional rights during his detention.

On 6 September 2021, Judge Elinaza Luvanda recused himself from handling the case.\(^{200}\)

On 20 October 2021, a second judge withdrew from the case following a ruling that dismissed an objection raised by Mbowe. Judge Siyani dismissed an objection raised by the defence over the admissibility of a statement made by one of Mbowe’s co-accused, Adam Hassan Kasekwa, on grounds that it was recorded under duress.\(^{201}\) He cited his newly appointed role as Principal judge of the High Court by President Samia Suhulu Hassan as the reason for his withdrawal from the case. The case is on hold until a new judge is assigned.

On 2 October 2021, police officers arrested and detained women members of Chadema while they were jogging.\(^{202}\) Baraza la Wanawake Chadema (Bawacha) organised jogging events for its members to promote good health. Several women at the events wore printed T-Shirts with the words "Tume Huru" ("Independent Commissions")\(^{203}\) in reference to Chadema’s campaign for electoral reforms.\(^{204}\)


\(^{202}\) Twitter, "@CatherineRuge", 2 October 2021, [https://twitter.com/CatherineRuge/status/1444332119669583878](https://twitter.com/CatherineRuge/status/1444332119669583878), Accessed 11 October 2021.

\(^{203}\) Twitter, "@CatherineRuge", 2 October 2021, [https://twitter.com/CatherineRuge/status/1444332119669583878](https://twitter.com/CatherineRuge/status/1444332119669583878), Accessed 11 October 2021.

According to a statement released by Bawacha, Chadema leaders following up on the arrest were also detained at Mbweni police station.

**Uganda**

**General Situation**

On 3 May 2021, the Ugandan Parliament passed the Sexual Offensive Bill (2019) that criminalises same-sex relations and sex work. The Bill struck out critical and progressive clauses of consent that clarified that withdrawal of consent may happen before or during the sexual act. Members of Parliament argued that consent “cannot be measured.”

On 6 May 2021, the International Criminal Court (ICC) sentenced Dominic Ongwen, a former child soldier who became the commander of the Lord Resistance Army, to 25 years in prison. The Court convicted Ongwen of 61 crimes, comprising crimes against humanities and war crimes in February 2021. The defence asked for a 10 year sentence due to his history of abduction. However, the prosecution argued that his history “does not in any way diminish the gravity of the crimes, nor does it diminish his criminal culpability."

The Constitutional Court delivered a judgement that stopped the Military Court from trying civilian suspects on 2 July 2021. The ruling deems it unconstitutional for civilians to be tried in the Military Court if they are not subjected to the military system. The Court ordered for the transfer of all civilian cases being tried in the Military Court to the Civil Court, and for the transfer of all persons serving a sentence imposed by the Military Court to the High Court Criminal Division for retrial. On 15 July 2021, the Supreme Court granted an interim order suspending the implementation of the Constitutional Court. The Supreme Court would decide on the case on 29 July 2021, when the temporary order lapses.

**Freedom of opinion and expression**

The ongoing crackdown of freedom of opinion and expression worsens as authorities continue to target, harass, and brutalise journalists. On 22 April 2021, Uganda People's

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Defence Force (UPDF) assaulted Enock Matovu, an NTV reporter. Matuvo was assaulted while coming home from the clinic with his daughter and sustained serious injuries. He claims he was injected with unknown substances that made him sick. According to another journalist, the assault was related to his work as a journalist.

On 29 April 2021, members of the Uganda People's Defense force beat two journalists including, a pregnant reporter. NTV reporter Teddy Nakaliga and Salt TV reporter Amon Kayanja were beaten by military personnel while covering a protest in Wakiso District. Additionally, the military personnel destroyed their equipment including cameras and phones.

On 1 April 2021, the Human Rights Journalists Network Uganda released the 2020 press freedom index report, which revealed that the army and police as the biggest violators of freedom of media. The report documented 104 cases of violation committed by the police and 31 cases by the UPDF. According to the National Unity Party (NUP), 35 journalists were assaulted while covering opposition party activities. On 4 May 2021, NUP called on the judiciary to deliver justice to the journalists who continue to face harassment from authorities.

On 10 May 2021, the Magistrate Court adjourned the case of the four Radio Simba presenters who were charged under Section 41 of the Penal Code Act for promoting Sectarism to 10 June 2021. On 5 March 2021, the authorities detained and arrested the four journalists incommunicado for a week. The prosecution accused them of posting content on their social media that indicated that most leaders are from the Banyakole tribe, which would incite citizen's discontent towards the tribe.

On 20 May 2021, the African Institute for Investigative journalism aired a documentary detailing tales of journalists that were targeted while covering the 2021 elections. The documentary highlights the violence, intimidation and harassment journalists were subjected to.

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On 27 May 2021, the Buganda Road Chief Magistrate Court detained Pidson Kareire and Darious Magaea, two online journalists working for Drone Media and the East African Watch.net. The two online journalists were charged with criminal libel under section 179 of the Penal Code Act. They were accused of publishing defamatory claims about a Ugandan infrastructure company Dott Services Limited. On 17 June 2021, the two journalists were granted bail.

On 1 July 2021, the government introduced a new tax measure on internet data abolishing the Over The Top (OTT) tax that was imposed in 2018. The Ugandan government imposed a 12 per cent tax on internet data in an initiative to raise revenues for public services. Opposition leader Bobi Wine criticised the new tax as an attack on freedom of speech. Human rights lawyer, Moses Serwanga claims the new tax will impact business, freedom to access information, and access to education, with the current lockdown enforced in Uganda.

Several incidents have been reported concerning police officers using violence and force on journalists while enforcing a 7 pm to 5.30 am curfew imposed to curb the spread of COVID-19. On 30 July, police officers assaulted Scovin Iceta, a reporter for the Daily Monitor newspaper and NTV Uganda while he was taking photos of the police using force to disperse people after the start of the curfew. Iceta was assaulted despite wearing a vest identifying him as a journalist. Additionally, police officers confiscated his camera and deleted the photos he took.

In a separate incident, police officers stopped and punched Patrick Bukenya, a Radio Mityana FM journalist, for violating the 7pm curfew as he was returning home on the evening of 1 August 2021. Similarly, Sam Welikhe, a journalist working with Radio Elgon, and Radio Ankole journalist, Arinatwe Emmanuel Kajungu were both beaten by police officers in separate incidents. The attacks are connected to their reports covering curfews.


On 6 August 2021, social media activist Fred Lumbuye was arrested in Turkey. His arrest is allegedly linked to Lumbuye’s criticism of President Yoweri Museveni. According to reports, Lumbuye could be extradited to Uganda.225 Lumbuye was accused of starting rumours that Museveni died. Police officers in Uganda are investigating Lumbuye. Police spokesman Fred Enanga alleged some of the charges to include; spreading harmful propaganda, inciting the public to protest by sharing videos on his platform, among other cybercrimes.226

During a workshop organised by Women of Uganda Network (WOUGNET), female journalists spoke out about the gender related threats, harassment, and intimidation they face on social media sites like Facebook and WhatsApp. Several female journalists self-censor on social media because of the abuse and threats. The workshop focused on addressing the safety challenges of women journalists through policymakers, human rights defenders, and law enforcers.

On 26 August 2021, security officers detained Henry Wasswa Lumanyika, a senior correspondent with Deutsche Press Agentur, on charges of criminal trespass. Lumanyika was accused of interviewing Afghan evacuees who arrived in Uganda on 25 August 2021.227 According to Luke Owoyesigire, Kampala Metropolitan Police deputy spokesperson, the hotel was out of bounds for security purposes. However, Lumanyika claimed that there was no sign that the hotel was off-limits to Ugandan natives or other tourists. The government warned media houses against publishing photos of evacuees as it could put their lives in danger.

**Freedom of association**

On 10 May 2021, the army surrounded the homes of opposition leaders Robert Kyagulanyi and Kizza Besigye ahead of President Yoweri Museveni’s inauguration ceremony on 12 May 2021.228 Additionally, the army arrested 41 people for allegedly planning to disrupt the inauguration ceremony the army claimed the arrests were used as preventative measures to deter disruption of the ceremony.

On 31 May 2021, police officers arrested 44 people attending an engagement at an LGBTQI shelter, Happy Family Youth, in Wakiso district. They were charged with “negligent act likely to spread an infectious disease”.229 During the arrest, the police

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allegedly beat up some of the men and recorded them, according to a video circulated on social media outing some of the attendants.\textsuperscript{230} According to reports, some of the men were subjected to anal examinations. On 8 June 2021, they were released on bail.\textsuperscript{231}

On 14 June 2021, 18 opposition supporters were released on bail by the Ugandan Military Court.\textsuperscript{232} The opposition supporters were arrested while campaigning, for allegedly violating COVID-19 restrictions.\textsuperscript{233} They were later re-arrested and accused of unlawful possession of ammunition under the Firearms Act. Critics claim the detention was politically motivated.

On 20 August 2021, the government suspended the operations of 54 Non-Governmental Organisations (NGOs) due to “non-compliance” with the NGO Act 2016.\textsuperscript{234} According to the National Bureau for NGOs, 23 NGOs are operating with expired permits, 15 NGOs have failed to file annual returns and audited books of accounts to the NGO Bureau, and 16 NGOs are operating without registering with the NGO Bureau.\textsuperscript{235} The NGOs claim they are being harassed for political purposes.\textsuperscript{236} On 24 August 2021, the Ugandan National NGO Forum (UNNGOF) met with the Minister of Internal Affairs, Hon. Kahinda Otafire. The meeting discussed the suspension of the 54 NGO’s and agreed to seek an immediate amicable resolution.\textsuperscript{237} On 27 August 2021, a group of 54 NGOs released a joint statement criticising the government for restricting the rights to freedom of expression and association and calling for the government to rescind the decision.\textsuperscript{238}

\textbf{Freedom of peaceful assembly}


On 15 August 2021, Augustine Ojobile, the electoral commission secretary of the Forum for Democratic Change (FDC), was arrested for involvement in a smear campaign against Dr Diana Atwine, Permanent Secretary of the Ministry of Health. Ojobile was arrested following a “coffin protest”, where several activists protested the alleged embezzlement of COVID-19 funds by placing coffins near Mulago National Referral Hospital with placards demanding Atwine’s resignation.

Impact of Covid-19 on HRDs’ rights to freedom of expression, assembly, association

The COVID-19 outbreak has exacerbated the situation for human rights defenders who continue to face risks and threats, smear campaigns, arbitrary detentions, and attacks. Although some restrictions placed are necessary for the containment of the virus, some governments in the region have used those measures to infringe on the fundamental rights to freedom of opinion and expression, freedom of peaceful assembly, and freedom of association.

Journalists and media outlets in the region continued to operate in a restrictive environment. Police officers and security forces used Covid-19 restrictions to hinder the work of journalists in some countries in the region. Police officers beat up journalists in Uganda for violating the 7 pm curfew; their attacks were connected to coverage of enforcement of the curfew. Governments used the pretext of preventing COVID-19 to suspend protests in the region. For instance, in Kenya, they used excessive force and live ammunition to enforce the curfew restrictions.

Although the covid 19 restrictions affect all HRDs, women human right defenders (WHRDs) face additional barriers, challenges, and risks. WHRDs continue to experience the double burden of working in the public and private sphere, which can be harder to balance when working from home. Additionally, Covid 19 made women more vulnerable to domestic violence and abuse with stay-at-home restrictions.

Covid 19 impacted persons with disabilities (PWDs) socially and economically. The response measures created unique barriers for people with disabilities in their daily life. The stay-at-home restrictions mainly causes disruptions and introduced additional risks to the health and lives of the PWDs. The social distancing requirements affected several PWDs because many PWDs are dependent on others for daily movement and living.

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