



DEFENDDEFENDERS

East and Horn of Africa Human Rights Defenders Project

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

APRIL-NOVEMBER 2021

REPORT SUBMITTED AHEAD OF THE 69TH ORDINARY SESSION OF THE
AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS
BANJUL, THE GAMBIA, NOVEMBER 2021

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 2021.¹ 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,

¹ Reporters Without Borders, "2021 World Press Freedom Index", <https://rsf.org/en/ranking/2021>, Accessed 11 November 2021.

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.² Additionally, the main opposition party, the National Congress for Freedom (CNL), accused the government of arbitrarily arresting activists.³ During his interview with *Radio France*

² Ligue Burundaise des Droits de l'Homme, "RAPPORT MENSUEL ITEKA N'IJAMBO JUILLET 2021", 4 August 2021, <https://ligue-iteka.bi/rapport-mensuel-iteka-nijambo-du-mois-de-juillet-2021/>, Accessed 11 October 2021.

³ Iwacu les Voix du Burundi, "The CNL deplors the arrests of its activists followed by disappearances", 14 July 2021, <https://www.iwacu-burundi.org/le-cn1-deplo-re-des-arrestations-de-ses-militants-suivies-de-disparitions/>, Accessed 11 October 2021.

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

⁴ Radio France Internationale, "Burundi: Focode contradicts President Ndayishimiye on enforced disappearances", 19 July 2021, https://www.rfi.fr/fr/afrique/20210719-burundi-la-focode-contre-dit-le-pr%C3%A9sident-ndayishimiye-sur-les-disparitions-forc%C3%A9es?ref=tw_i, Accessed 11 October 2021.

⁵ DefendDefenders, "Burundi: The Human Rights Council should continue its scrutiny and pursue its work towards justice and accountability", 18 August 2021, <https://defenddefenders.org/burundi-the-human-rights-council-should-continue-its-scrutiny-and-pursue-its-work-towards-justice-and-accountability/>, Accessed 11 October 2021.

⁶ Office of the High Commissioner for Human Rights, "8/... Situation of human rights in Burundi", 5 October 2021, <https://documents-dds-ny.un.org/doc/UNDOC/LTD/G21/270/97/PDF/G2127097.pdf?OpenElement>, Accessed 11 October 2021.

⁷ Al Jazeera, "Arrest warrant issued for Burundi's exiled opposition leader", 23 September 2021, <https://www.aljazeera.com/news/2021/9/23/burundi-exiled-opposition-leader-accused-of-terrorist-acts>, Accessed 11 October 2021.

⁸ Daily monitor, "Burundi accuses opposition leader Alexis Sinduhije of 'terrorist acts'", 23 September 2021, <https://www.monitor.co.ug/uganda/news/burundi-accuses-opposition-leader-of-terrorist-acts-3560990>, Accessed 11 October 2021.

⁹ Amnesty International, "Burundi: human rights activist's 32-year jail sentence reduced to one year", 22 June 2021, <https://www.amnesty.org.uk/press-releases/burundi-human-rights-activists-32-year-jail-sentence-reduced-one-year>, Accessed 11 November 2021.

of the state” and “rebellion” in 2018.¹⁰ The Court of Appeal upheld the conviction for “rebellion” but annulled the other charges, a move which saw Rukuki eventually released on 30 June 2021.¹¹

On 16 June 2021, the National Communication Council (CNC) lifted the ban on BBC, and a local news website, *Ikiriho*.¹² 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.¹³

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,¹⁴ stating, “we only have two journalists left who are destroying our country. But one changed his mind. He received our message”.¹⁵ 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.¹⁶ 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.

¹⁰ CIVICUS Monitor, “Another activist silenced: Germain Rukuki sentenced to 32 years in prison”, 13 June 2021, <https://monitor.civicus.org/updates/2018/06/13/another-activist-silenced-germain-rukuki-sentenced-32-years-prison/>, Accessed 11 November 2021.

¹¹ BBC News, “Acat-Burundi: Germain Rukuki yasohotse ibohero inyuma y’imyaka irenga ine”, 30 June 2021, <https://www.bbc.com/gahuza/5766726>, Accessed 11 November 2021

¹² Voice of America, “Burundi’s Lifting of Media Ban Met With Cautious Optimism”, 2 July 2021, <https://www.voanews.com/a/press-freedom-burundis-lifting-media-ban-met-cautious-optimism/6207771.html>, Accessed 11 October 2021.

¹³ Committee to Protect Journalists, “CPJ calls on Burundi government to let all news outlets operate without conditions” 8 July 2021, <https://cpj.org/2021/07/cpj-calls-on-burundi-government-to-let-all-news-outlets-operate-without-conditions/>, Accessed 11 October 2021.

¹⁴ AfricaNews, “Burundi: Rights group condemns president’s attacks on journalist”, 2 September 2021, <https://www.africanews.com/2021/09/02/burundi-rights-group-condemns-president-s-attacks-on-journalist/>, Accessed 11 October 2021.

¹⁵ Iwacu les Voix du Burundi, “Media / Verbatim: the President of the Republic attacks two journalists”, 1 September 2021, <https://www.iwacu-burundi.org/medias-verbatim-le-president-de-la-republique-senprend-a-deux-journalistes/>, Accessed 11 October 2021.

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=AQAAAHz1Q8ErkHMLcodnyMR5a_UMnwCVzTvhu6IGmbzhh05nb9dBlv70E3IY8HrH0WL5HqyXQ1wEnATbR36ks54iUZ9nRlcnFaROEGKSn0L14PygJROsNXICIRXIEjB-wt217dscEDUF3AG6d7jEwZec0c1xe_YA_srvGB4sGCyNOqXK, 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

¹⁷ DefendDefenders, “Shocking decision as Appeal Court upholds conviction of lawyer Tony Germain Nkina Shocking decision as Appeal Court upholds conviction of lawyer Tony Germain Nkina”, 11 October 2021, <https://defenddefenders.org/shocking-decision-as-appeal-court-upholds-conviction-of-lawyer-tony-germain-nkina/>, Accessed 13 October 2021.

¹⁸ Reporters Without Borders, “Djibouti”, <https://rsf.org/en/djibouti>, Accessed 11 October 2021.

¹⁹ Al Jazeera, “Several killed in Djibouti as communal violence erupts”, 2 August 2021, <https://www.aljazeera.com/news/2021/8/2/several-killed-in-djibouti-as-communal-violence-erupts>, Accessed 11 October 2021.

²⁰ Al Jazeera, “US, EU warn of influx of Eritrean troops in Ethiopia’s Tigray”, 25 August 2021, <https://www.aljazeera.com/news/2021/8/25/us-eu-influx-eritrea-troops-ethiopia-tigray>, Accessed 11 October 2021.

²¹ Reuters, “Eritrea admits presence in Ethiopia's Tigray, tells U.N. withdrawing”, 16 April 2021, <https://www.reuters.com/world/africa/eritrea-admits-presence-ethiopia-tigray-tells-un-withdrawing-2021-04-16/>, Accessed 11 October 2021.

On 10 May 2021, ahead of the 47th session of the UN Human Rights Council (21 June-15 July 2021), a group of 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.²² 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.²³

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.²⁴ 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 2021.²⁵ International observers and political groups claimed the elections were undemocratic and unfair.²⁶ On 26 June 2021, five opposition parties that took part in the election alleged that the ruling party interfered with the general elections.²⁷ Multiple opposition parties boycotted the elections and 18 percent

²² DefendDefenders, “Eritrea: renew vital mandate of UN Special Rapporteur”, 10 May 2021, <https://defenddefenders.org/eritrea-renew-vital-mandate-of-un-special-rapporteur/>, Accessed 11 October 2021.

²³ UN Human Rights Council, “47/... Situation of human rights in Eritrea”, 7 July 2021, <https://documents-dds-ny.un.org/doc/UNDOC/LTD/G21/173/38/PDF/G2117338.pdf?OpenElement>, Accessed 11 October 2021.

²⁴ DefendDefender, “Joint NGO Call for a UN Human Rights Council resolution on the ongoing human rights crisis in Tigray, Ethiopia”, 11 June 2021, <https://defenddefenders.org/joint-ngo-call-for-a-un-human-rights-council-resolution-on-the-ongoing-human-rights-crisis-in-tigray-ethiopia/>, Accessed 11 October 2021.

²⁵ France 24, “Ethiopia PM Abiy's party wins landslide victory in June parliamentary poll”, 10 July 2021, <https://www.france24.com/en/africa/20210710-ethiopia-pm-abiy-s-party-wins-majority-of-seats-in-june-parliamentary-poll>, Accessed 11 October 2021.

²⁶ Al Jazeera, “Ethiopia's election will not bring peace”, 14 July 2021, <https://www.aljazeera.com/opinions/2021/7/14/ethiopias-election-will-not-bring-peace>, Accessed 11 October 2021.

²⁷ Addis Standard, “News: Five opposition parties who participated in this week's general election complain about electoral process”, 26 June 2021, <https://addisstandard.com/news-five-opposition-parties-who-participated-in-this-weeks-general-election-complain-about-electoral-process/>, Accessed 11 October 2021.

of parliamentary sits from Tigray, Somali, Harari, Afar, and Benishangul-Gumuz regions, did not vote.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.²⁹ On 13 July 2021, the HRC adopted a resolution on the situation in Tigray, Ethiopia.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.³¹

On 10 September 2021, a group of 24 CSOs called for a cessation of hostilities.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.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.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.

²⁸ CIVICUS Monitor, "Crackdown on journalists' reporting and delayed elections amid ongoing conflict in Tigray", 28 May 2021, <https://monitor.civicus.org/updates/2021/05/28/crackdown-journalists-reporting-and-delayed-elections-amid-ongoing-conflict-tigray/>, Accessed 11 October 2021.

²⁹ Voice of America, "Ethiopia's Government Declares Unilateral Cease-fire in Tigray", 30 June 2021, <https://www.voanews.com/a/africa-ethiopias-government-declares-unilateral-cease-fire-tigray/6207633.html>, Accessed 11 October 2021.

³⁰ Human Rights Council, "47/... Situation of human rights in the Tigray region of Ethiopia", 8 July 2021, <https://documents-dds-ny.un.org/doc/UNDOC/LTD/G21/176/04/PDF/G2117604.pdf?OpenElement>, Accessed 11 October 2021.

³¹ OHRC, "High Commissioner to Human Rights Council: Fighting Continues Unabated in the Tigray Region of Ethiopia but a Solution Can Only be Found through a Political Process and Dialogue", 13 September 2021, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27448&LangID=E>, Accessed 5 November 2021.

³² Addis Standard, "Call for peace: more than two dozens local civil society orgs call for cessation of hostilities, deescalate conflicts and war propaganda in Ethiopia", 10 September 2021, <https://addisstandard.com/call-for-peace-more-than-two-dozens-local-civil-society-orgs-call-for-cessation-of-hostilities-deescalate-conflicts-and-war-propaganda-in-ethiopia/>, Accessed 11 October 2021.

³³ Amnesty International, "Ethiopia: 'I don't know if they realized I was a person': Rape and sexual violence in the conflict in Tigray, Ethiopia", 11 August 2021, <https://www.amnesty.org/en/documents/afr25/4569/2021/en/>, Accessed 11 October 2021.

³⁴ OHRC, "Update on joint UN and Ethiopian Human Rights Commission investigation on Tigray", 10 September 2021, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27439&LangID=E>, Accessed 11 October 2021.

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.³⁵ 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.³⁶ 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.³⁷ 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.³⁸ Additionally, members of the #Keep it on Coalition called on the government to end network disruption in Tigray.

³⁵ OHCHR, "Enhanced interactive dialogue on the situation of human rights in the Tigray region of Ethiopia", 13 September 2021, <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=27448&LangID=E>, Accessed 11 October 2021.

³⁶ The UN Human Rights Office, "Tigray conflict: Report calls for accountability for violations and abuses by all parties", 3 November 2021, <https://www.ohchr.org/Documents/Countries/ET/OHCHR-EHRC-Tigray-Report.pdf>, Accessed 5 November 2021.

³⁷ ³⁷ Deutsche Welle, "Ethiopia announces 'period of silence' ahead of elections", 18 June 2021, <https://www.dw.com/en/ethiopia-announces-period-of-silence-ahead-of-elections/a-57949616>, Accessed 11 October 2021.

³⁸ Committee to Protect Journalists, "CPJ joins call urging Ethiopia to maintain internet access during elections", 21 June 2021, <https://cpj.org/2021/06/cpj-joins-call-urging-ethiopia-to-maintain-internet-access-during-elections/>, Accessed 11 October 2021.

The crackdown on journalists and freedom of expression worsens in Ethiopia. On 21 June 2021, four unidentified assailants attacked Ethiopian journalist Abebe Bayu.³⁹ 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.⁴⁰ 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.⁴¹ 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".⁴²

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.⁴³ 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.⁴⁴ 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.

³⁹ Committee to Protect Journalists, "Ethiopian journalist Abebe Bayu abducted and assaulted by unidentified men", 1 July 2021, <https://cpj.org/2021/07/ethiopian-journalist-abebe-bayu-abducted-and-assaulted-by-unidentified-men/>, Accessed 11 October 2021.

⁴⁰ Addis Standard, "NEWS: 12 JOURNALISTS ARRESTED IN TWO DAYS ; MEDIA AUTHORITY UNAWARE OF THE ARRESTS; FED. POLICE SAYS ARRESTS LINKED TO ASSOCIATION WITH TERRORIST ORGANIZATION", 2 July 2021, <https://addisstandard.com/news-12-journalists-arrested-in-two-days-media-authority-unaware-of-the-arrests-fed-police-says-arrests-linked-to-association-with-terrorist-organization/>, Accessed 11 October 2021.

⁴¹ AfricaNews, "Ethiopia: Reporters Without Borders condemns the arrest of 12 journalists", 12 July 2021, <https://www.africanews.com/2021/07/12/ethiopia-reporters-without-borders-condemns-the-arrest-of-12-journalists/>, Accessed 11 October 2021.

⁴² Addis Standard, "NEWS: 12 JOURNALISTS ARRESTED IN TWO DAYS ; MEDIA AUTHORITY UNAWARE OF THE ARRESTS; FED. POLICE SAYS ARRESTS LINKED TO ASSOCIATION WITH TERRORIST ORGANIZATION", 2 July 2021, <https://addisstandard.com/news-12-journalists-arrested-in-two-days-media-authority-unaware-of-the-arrests-fed-police-says-arrests-linked-to-association-with-terrorist-organization/>, Accessed 11 October 2021.

⁴³ Addis Standard, "News: 10 staff members of awlo media released from prison in afar; trials are set for four journalists", 10 August 2021, <https://addisstandard.com/news-10-staff-members-of-awlo-media-released-from-prison-in-afar-trials-are-set-for-four-journalists/>, Accessed 11 October 2021.

⁴⁴ EA news, "Ethiopia: News – Regional District Court Orders the Release of Awlo Media, Ethio-Forum Journalists On 5,000 Etb Bond – Family Awaits Their Release", 19 August 2021, <https://www.eastafricatoday.com/ethiopia-news-regional-district-court-orders-the-release-of-awlo-media-ethio-forum-journalists-on-5000-etb-bond-family-awaits-their-release/>, Accessed 11 October 2021.

On 15 July 2021, Ethiopia’s Media Authority withdrew independent media outlet Addis Standard’s license resulting in its temporary closure.⁴⁵ 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 2021.⁴⁶

On 24 August 2021, the federal police arrested Tsegaye Hagos, an editor at The Herald from his office.⁴⁷ 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,⁴⁸ 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.⁴⁹ 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

⁴⁵ Committee to Protect Journalists, “Ethiopia withdraws Addis Standard license, outlet ceases publication”, 15 July 2021, <https://cpj.org/2021/07/ethiopia-withdraws-addis-standard-license-outlet-ceases-publication/>, Accessed 11 October 2021.

⁴⁶ Addis Standard, “Public notice on resumption of addis standard publication and further clarification”, 21 July 2021, <https://addisstandard.com/public-notice-on-resumption-of-addis-standard-publication-and-further-clarification/>, Accessed 11 October 2021.

⁴⁷ Addis Standard, “News: two weeks after his rearrest, first court appearance, fed. Court grants fed. Police 14 days to remand ethiopian herald editor Tsegaye Hagos”, 8 September 2021, <https://addisstandard.com/news-two-weeks-after-his-rearrest-first-court-appearance-fed-court-grants-fed-police-14-days-to-remand-ethiopian-herald-editor-tsegaye-hagos/>, Accessed 11 October 2021.

⁴⁸ Committee to Protect Journalists, “Tsegaye Hagos Imprisoned”, 7 November 2021, <https://cpj.org/data/people/tsegaye-hagos/>, Accessed 11 October 2021.

⁴⁹ Amnesty International, “Ethiopia: End arbitrary detentions of Tigrayans, activists and journalists in Addis Ababa and reveal whereabouts of unaccounted detainees”, 16 July 2021, <https://www.amnesty.org/en/latest/press-release/2021/07/ethiopia-end-arbitrary-detentions-of-tigrayans-activists-and-journalists-in-addis-ababa-and-reveal-whereabouts-of-unaccounted-detainees/>, Accessed 11 October 2021.

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.⁵⁰ 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 2021.⁵¹ 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.⁵² 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.⁵³

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.⁵⁴ 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.⁵⁵

⁵⁰ Committee to Protect Journalists, "Qatar detains Kenyan labor rights blogger Malcolm Bidali without charge", 18 May 2021, <https://cpj.org/2021/05/qatar-detains-kenyan-labor-rights-blogger-malcolm-bidali-without-charge/>, Accessed 11 October 2021.

⁵¹ The standard, "Activist behind viral Uhuru poster arrested", 6 April 2021, <https://www.standardmedia.co.ke/entertainment/news/2001408822/activist-behind-viral-uhuru-poster-arrested>, Accessed 11 October 2021.

⁵² Kenya law, Kenya Gazette supplement, 16 May 2018, <http://kenyalaw.org/kl/fileadmin/pdfdownloads/Acts/ComputerMisuseandCybercrimesActNo5of2018.pdf>, Accessed 11 October 2021.

⁵³ Citizen digital, "Activist Edwin Mutemi Kiama Released Unconditionally", 20 April 2021, <https://citizen.digital/news/activist-edwin-mutemi-kiama-released-unconditionally-10313875/>, Accessed 11 October 2021.

⁵⁴ Committee to Protect Journalists, "Kenya police threaten to summon Citizen TV staff over investigation into illegal gun trade", 22 April 2021, <https://cpj.org/2021/04/kenya-police-threaten-to-summon-citizen-tv-staff-over-investigation-into-illegal-gun-trade/>, Accessed 11 October 2021.

⁵⁵ Kenya law, Penal code, 2012, <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/28595/115477/F-857725769/KEN28595.pdf>, Accessed 11 October 2021.

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

⁵⁶ Deutsche Welle, "DW journalist attacked by Kenyan police at protest in Nairobi", 1 May 2021, <https://www.dw.com/en/dw-journalist-attacked-by-kenyan-police-at-protest-in-nairobi/a-57397828>, Accessed 11 October 2021.

⁵⁷ Nation Africa, Police release MP, 9 journalists arrested during Embu evictions, 25 April 2021, <https://nation.africa/kenya/counties/machakos/police-release-mp-9-journalists-arrested-during-embu-evictions-3375858>, Accessed 11 October 2021.

⁵⁸ The Star, "Two journalists harassed, arrested while covering defilement case in Baringo", 9 July 2021, <https://www.the-star.co.ke/counties/rift-valley/2021-07-09-two-journalists-harassed-arrested-while-covering-defilement-case-in-baringo/>, Accessed 11 October 2021.

⁵⁹ Nairobi News, "Journalists attacked, robbed in Nairobi", 12 July 2021, <https://nairobineews.nation.co.ke/journalists-attacked-robbed-in-nairobi/>, Accessed 11 October 2021.

⁶⁰ Citizen digital, "KFCB Bans Gay Themed Film I Am Samuel, Says Its Demeaning To Christianity", 23 September 2021, <https://citizen.digital/news/kfcb-bans-gay-themed-film-i-am-samuel-says-its-demeaning-to-christianity-13100829/>, Accessed 11 October 2021.

⁶¹ Kenya Law, Penal code, 2012, <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/28595/115477/F-857725769/KEN28595.pdf>, Accessed 11 October 2021.

⁶² Kenya Law, "Penal code", 2012, <https://www.ilo.org/dyn/natlex/docs/ELECTRONIC/28595/115477/F-857725769/KEN28595.pdf>, Accessed 11 October 2021.

Freedom of association

There are increased cases of attacks on HRDs. Unknown assailants shot environmental activist Joanna 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

⁶³ The Guardian, "Environment activist shot dead outside Nairobi home after death threats", 16 July 2021, <https://www.theguardian.com/world/2021/jul/16/environment-activist-shot-dead-outside-nairobi-home-after-death-threats>, Accessed 11 October 2021.

⁶⁴ Twitter, "@DefendersKe", 9 August 2021, <https://twitter.com/DefendersKE/status/1424809252321890310>, Accessed 11 October 2021.

⁶⁵ Twitter, "@DefendersKe", 9 August 2021, <https://twitter.com/DefendersKE/status/1424809255031525382>, Accessed 11 October 2021.

⁶⁶ Reuters, "Kenyan police disperse protesters demonstrating against Israeli attacks on Gaza", 13 May 2021, <https://www.reuters.com/world/middle-east/kenyan-police-disperse-protesters-demonstrating-against-israeli-attacks-gaza-2021-05-13/>, Accessed 11 October 2021.

⁶⁷ AllAfrica, "Kenya: Protests in Kisii After Girl Allegedly Shot By Police Dies", 27 June 2021, <https://allafrica.com/stories/202106280120.html>, Accessed 11 October 2021.

⁶⁸ AfricaNews, "Kenya: Protesters clash with police in Nairobi over Covid curfews, brutality", 7 July 2021, <https://www.africanews.com/2021/07/07/kenya-protesters-clash-with-police-in-nairobi-over-covid-curfews-and-restrictions/>, Accessed 11 October 2021.

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

⁶⁹ Nation Africa, "5 Maasai mara students arrested during protest over faral boda voda accident, 25 May 2021, <https://nation.africa/kenya/counties/narok/5-maasai-mara-students-arrested-during-protest-over-fatal-boda-boda-accident-3413424>, Accessed 11 October 2021.

⁷⁰ GardaWorld, "Kenya: Protests reported in Nairobi, 14 July 2021, <https://www.garda.com/crisis24/news-alerts/501561/kenya-protests-reported-in-nairobi-july-14>, Accessed 11 October 2021.

⁷¹ Citizen Digital, "Dedan Kimathi University Closed Indefinitely After Students Riot Over Fee Increment", 15 July 2021, <https://citizen.digital/news/dedan-kimathi-university-closed-down-after-students-riot-over-fee-increment-12605054/>, Accessed 11 October 2021.

⁷² Standard Media, "Scores arrested as Meru Polytechnic students protest election results", 19 July 2021, <https://www.standardmedia.co.ke/central/article/2001418693/scores-arrested-as-meru-polytechnic-students-protest-election-results>, Accessed 11 October 2021.

⁷³ Twitter, @DefendersKe, 27 July 2021, <https://twitter.com/DefendersKE/status/1420087018936315914>, Accessed 11 October 2021.

⁷⁴ Twitter, @amnestyKenya, 27 July 2021, <https://twitter.com/AmnestyKenya/status/1420117265886941189>, Accessed 11 October 2021.

⁷⁵ New York Times, "Deaths in custody of two brothers fuel anger over Covid enforcement in Kenya", 16 August 2021, <https://www.nytimes.com/2021/08/16/world/africa/kenya-covid-enforcement-brothers-death.html>, Accessed 11 October 2021.

⁷⁶ Nation Africa, "Police officers linked to Embu brothers' deaths arrested, appear in court", 17 August 2021, <https://nation.africa/kenya/counties/embu/police-officers-linked-to-embu-brothers-deaths-arrested-appear-in-court-3514114>, Accessed 11 October 2021.

west, Kiambu County, on 25 August 2021.⁷⁷ 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 2021.⁷⁸ 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.⁷⁹

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.⁸⁰ 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.⁸¹ Ndayizera was arrested in November 2018 with 12 other defendants and charged with terrorism.⁸² 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

⁷⁷Standard Media, "Man allegedly shot dead by police during Kahawa West protests", 25 August 2021, <https://www.standardmedia.co.ke/nairobi/article/2001421746/man-allegedly-shot-dead-by-police-during-kahawa-west-protests>, Accessed 11 October 2021.

⁷⁸Anadolu Agency, "Protests erupt in Kenya after alleged police killing over curfew breach", 19 August 2021, <https://www.aa.com.tr/en/africa/protests-erupt-in-kenya-after-alleged-police-killing-over-curfew-breach/2340392>, Accessed 11 October 2021.

⁷⁹Standard Media, "Protests in Kayole after police allegedly kill man, 38, during curfew enforcement", 19 August 2021, <https://www.standardmedia.co.ke/nairobi/article/2001421216/protests-in-kayole-after-police-allegedly-kill-man-38-during-curfew-enforcement>, Accessed 11 October 2021.

⁸⁰Aljazeera, "Macron 'silent' on Kagame abuses: Rwanda opposition leaders", 25 May 2021, <https://www.aljazeera.com/news/2021/5/25/macron-silent-on-kagame-abuses-rwanda-opposition>, Accessed 11 October 2021.

⁸¹BBC news, "Rwanda: Phocas Ndayizera yahamijwe ibyaha akatirwa gufungwa imyaka 10", 6 May 2021, <https://www.bbc.com/gahuza/amakuru-57009744>, Accessed 11 October 2021.

⁸²Committee to Protect Journalists, "Phocas Ndayizera Imprisoned", 21 November 2021, <https://cpj.org/data/people/phocas-ndayizera/>, Accessed 11 October 2021.

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.⁸³ 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 2014.⁸⁴ 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.⁸⁵ The spyware also allegedly infected Paul Rusesabagina's daughters' phone, Carine Kanimba 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.⁸⁶ 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 Nsengimana, 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 Ndayishimi, 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".⁸⁷ 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.

⁸³ Daily Monitor, "Family of Rwandan journalist arrested in Mozambique call for help", 5 June 2021, <https://www.monitor.co.ug/uganda/news/national/family-of-rwandan-journalist-arrested-in-mozambique-call-for-help-3426868>, Accessed 11 October 2021.

⁸⁴ Reporters Sans Frontières, "A Rwandan journalist receives a 25-year prison sentence", 2 March 2021, <https://rsf.org/fr/actualites/un-journaliste-rwandais-ecope-dune-peine-de-25-ans-de-prison>, Accessed 11 October 2021.

⁸⁵ Amnesty International, "Pegasus Project: Rwandan authorities chose thousands of activists, journalists and politicians to target with NSO spyware", 19 July 2021, <https://www.amnesty.org/en/latest/press-release/2021/07/rwandan-authorities-chose-thousands-of-activists-journalists-and-politicians-to-target-with-nso-spyware/>, Accessed 11 October 2021.

⁸⁶ Human Rights Watch, "Rwanda: Crackdown on Opposition, Media Intensifies", 19 October 2021, <https://www.hrw.org/news/2021/10/19/rwanda-crackdown-opposition-media-intensifies>, Accessed 24 October 2021.

⁸⁷ Twitter, "@RIB_Rw", 14 October 2021, https://twitter.com/RIB_Rw/status/1448401732661301251, Accessed 24 October 2021.

On 30 September 2021, the Rwandan High Court sentenced Yvonne Idamange to 15 years in prison.⁸⁸ Police officers arrested Yvonne on 15 February 2021 for reportedly posting a video in which she criticised the Rwandan government and President Paul Kagame.⁸⁹ 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.⁹⁰ On 18 June 2021, the prosecutor asked for a life sentence.⁹¹ 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.⁹² On 18 August 2021, the High Court announced that the verdict of Paul Rusesabagani's case will be postponed to a later date.⁹³ 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.⁹⁴ 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.⁹⁵

⁸⁸ BBC News, "Rwandan YouTube content creator sentenced to jail", 30 September 2021, https://www.bbc.com/news/live/world-africa-47639452?ns_mchannel=social&ns_source=twitter&ns_campaign=bbc_live&ns_linkname=6155a08e455e0f06d48a1f6a%26Rwandan%20YouTube%20content%20creator%20sentenced%20to%20jail%262021-09-30T16:57:44.901Z&ns_fee=0&pinned_post_locator=urn:asset:5650e06b-5d6d-4ee6-b662-8095a9e8fd72&pinned_post_asset_id=6155a08e455e0f06d48a1f6a&pinned_post_type=share, Accessed 24 October 2021.

⁸⁹ Civicus Monitor, "Crackdown on critics continues", 11 March 2021, <https://monitor.civicus.org/updates/2021/03/11/crackdown-critics-continues/>, Accessed 24 October 2021.

⁹⁰ Civicus Monitor, "Crackdown on critics continues", 11 March 2021, <https://monitor.civicus.org/updates/2021/03/11/crackdown-critics-continues/>, Accessed 24 October 2021.

⁹¹ Voice of America, "Prosecutors Request Life Sentence for 'Hotel Rwanda' Hero", 18 June 2021, <https://www.voanews.com/a/africa-prosecutors-request-life-sentence-hotel-rwanda-hero/6207163.html>, Accessed 24 October 2021.

⁹² Al Jazeera, "Rwanda: Paul Rusesabagina quits trial, says expects no justice", 24 March 2021, <https://www.aljazeera.com/news/2021/3/24/hotel-rwanda-hero-quits-trial-says-expects-no-justice>, Accessed 24 October 2021.

⁹³ AllAfrica, "Rwanda: Court Postpones Verdict Hearing in 'Hotel Rwanda' Hero's Case", 18 August 2021, <https://allafrica.com/stories/202108190364.html>, Accessed 24 October 2021.

⁹⁴ Reuters, "Rwandan court finds 'Hotel Rwanda' film hero guilty in terrorism case", 20 September 2021, <https://www.reuters.com/world/africa/rwanda-court-rule-case-rusesabagina-hero-hotel-rwanda-2021-09-20/>, Accessed 24 October 2021.

⁹⁵ Politico, "MEPs 'strongly condemn' conviction of 'Hotel Rwanda' hero", 7 October 2021, <https://www.politico.eu/article/european-parliament-condemn-conviction-paul-rusesabagina-hotel-rwanda-kagame/>, Accessed 24 October 2021.

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”.⁹⁶

On 2 May 2021, President Mohamed Abdullahi Mohamed “Farmaajo” 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.⁹⁷ 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.⁹⁸ In February 2021, President Farmaajo 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 2021.⁹⁹ 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.¹⁰⁰ 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

⁹⁶ Voice of America, “Somali Opposition Fighters Cordon off Parts of Tense Capital”, 26 April 2021, <https://www.voanews.com/a/africa-somali-opposition-fighters-cordon-parts-tense-capital/6205090.html>, Accessed 11 October 2021.

⁹⁷ Deutsche Welle, “Somali president calls for elections amid unrest”, 27 April 2021, <https://www.dw.com/en/somali-president-calls-for-elections-amid-unrest/a-57355197>, Accessed 11 October 2021.

⁹⁸ Reuters, “Somalia’s PM commits to free, fair polls after impasse over elections resolved”, 27 May 2021, <https://www.reuters.com/world/africa/somalias-political-leaders-sign-agreement-resolving-impasse-out-elections-2021-05-27/>, Accessed 11 October 2021.

⁹⁹ Modern Ghana, “Somalia delays election originally due to start Sunday” 25 July 2021, <https://www.modernghana.com/news/1094919/somalia-delays-election-originally-due-to-start.html>, Accessed 11 October 2021.

¹⁰⁰ Al Jazeera, “Somalia on edge as president, PM clash over intelligence chief”, 8 September 2021, <https://www.aljazeera.com/news/2021/9/8/somalia-on-edge-as-president-pm-clash-over-intelligence-chief>, Accessed 11 October 2021.

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.

¹⁰¹ Modern Ghana, “UN Council urges restraint, dialogue in Somalia’s leadership feud”, 18 September 2021, <https://www.modernghana.com/news/1105249/un-council-urges-restraint-dialogue-in-somalias.html>, Accessed 11 October 2021.

¹⁰² Committee to Protect Journalists, “Somali security forces detain and assault journalists and raid media outlet”, 29 April 2021, <https://cpj.org/2021/04/somali-security-forces-detain-and-assault-journalists-and-raid-media-outlet/>, Accessed 11 October 2021.

¹⁰³ Somali Journalists Syndicate, “Journalists arbitrarily detained, harassed in Mogadishu, Galmudug and Somaliland”, 26 April 2021, <https://sjsyndicate.org/2021/04/26/journalists-arbitrary-detained-harassed-in-mogadishu-galmudug-and-somaliland/>, Accessed 11 October 2021.

¹⁰⁴ Committee to Protect Journalists, “Somali security forces detain and assault journalists and raid media outlet”, 29 April 2021, <https://cpj.org/2021/04/somali-security-forces-detain-and-assault-journalists-and-raid-media-outlet/>, Accessed 11 October 2021.

On 28 April 2021, Aden Abdi Eidle was released by the Hargeisa Court after spending 14 days in police custody.¹⁰⁵ Eidle's arrest was linked to an alleged publication of photos and an article accusing the Governor of the Central Bank of corruption.¹⁰⁶

On 16 May 2021, NISA officers assaulted and threatened Fardowso Mohamud Sahal, a reporter from radio *Kulmiye*, while covering a protest.¹⁰⁷ 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.¹⁰⁸ 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.¹⁰⁹ 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.¹¹⁰ 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.

¹⁰⁵ Twitter, @sjs_Somalia, 28 April 2021, https://twitter.com/sjs_Somalia/status/1387421017866375169, Accessed 11 October 2021.

¹⁰⁶ Somali Journalists Syndicate, "Journalists arbitrarily detained, harassed in Mogadishu, Galmudug and Somaliland", 26 April 2021, <https://sjsyndicate.org/2021/04/26/journalists-arbitrary-detained-harassed-in-mogadishu-galmudug-and-somaliland/>, Accessed 11 October 2021.

¹⁰⁷ Somali Journalists Syndicate, "Police and NISA officers attack journalists covering protest, beat female reporter and confiscate equipment in Mogadishu", 16 May 2021, <https://sjsyndicate.org/2021/05/16/police-and-nisa-officers-attack-journalists-beat-female-reporter-and-confiscate-equipment-in-mogadishu/>, Accessed 11 October 2021.

¹⁰⁸ Somali Journalists Syndicate, "Journalist detained in Galmudug, others threatened and intimidated in Mogadishu and South West", 14 June 2021, <https://sjsyndicate.org/2021/06/14/journalist-detained-in-galmudug-others-threatened-and-intimidated-in-mogadishu-and-south-west/>, Accessed 11 October 2021.

¹⁰⁹ Somali Journalists Syndicate, "SJS condemns overnight attack and knife injury on its training secretary, calls for prompt investigations", 24 June 2021, <https://sjsyndicate.org/2021/06/24/sjs-condemns-overnight-attack-and-knife-injury-on-its-training-secretary-calls-for-prompt-investigations/>, Accessed 11 October 2021.

¹¹⁰ Somali Journalists Syndicate, "Police and NISA detain and harass journalists in Mogadishu, Gedo, Hirshabelle and Las'Anod", 6 July 2021, <https://sjsyndicate.org/2021/07/06/police-and-nisa-detain-and-harass-journalists-in-mogadishu-gedo-hirshabelle-and-lasanod/>, Accessed 11 October 2021.

On 3 July 2021, NISA officers arrested Mohamud Mohamed Sheikh, a *Star Media Network* journalist in Beledhawo, Gedo region.¹¹¹ 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.¹¹² 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.¹¹³ 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 Independence day. 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.¹¹⁴ The police officers confiscated the journalists' equipment and threatened to "arrest them for good if they are caught in a similar act again".¹¹⁵ 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.¹¹⁶ Police officers dragged,¹¹⁷ 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.

¹¹¹ Ibid

¹¹² Ibid

¹¹³ Ibid

¹¹⁴ YouTube, "Maalintii 12-aad waxaa socda Banaanbax Cadaalad loogu raadinayo dad lagu eedayay in Amisom dishay", 22 August 2021, <https://www.youtube.com/watch?v=PLTATOM0fqE>, Accessed 11 October 2021.

¹¹⁵ Somali Journalists Syndicate, "Somali Police briefly arrest 3 journos, obstruct and chase journalists covering a protest in Mogadishu", 22 August 2021, <https://sjsyndicate.org/2021/08/22/somali-police-briefly-arrest-3-journos-obstruct-and-chase-journalists-covering-a-protest-in-mogadishu/>, Accessed 11 October 2021.

¹¹⁶ Somali Journalists Syndicate, SJS and SOMA condemn police assault on journalists, confiscation of equipment in Mogadishu, 5 September 2021, <https://sjsyndicate.org/2021/09/05/sjs-and-soma-condemn-police-assault-confiscation-of-journalists-equipment-in-mogadishu/>, Accessed 11 October 2021.

¹¹⁷ Twitter, @GoobjoogNews, 5 September 2021, <https://twitter.com/GoobjoogNews/status/1434500640227696640>, Accessed 11 October 2021.

On 28 September 2021, Dhusamareb police officers arrested freelance journalist Mohamed Abdiweli Tohow.¹¹⁸ 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.¹¹⁹ 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.¹²⁰

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 Suffi 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 2021.¹²¹ 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.¹²² 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.¹²³

¹¹⁸ Reporters Without Borders, "Journalist arrested for covering militia attacks in central Somalia", 1 October 2021, <https://rsf.org/en/news/journalist-arrested-covering-militia-attacks-central-somalia>, Accessed 11 October 2021.

¹¹⁹ Somali Journalists Syndicate, "Dhusamareb police arbitrary detains a journalist while police in Garowe summons freelance reporter", 30 September 2021, <https://sjsyndicate.org/2021/09/30/dhusamareb-police-arbitrary-detains-a-journalist-while-police-in-garowe-summons-freelance-reporter/>, Accessed 11 October 2021.

¹²⁰ Horn Observer, "Three journalists arbitrarily detained for covering armed conflict in Somalia's Galmudug freed", 5 October 2021, <https://hornobserver.com/articles/1365/Three-journalists-arbitrarily-detained-for-covering-armed-conflict-in-Somalias-Galmudug-freed>, Accessed 11 October 2021.

¹²¹ Horn Observer, "Three journalists arbitrarily detained for covering armed conflict in Somalia's Galmudug freed", 5 October 2021, <https://hornobserver.com/articles/1365/Three-journalists-arbitrarily-detained-for-covering-armed-conflict-in-Somalias-Galmudug-freed>, Accessed 11 October 2021.

¹²² QorilugudNews24, "Somaliland security forces have arrested this afternoon Abdimalik muse coldon that accused of engaging in defamatory activities in somaliland and spreading cheap propaganda by the enemy of somaliland", 19 August 2021, <https://qorilugudnews24.com/2021/08/19/somaliland-security-forces-have-arrested-this-afternoon-abdimalik-muse-coldon-that-accused-of-engaging-in-defamatory-activities-in-somaliland-and-spreading-cheap-propaganda-by-the-enemy-of-somaliland/>, Accessed 11 October 2021.

¹²³ MTV Somali Channel, "Colldoon arrested once again in Somaliland", 19 August 2021, <https://www.mtvSomali.com/coldoon-arrested-once-again-in-somaliland/>, Accessed 11 October 2021.

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.¹²⁴ 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.¹²⁵

On 13 September, police officers in the Gabiley region arrested Mohammed Abdi Omar, a journalist working for *SBCTV*.¹²⁶ 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.¹²⁷ 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 2021.¹²⁸ 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.¹²⁹ 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

¹²⁴ Somaliland Standard, "Arbitrary Detention and Arrest of Opposition Leaders and Journalist", 26 September 2021, <http://somalilandstandard.com/arbitrary-detention-and-arrest-of-opposition-leaders-and-journalist/>, Accessed 11 October 2021.

¹²⁵ Human Rights Center Somaliland, "Arbitrary detention and arrest of opposition leaders and journalist", 26 September 2021, <http://hrcsomaliland.org/arbitrary-detention-and-arrest-of-opposition-leaders-and-journalist/>, Accessed 11 October 2021.

¹²⁶ Araweelo News Network, "Somaliland: Solja Condemns Arrest of Journalist for Reporting the situation in Kalabaydh Hospital", 25 September 2021, <https://www.araweelonews.com/breaking-news/somaliland-solja-condemns-arrest-of-journalist-for-reporting-the-situation-in-kalabaydh-hospital/>, Accessed 11 October 2021.

¹²⁷ National Union of Somali Journalists (NUSOJ), "Somaliland arrests an independent journalist in an indiscriminate dragnet targeting people from Southern Somalia", 2 October 2021, <https://www.nusoj.org/somaliland-arrests-an-independent-journalist-in-an-indiscriminate-dragnet-targeting-people-from-southern-somalia/>, Accessed 11 October 2021.

¹²⁸ Somaliland Standard, "President defends the expulsion of southern Somalis from Lasanod", 17 October 2021, <http://somalilandstandard.com/president-defends-the-expulsion-of-southern-somalis-from-lasanod/>, Accessed 24 October 2021.

¹²⁹ Human Rights Centre Somaliland, "Human Rights Centre calls on the government to release 42 arbitrary detainees", 26 June 2021, <http://hrcsomaliland.org/human-rights-centre-calls-on-the-government-to-release-42-arbitrary-detainees/>, Accessed 11 October 2021.

On 5 September 2021, protests broke out in KM4 junction in Mogadishu demanding justice for Ikraan Tahliil,¹³⁰ a female NISA official that was abducted on 26 June 2021 and later announced dead.¹³¹ Police officers arrested demonstrators, including a youth activist Mohamed Royal, fired live bullets, and attacked journalists.¹³²

South Sudan

General situation

On 9 May 2021, President Salva Kiir dissolved parliament,¹³³ 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.¹³⁴

Positively, on 2 August 2021, two women were appointed to senior leadership positions within the transitional National Legislature, including the first female Speaker of the Transitional National Legislative Assembly and female Deputy Speaker of the Council of States.¹³⁵ 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

¹³⁰ Mustaqbal Media, "Protest against the killing of female intelligence official enters second day in Mogadishu", 7 September 2021, <https://mustaqbalmedia.net/en/protest-against-the-killing-of-female-intelligence-official-enters-second-day-in-mogadishu/>, Accessed 11 October 2021.

¹³¹ Voice Of America, "Al-Shabab Denies Killing Somali Security Agency Employee", 2 September 2021, <https://www.voanews.com/a/africa-al-shabab-denies-killing-somali-security-agency-employee/6219168.html>, Accessed 11 October 2021.

¹³² Somali Journalists Syndicate, "SJS and SOMA condemn police assault on journalists, confiscation of equipment in Mogadishu", 5 September 2021, <https://sjsyndicate.org/2021/09/05/sjs-and-soma-condemn-police-assault-confiscation-of-journalists-equipment-in-mogadishu/>, Accessed 11 October 2021.

¹³³ Aljazeera, "South Sudan president dissolves parliament as part of peace deal", 9 May 2021, <https://www.aljazeera.com/news/2021/5/9/south-sudan-president-dissolves-parliament-as-part-of-peace-deal>, Accessed 11 October 2021.

¹³⁴ Aljazeera, "South Sudan president dissolves parliament as part of peace deal", 9 May 2021, <https://www.aljazeera.com/news/2021/5/9/south-sudan-president-dissolves-parliament-as-part-of-peace-deal>, Accessed 11 October 2021.

¹³⁵ UN News, "New South Sudan Parliament can 'infuse urgency' into peace process", 15 September 2021, <https://news.un.org/en/story/2021/09/1099982>, Accessed 11 October 2021.

Four Good News Radio media personnel were assaulted by police officers while visiting a detained artist on 19 June 2021.¹³⁶ 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.¹³⁷ 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 broadcast 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.¹³⁸ 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.¹³⁹ 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 2021.¹⁴⁰ 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.¹⁴¹ According to Michael Makuei, the Minister of Information, Communication Technology and Postal Services, the internet shutdown was because of technical problems.

¹³⁶ Acia Africa, "Civil Society in South Sudan Condemns Torture of Catholic Radio Journalists", 22 June 2021, <https://www.aciafrica.org/news/3717/civil-society-in-south-sudan-condemns-torture-of-catholic-radio-journalists>, Accessed 11 October 2021.

¹³⁷ Committee to Protect Journalists, "South Sudanese journalist Alfred Angasi detained without charge since July 5", 23 July 2021, <https://cpj.org/2021/07/south-sudanese-journalist-alfred-angasi-detained-without-charge-since-july-5/>, Accessed 11 October 2021.

¹³⁸ Voice Of America, "South Sudan Journalist in Bad Health After Two Weeks in Detention", 27 July 2021, <https://www.voanews.com/a/press-freedom-south-sudan-journalist-bad-health-after-two-weeks-detention/6208802.html>, Accessed 11 October 2021.

¹³⁹ Reporters without Borders, "Vice tightens on South Sudan's journalists", 3 September 2021, <https://rsf.org/en/news/vice-tightens-south-sudans-journalists>, Accessed 11 October 2021.

¹⁴⁰ Reporters without Borders, "Vice tightens on South Sudan's journalists", 3 September 2021, <https://rsf.org/en/news/vice-tightens-south-sudans-journalists>, Accessed 11 October 2021.

¹⁴¹ Amnesty International, "South Sudan: End new wave of repression against peaceful protests", 3 September 2021, <https://www.amnesty.org/en/latest/news/2021/09/south-sudan-end-new-wave-of-repression-against-peaceful-protests/>, Accessed 11 October 2021.

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.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.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.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”.¹⁴⁵

The Central Bank of South Sudan froze accounts of the PCCA, and organisations connected to it.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,

¹⁴² The Defense Post, “Two Aid Workers Killed in an Ambush in South Sudan”, 8 June 2021, <https://www.thedefensepost.com/2021/06/08/two-aid-workers-killed-south-sudan/>, Accessed 11 October 2021.

¹⁴³ Sudan Post, “Watchdog condemns NSS disruption of event discussing South Sudan constitutional history”, 18 July 2021, <https://www.sudanspost.com/watchdog-condemns-nss-disruption-of-event-discussing-south-sudan-constitutional-history/>, Accessed 11 October 2021.

¹⁴⁴ Sudans Post, “South Sudan activists on the ran as National Security Service conducts manhunt”, 2 August 2021, <https://www.sudanspost.com/south-sudan-activists-on-the-ran-as-national-security-service-conducts-manhunt/>, Accessed 11 October 2021.

¹⁴⁵ The East African, “Juba security organs arrest two more activists on anti-govt protest claims”, 2 September 2021, <https://www.theeastafrican.co.ke/tea/news/east-africa/activists-arrested-south-sudan-3534846>, Accessed 11 October 2021.

¹⁴⁶ The Tower Post, “South Sudan Freezes Bank Accounts of Advocacy Groups”, 8 October 2021, <https://thetowerpost.com/2021/10/08/south-sudan-freezes-bank-accounts-of-advocacy-groups/>, Accessed 11 October 2021.

and Adau, for protesting the dumping of waste by Dar Petroleum Operating Company (DPOC) in their town.¹⁴⁷ 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.¹⁴⁸ 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 2021.¹⁴⁹ 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.¹⁵⁰ 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.¹⁵¹

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.¹⁵²

¹⁴⁷ Eye Radio, "Why Melut protesters have occupied commissioner's office", 16 June 2021, <https://eyeradio.org/why-melut-protesters-have-occupied-commissioners-office/>, 11 October 2021.

¹⁴⁸ Sudan Post, "Over 20 members of Monyiemiji youth group arrested by NSS in E. Equatoria", 2 July 2021, <https://www.sudanspost.com/over-20-members-of-monyiemiji-youth-group-arrested-by-nss-in-e-equatoria/>, Accessed 11 October 2021.

¹⁴⁹ Relief Web, "NGOs in South Sudan condemn recent attacks on civilians and aid workers, call on Government to ensure protection of all people", 30 June 2021, <https://reliefweb.int/sites/reliefweb.int/files/resources/SSNGOF%20Press%20Release%20-%20Protection%20of%20Cvillians%20and%20Humanitarians%202021%2006%2030.pdf>, Accessed 11 October 2021.

¹⁵⁰ Voice of America, "South Sudan police warns against anti-Government protests, 29 August 2021", <https://www.voanews.com/a/africa-south-sudan-focus-south-sudan-police-warn-against-anti-government-protests/6210112.html>, Accessed 11 October 2021.

¹⁵¹ Voice of America, "South Sudan police warns against anti-Government protests, 29 August 2021", <https://www.voanews.com/a/africa-south-sudan-focus-south-sudan-police-warn-against-anti-government-protests/6210112.html>, Accessed 11 October 2021.

¹⁵² AfricaNews, Crackdown as South Sudan braces for anti-government rallies, 30 August 2021, <https://www.africanews.com/2021/08/30/crackdown-as-south-sudan-braces-for-anti-government-rallies/>, Accessed 11 October 2021.

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.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.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.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.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.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.¹⁵⁸

¹⁵³ DefendDefenders, "The Human Rights Council should extend its support to, and scrutiny of, Sudan", 10 September 2021, <https://defenddefenders.org/wp-content/uploads/2021/09/HRC48-Civil-society-letter-regarding-SUDAN.pdf>, Accessed 9 November 2021.

¹⁵⁴ DefendDefenders, "The Human Rights Council should extend its support to, and scrutiny of, Sudan", 10 September 2021, <https://defenddefenders.org/wp-content/uploads/2021/09/HRC48-Civil-society-letter-regarding-SUDAN.pdf>, Accessed 27 October 2021.

¹⁵⁵ Twitter, "@DefendDefenders", 6 October 2021, <https://twitter.com/DefendDefenders/status/1445705035980021760>, Accessed 11 October 2021.

¹⁵⁶ BBC News, "Sudan failed coup: Government blames pro-Bashir elements," 21 September 2021, <https://www.bbc.com/news/world-africa-58629978>, Accessed 9 November 2021.

¹⁵⁷ DefendDefenders, "Sudan: The UN Human Rights Council should act urgently and hold a special session", 28 October 2021, <https://defenddefenders.org/wp-content/uploads/2021/10/Sudan-NGOs-call-for-a-special-session-28-Oct.-2021.pdf>, Accessed 1 November 2021.

¹⁵⁸ DefendDefenders, "Sudan: The UN Human Rights Council should act urgently and hold a special session", 28 October 2021, <https://defenddefenders.org/wp-content/uploads/2021/10/Sudan-NGOs-call-for-a-special-session-28-Oct.-2021.pdf>, Accessed 1 November 2021.

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

¹⁵⁹ DefendDefenders, “Sudan: The UN Human Rights Council should act urgently and hold a special session”, 28 October 2021, <https://defenddefenders.org/wp-content/uploads/2021/10/Sudan-NGOs-call-for-a-special-session-28-Oct.-2021.pdf>, Accessed 1 November 2021.

¹⁶⁰ DefendDefenders, “The UN Human Rights Council takes a step to address the crisis in Sudan,” 5 November 2021, <https://defenddefenders.org/the-un-human-rights-council-takes-a-step-to-address-the-crisis-in-sudan/> (accessed on 9 November 2021).

¹⁶¹ Aljazeera, “Sudan protesters demand gov’t step down over economic reforms”, 30 June 2021, <https://www.aljazeera.com/news/2021/6/30/sudan-protesters-demand-govt-step-down-over-imf-backed-reforms>, Accessed 24 October 2021.

¹⁶² Dabanga, “Outcry as Sudan blocks El Sudani newspaper and 30 other websites”, 6 July 2021, <https://www.dabangasudan.org/en/all-news/article/outcry-as-sudan-blocks-el-sudani-newspaper-and-30-other-websites>, Accessed 24 October 2021.

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%AA%D8%B9%D9%84%D9%8A%D9%82-%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.¹⁶⁴ 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.¹⁶⁵ 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.¹⁶⁶ 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.¹⁶⁷

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.¹⁶⁸

Freedom of peaceful assembly

[%D8%B5%D8%AD%D9%8A%D9%81%D8%A9-%D9%84%D9%85%D8%AF%D8%A9-%D8%AB%D9%84%D8%A7%D8%AB%D8%A9-%D8%A3%D9%8A/](#), Accessed 24 October 2021.

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%A8/>, Accessed 24 October 2021.

¹⁶⁵ African Centre for Justice and Peace Studies, “Sudanese journalist detained incommunicado, faces death penalty”, 27 September 2021, <https://www.acjps.org/sudanese-journalist-detained-incommunicado-faces-death-penalty/>, Accessed 24 October 2021.

¹⁶⁶ Committee to Protect Journalists, “Sudanese military forces arrest state television manager, pro-military protesters assault journalists amid unrest”, 26 October 2021, <https://cpj.org/2021/10/sudanese-military-forces-arrest-state-television-manager-pro-military-protesters-assault-journalists-amid-unrest/>, Accessed 9 November 2021.

¹⁶⁷ Twitter, “@netblocks”, 8 November 2021, <https://twitter.com/netblocks/status/1457676232791822338>, Accessed 9 November 2021.

¹⁶⁸ Committee to Protect Journalists, “Sudanese military forces arrest state television manager, pro-military protesters assault journalists amid unrest”, 26 October 2021, <https://cpj.org/2021/10/sudanese-military-forces-arrest-state-television-manager-pro-military-protesters-assault-journalists-amid-unrest/>, Accessed 9 November 2021.

On 11 May 2021, protestors gathered in Khartoum to demand justice for the victims of the 2019 anti-government protests.¹⁶⁹ Sudanese security forces killed at least two people and injured several others during the protest. Witness reports suggest that soldiers were beating protesters 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.¹⁷⁰

On 30 June 2021, protests broke out in Khartoum over the controversial economic reforms backed by the International Monetary Fund (IMF).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 teargas 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.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.¹⁷³ Soldiers opened fire on crowds and reportedly killed 10 people.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.¹⁷⁵

¹⁶⁹ Aljazeera, “Two people killed in Sudan rally over 2019 protest killings”, 12 May 2021, <https://www.aljazeera.com/news/2021/5/12/two-people-killed-in-sudan-rally-over-2019-protest-killings>, Accessed 24 October 2021.

¹⁷⁰ Human Rights Watch, “Sudan: Lethal Force Used Against Protesters”, 19 May 2021, <https://www.hrw.org/news/2021/05/19/sudan-lethal-force-used-against-protesters>, Accessed 24 October 2021.

¹⁷¹ Al Jazeera, “Sudan protesters demand gov’t step down over economic reforms”, 30 June 2021, <https://www.aljazeera.com/news/2021/6/30/sudan-protesters-demand-govt-step-down-over-imf-backed-reforms>, Accessed 24 October 2021.

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, <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.

¹⁷³ Al Jazeera, “‘No to army rule’: Pro-democracy protesters take to Sudan streets,” 27 October 2021, <https://www.aljazeera.com/gallery/2021/10/27/pro-democracy-protesters-continue-to-march-in-khartoum>, Accessed 9 November 2021.

¹⁷⁴ BBC, “Sudan coup: Protests continue after military takeover”, 26 October 2021, <https://www.bbc.com/news/world-africa-59045020>, Accessed 9 November 2021.

¹⁷⁵ Al Jazeera, “Sudan security forces fire tear gas at anti-coup protesters” 7 November 2021, <https://www.aljazeera.com/news/2021/11/7/sudan-anti-coup-civil-disobedience-strikes>, Accessed 9 November 2021.

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.

¹⁷⁶ Bloomberg, "Sudan Forces Arrest 87 Teachers at Anti-Coup Protest, Group Says", 7 November 2021, <https://www.bloomberg.com/news/articles/2021-11-07/sudan-forces-arrest-87-teachers-at-anti-coup-protest-group-says>, Accessed 9 November 2021.

¹⁷⁷ The Chanzo Initiative, "The Chanzo's Morning Briefing", 29 June 2021, <https://thechanzo.com/2021/06/29/the-chanzos-morning-briefing-june-29-2021/>, Accessed 11 October 2021.

¹⁷⁸ AP News, "Tanzania intensifies repression ahead of polls, says report", 12 October 2021, <https://apnews.com/article/virus-outbreak-john-magufuli-health-media-newspapers-1f502c763c52c11aade72154a0ecf28a>, Accessed 11 October 2021.

¹⁷⁹ AllAfrica, "Tanzania: Don't Remain Silent On Attack, Journalists Told", 29 July 2021, <https://allafrica.com/stories/202107290604.html>, Accessed 11 October 2021.

¹⁸⁰ DefendDefenders, "Spreading Fear, Asserting Control: Tanzania's assault on civic space", 26 June 2018, <https://defenddefenders.org/spreading-fear-asserting-control-tanzanias-assault-on-civic-space/#:~:text=Spreading%20Fear%2C%20Asserting%20Control%3A,%2C%20expression%2C%20and%20peaceful%20assembly>, Accessed 11 October 2021.

¹⁸¹ Committee to Protect Journalists, "CPJ calls on Tanzania president to reform press laws" 14 June 2021, <https://cpj.org/2021/06/cpj-calls-on-tanzania-president-to-reform-speech-laws/>, Accessed 11 October 2021.

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 24 September 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

¹⁸² The East African, “President Samia commits to supporting media in Tanzania”, 29 June 2021, <https://www.theeastafrican.co.ke/tea/news/east-africa/president-samia-media-tanzania-3454192>, Accessed 11 October 2021.

¹⁸³ Committee to Protect Journalists, “Tanzanian authorities suspend Raia Mwema newspaper for 1 month”, 15 September 2021, <https://cpj.org/2021/09/tanzanian-authorities-suspend-raia-mwema-newspaper-for-1-month/>, Accessed 11 October 2021.

¹⁸⁴ Twitter, “@MsigwaGerson”, 5 September 2021, <https://twitter.com/MsigwaGerson/status/1434513147025571848>, Accessed 11 October 2021.

¹⁸⁵ IFEX, “Tanzanian cartoonist arrested over critical image”, 12 October 2021, <https://ifex.org/tanzanian-cartoonist-arrested-over-critical-image/>, Accessed 11 October 2021.

¹⁸⁶ Twitter, “@THRDCOALITION”, 4 October 2021, <https://twitter.com/THRDCOALITION/status/1444961468139646980?s=20>, Accessed 11 October 2021.

¹⁸⁷ Committee to Protect Journalists, “Tanzania police arrest cartoonist, journalists on cybercrime and illegal assembly allegations”, 7 October 2021, <https://cpj.org/2021/10/tanzania-police-arrest-cartoonist-journalists-on-cybercrime-and-illegal-assembly-allegations/>, Accessed 11 October 2021.

¹⁸⁸ Twitter, “@THRDCOALITION”, 4 October 2021, <https://twitter.com/THRDCOALITION/status/1444961468139646980?s=20>, Accessed 11 October 2021.

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.¹⁸⁹ 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.¹⁹⁰ Nyagali was accused of drug trafficking, a violation of Section 15 A(1) of the Drug Control and Enforcement Act (2005).¹⁹¹

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).¹⁹² 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.¹⁹³ He is facing charges related to economic crimes and financing terrorist activities.¹⁹⁴ 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.¹⁹⁵

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

¹⁸⁹ Citizen digital, "Haki Africa Appeals To President Suluhu To Release Activists, Journalists Detained In Tanzania", 5 May 2021, <https://citizen.digital/news/haki-africa-appeals-to-president-suluhu-to-release-activists-journalists-detained-in-tanzania-11106320/>, Accessed 11 October 2021.

¹⁹⁰ The Citizen, "Breaking: Mbeya court frees Chadema cadre Mdude Nyangali", 28 June 2021, <https://www.thecitizen.co.tz/tanzania/news/breaking-mbeya-court-frees-chadema-cadre-mdude-nyangali-3453356>, Accessed 11 October 2021.

¹⁹¹ CIVICUS Monitor, "Authorities embark on major crackdown on expression amid covid-19 and ahead of elections", 8 October 2021, <https://monitor.civicus.org/updates/2020/09/08/authorities-embark-major-crackdown-expression-amid-covid-19-and-ahead-elections/>, Accessed 11 October 2021.

¹⁹² Human Rights Watch, "Tanzanian Opposition Leader, Supporters Arrested", 22 July 2021, <https://www.hrw.org/news/2021/07/22/tanzanian-opposition-leader-supporters-arrested>, Accessed 11 October 2021.

¹⁹³ Al Jazeera, "Tanzania opposition leader charged with 'terror-related' crimes", 26 July 2021, <https://www.aljazeera.com/news/2021/7/26/tanzania-opposition-leader-charged-with-terrorism-related-crimes>, Accessed 11 October 2021.

¹⁹⁴ Amnesty international, "Tanzania: Provide evidence to back-up charges or release political opposition leader", 4 August 2021, <https://www.amnesty.org/en/latest/news/2021/08/tanzania-provide-evidence-to-back-up-charges-or-release-political-opposition-leader/>, Accessed 11 October 2021.

¹⁹⁵ BBC, "Tanzania President Samia: We're here to show that women can lead", 9 August 2021, <https://www.bbc.com/news/world-africa-58144849>, Accessed 11 October 2021.

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

¹⁹⁶ The EastAfrican, "Tanzanian opposition party leader Freeman Mbowe charged with terrorism", 27 July 2021, <https://www.theeastafrican.co.ke/tea/news/east-africa/tanzanian-opposition-party-leader-freeman-mbowe-charged-with-terrorism-3488164>, Accessed 11 October 2021.

¹⁹⁷ Africa News, "Tanzania opposition leader Mbowe appears in court on terrorism charges", 06 August 2021, <https://www.africanews.com/2021/08/06/tanzania-opposition-leader-mbowe-appears-in-court-on-terrorism-charges/>, Accessed 11 October 2021.

¹⁹⁸ The EastAfrican, "Mbowe case postponed over 'vehicle breakdown'", 14 August 2021, <https://www.theeastafrican.co.ke/tea/news/east-africa/mbowe-case-postponed-over-vehicle-breakdown-3511050>, Accessed 11 October 2021.

¹⁹⁹ Africa News, "Tanzania opposition leader Freeman Mbowe appears in court", 31 August 2021, <https://www.africanews.com/2021/08/31/tanzania-opposition-leader-freedom-mbowe-appears-in-court/>, Accessed 11 October 2021.

²⁰⁰ AllAfrica, "Tanzania: Chadema Chief's Trial On Hold After Judge Quits", 23 October 2021, <https://allafrica.com/stories/202110250252.html>, Accessed 27 October 2021.

²⁰¹ AllAfrica, "Tanzania: Chadema Chief's Trial On Hold After Judge Quits", 23 October 2021, <https://allafrica.com/stories/202110250252.html>, Accessed 27 October 2021.

²⁰² Twitter, "@CatherineRuge", 2 October 2021, <https://twitter.com/CatherineRuge/status/1444332119669583878>, Accessed 11 October 2021.

²⁰³ Twitter, "@CatherineRuge", 2 October 2021, <https://twitter.com/CatherineRuge/status/1444332119669583878>, Accessed 11 October 2021.

²⁰⁴ Mwananchi, "Mbowe: Bila tume huru ya uchaguzi, Katiba Mpya hatushiriki uchaguzi wowote", 27 May 2021, <https://www.mwananchi.co.tz/mw/habari/kitaifa/mbowe-bila-tume-huru-ya-uchaguzi-katiba-mpya-hatushiriki-uchaguzi-wowote-3415870>, Accessed 11 October 2021.

According to a statement released by Bawacha,²⁰⁵ 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 Offense Bill (2019) that criminalises same-sex relations and sex work.²⁰⁶ 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.”²⁰⁷

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.²⁰⁸ The Court convicted Ongwen of 61 crimes, comprising crimes against humanities and war crimes in February 2021.²⁰⁹ 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.²¹⁰

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

²⁰⁵ Twitter, “@CatherineRuge”, 2 October 2021, <https://twitter.com/CatherineRuge/status/1444332119669583878>, Accessed 11 October 2021.

²⁰⁶ Deutsche Welle, “Uncertain future for LGBT+ rights in Uganda as controversial bill is passed”, 5 May 2021, <https://www.dw.com/en/uncertain-future-for-lgbt-rights-in-uganda-as-controversial-bill-is-passed/a-57437925>, Accessed 11 October 2021.

²⁰⁷ The independent, “Parliament silently passes law against homosexuality”, 4 May 2021, <https://www.independent.co.ug/parliament-silently-passes-law-against-homosexuality/>, Accessed 11 October 2021.

²⁰⁸ International Criminal Court, “Dominic Ongwen declared guilty of war crimes and crimes against humanity committed in Uganda”, 4 February 2021, <https://www.icc-cpi.int/Pages/item.aspx?name=pr1564>, Accessed 11 October 2021.

²⁰⁹ International Criminal Court, “Dominic Ongwen sentenced to 25 years of imprisonment”, 6 May 2021, <https://www.icc-cpi.int/Pages/item.aspx?name=pr1590>, Accessed 11 October 2021.

²¹⁰ NTV Uganda, “Supreme court suspends decision not to prosecute civilians in Army Court”, 15 July 2021, <https://www.ntv.co.ug/ug/news/national/supreme-court-suspends-decision-not-to-prosecute-civilians-in-army-court-3474588>, Accessed 11 October 2021.

Defence Force (UPDF) assaulted Enock Matovu, an NTV reporter. Matovu was assaulted while coming home from the clinic with his daughter and sustained serious injuries.²¹¹ 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.²¹² 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,²¹³ 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.²¹⁴ 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 2021.²¹⁵ 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.²¹⁶

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.²¹⁷ The documentary highlights the violence, intimidation and harassment journalists were subjected to.

²¹¹ Human Rights Network For Journalists – Uganda, "NTV correspondent Enock Matovu assaulted by UPDF officers", 24 April 2021, <https://www.hrnjuganda.org/ntv-correspondent-enock-matovu-assaulted-by-updf-officers/>, Accessed 11 October 2021.

²¹² Daily monitor, "Soldiers brutalise journalists again", 29 April 2021, <https://www.monitor.co.ug/uganda/news/national/soldiers-brutalise-journalists-again-3380902>, Accessed 11 October 2021.

²¹³ Human Rights Network For Journalists – Uganda, "Press Freedom Index Report- 2020 Uganda", 1 April 2021, <https://www.hrnjuganda.org/download/reports/Press-Freedom-Index-Report-2020.pdf>, Accessed 11 October 2021.

²¹⁴ Daily Monitor, "NUP demands justice for 35 journalists", 4 May 2021, <https://www.monitor.co.ug/uganda/news/national/nup-demands-justice-for-35-journalists-3386950>, accessed 11 October 2021.

²¹⁵ Human Rights Network For Journalists – Uganda, "Court adjourns case against four Radio Simba journalists", 10 May 2021, <https://www.hrnjuganda.org/court-adjourns-case-against-four-radio-simba-journalists/>, Accessed 11 October 2021.

²¹⁶ Human Rights Network For Journalists – Uganda, "Four Uganda journalists charged with sectarianism", 7 March 2021, <https://www.hrnjuganda.org/four-uganda-journalists-charged-with-sectarianism/>, Accessed 11 October 2021.

²¹⁷ African Institute for Investigative Journalism, Targeted: Tales of journalists who covered the 2020/21 Uganda General Election", 18 June 2021, <https://africanij.org/2021/06/18/targeted-the-tales-of-journalists-who-covered-the-2020-21-general-elections-in-uganda/>, Accessed 11 October 2021.

On 27 May 2021, the Buganda Road Chief Magistrate Court detained Pidson Kareire and Darius Magaea, two online journalists working for Drone Media and the East African Watch.net.²¹⁸ 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.²¹⁹

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 2018.²²⁰ 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.²²¹ 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.²²² 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 2021.²²³ 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.²²⁴ The attacks are connected to their reports covering curfews.

²¹⁸ Human Rights Network For Journalists – Uganda, “Court remands two Online journalists for three weeks”, 27 May 2021, <https://www.hrnjuganda.org/court-remands-two-online-journalists-for-three-weeks/>, Accessed 11 October 2021.

²¹⁹ Human Rights Network For Journalists – Uganda, “Court grants bail to two online journalists after three weeks on remand”, 17 June 2021, <https://www.hrnjuganda.org/court-grants-bail-to-two-online-journalists-after-three-weeks-on-remand/>, Accessed 11 October 2021.

²²⁰ Daily Monitor, “OTT tax stops today”, 30 June 2021, <https://www.monitor.co.ug/uganda/news/national/ott-tax-stops-today-3455434>, Accessed 11 October 2021.

²²¹ Daily Monitor, “OTT tax stops today”, 30 June 2021, <https://www.monitor.co.ug/uganda/news/national/ott-tax-stops-today-3455434>, Accessed 11 October 2021.

²²² The Independent, “Moyo journalist accuses police of assault”, 31 July 2021, <https://www.independent.co.ug/moyo-journalist-accuses-police-of-assault/>, Accessed 11 October 2021.

²²³ Reporters without Borders, “Wave of police attacks on reporters during Uganda’s night-time Covid curfew”, 4 August 2021, <https://rsf.org/en/news/wave-police-attacks-reporters-during-ugandas-night-time-covid-curfew>, Accessed 11 October 2021.

²²⁴ Deutsche Welle, “Ugandan blogger's 'life in peril' after arrest in Turkey”, 6 August 2021, <https://www.dw.com/en/ugandan-bloggers-life-in-peril-after-arrest-in-turkey/a-58778226>, Accessed 11 October 2021.

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

²²⁵ The Citizen, "Ugandan blogger arrested in Turkey faces 15 charges", 9 August 2021, <https://www.thecitizen.co.tz/tanzania/news/africa/ugandan-blogger-arrested-in-turkey-faces-15-charges-3505172>, Accessed 11 October 2021.

²²⁶ Daily Monitor, "Women media practitioners decry social media harassment", 16 August 2021, <https://www.monitor.co.ug/uganda/news/national/women-media-practitioners-decry-social-media-harassment-3513066>, Accessed 11 October 2021.

²²⁷ The Observer, "Ugandan journalist arrested for lodging with Afghan evacuees", 29 August 2021, <https://observer.ug/news/headlines/71021-ugandan-journalist-arrested-for-lodging-with-afghan-evacuees>, Accessed 11 October 2021.

²²⁸ Daily Monitor, "40 arrested as security surround Bobi, Besigye homes", 10 May 2021, <https://www.monitor.co.ug/uganda/news/national/40-arrested-as-security-surround-bobi-besigye-homes-3395236>, Accessed 11 October 2021.

²²⁹ The observers, "Police arrest and 'out' dozens during an LGBT engagement party in Uganda", 8 August 2021, <https://observers.france24.com/en/africa/20210610-police-arrest-and-out-dozens-at-lgbt-engagement-party-uganda>, Accessed 11 October 2021.

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

On 14 June 2021, 18 opposition supporters were released on bail by the Ugandan Military Court.²³² The opposition supporters were arrested while campaigning, for allegedly violating COVID-19 restrictions.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 2016.²³⁴ 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.²³⁵ The NGOs claim they are being harassed for political purposes.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.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.²³⁸

Freedom of peaceful assembly

²³⁰ Reporters Sans Frontieres, “Uganda: violent arrests at unofficial gay marriage”, 3 June 2021, <https://www.rfi.fr/fr/afrique/20210603-ouganda-arrestations-violentes-lors-d-un-mariage-gay-officiels>, Accessed 11 October 2021.

²³¹ Reporters Sans Frontieres, “Uganda: violent arrests at unofficial gay marriage”, 3 June 2021, <https://www.rfi.fr/fr/afrique/20210603-ouganda-arrestations-violentes-lors-d-un-mariage-gay-officiels>, Accessed 11 October 2021.

²³² Daily Monitor, “Nubian Li, Eddie Mutwe, several other Bobi supporters finally granted bail”, 14 June 2021, <https://www.monitor.co.ug/uganda/news/national/nubian-li-eddie-mutwe-several-other-bobi-supporters-finally-granted-bail-3436776>, Accessed 11 October 2021.

²³³ Civicus Monitor, “Turbulent election period sees attacks on opposition, internet shutdown and police violence”. 27 January 2021, <https://monitor.civicus.org/updates/2021/01/27/turbulent-election-period-sees-attacks-opposition-internet-shutdown-and-police-violence/>, Accessed 11 October 2021.

²³⁴ Reuters, “Uganda suspends work of 54 NGOs, increasing pressure on charities”, 20 April 2021, <https://www.reuters.com/world/africa/uganda-suspends-work-54-ngos-increasing-pressure-charities-2021-08-20/>, Accessed 11 October 2021.

²³⁵ Ministry of Internal Affairs, “Statement on halting of operations of fifty four (54) NGOs due to non-compliance with the NGO Act 2016”, 20 August 2021, <https://www.ngobureau.go.ug/sites/default/files/news-notices/2021/08/STATEMENT%20ON%20HALTING%20OF%20OPERATIONS%20DUE%20TO%20NON-COMPLIANCE.pdf>, Accessed 11 October 2021.

²³⁶ Voice of America, “Uganda Suspends 54 Aid Groups; Groups Say They Are Being Harassed”, 20 August 2021, <https://www.voanews.com/a/africa-uganda-suspends-54-aid-groups-groups-say-they-are-being-harassed/6209789.html>, Accessed 11 October 2021.

²³⁷ Uganda National NGO forum, “Statement on the Meeting with the Minister of Internal Affairs”, 24 August 2021, <https://ngoforum.or.ug/2021/08/25/statement-meeting-minister-internal-affairs>, Accessed 11 October 2021.

²³⁸ African Defenders, “UGANDA: END REPRESSION OF CIVIL SOCIETY”, 27 August 2021, <https://africandefenders.org/uganda-end-repression-of-civil-society/>, Accessed 11 October 2021.

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.²³⁹ 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.

²³⁹ MulengeraNews, “FDC EC Secretary Ojobile detained for throwing coffin at mulago in protest against ps atwine reappointment”, 11 August 2021, <https://mulengeraNews.com/fdc-ec-secretary-ojobile-detained-for-throwing-coffin-at-mulago-in-protest-against-ps-atwine-reappointment/>, Accessed 11 October 2021.