



# DEFENDDEFENDERS

East and Horn of Africa Human Rights Defenders Project

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

OCTOBER 2022-APRIL 2023

REPORT SUBMITTED AHEAD OF THE 75<sup>TH</sup> ORDINARY SESSION OF THE  
AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS

BANJUL, THE GAMBIA,

APRIL 2023 DefendDefenders' Bi-Annual Report to the ACHPR

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## Executive summary

DefendDefenders (the East and Horn of Africa Human Rights Defenders Project) welcomes the opportunity offered by the 75<sup>th</sup> ordinary session of the African Commission on Human and Peoples' Rights (“the Commission”) to highlight the most pressing human rights issues in the East and Horn of Africa sub-region for the period October 2022 to April 2023. This submission focuses on issues pertaining to civic space, in particular citizens' enjoyment of their rights to freedoms of opinion and expression, peaceful assembly, and association, as well as the situation of human rights defenders (HRDs).

During the reporting period, the sub-region faced high-level and, in some cases, increasing restrictions on civic space, as well as ongoing human rights crises in Ethiopia, South Sudan, and Sudan. The sub-region also witnessed widespread harassment, intimidation, and attacks on HRDs and human rights organisations. In some countries, strict laws were enacted that limited citizens' rights to free association and expression, targeting independent organisations and media outlets with vague, overbroad terminology that paves the way for abuse. During the reporting period, HRDs working on sexual orientation and gender identity and expression (SOGIE) were repeatedly attacked in Kenya, Burundi, and Uganda.

In **Burundi**, human rights violations remained widespread and systematic. Despite earlier efforts by President Évariste Ndayishimiye to improve respect for freedoms of expression and association, no substantive steps have been taken to create and maintain an open civic space. Human rights organisations are restricted in their ability to work freely or independently and HRDs continue to be subjected to harassment, intimidation, arbitrary detention, and judicial prosecution. In February, five HRDs were arrested and accused of rebellion and of undermining internal state security and the functioning of public finances. The baseless charges relate to the relationship and funds their organisations have received from an international organisation. This raises concern about a renewed crackdown on civil Society organisations (CSOs) in the country. Additionally, authorities continue to crack down on minority groups, particularly the lesbian, gay, transgender, and others (LGBT+) community, in the form of arrests and hate speech. Furthermore, Burundi's national intelligence service (SNR), police, and ruling CNDD-FDD party youth members, the Imbonerakure militia, have been accused of killings, disappearances, torture, ill-treatment, arbitrary arrests, and detention of real or suspected opponents.

**Djibouti** and **Eritrea** remain some of the most closed states in the sub-region, and authorities are unwilling to address human rights violations. Djibouti held parliamentary elections in February, and the main opposition party claimed the elections were not free and fair. Political opposition groups and independent human rights groups operate in a climate of fear and repression. In March, the Vice-President of the International Federation for Human Rights (FIDH) was arrested and expelled while conducting a fact-finding mission. An FIDH programme officer was denied entry despite having a valid visa. In Eritrea, authorities continue to unduly restrict the rights to freedom of association, assembly, expression, and

religion to the point that civic space is non-existent. All independent HRDs and organisations operate in exile. Additionally, Eritrean forces remained in parts of Ethiopia's Tigray region, where they have continued to commit serious violations, some of which may amount to crimes under international law.

**Ethiopia** continues to face a grave human rights situation. Human rights violations and abuses remain widespread, both because of the Tigray conflict – which has not completely ceased despite the signature of the Pretoria peace agreement between the Federal Government and the Tigray People's Liberation Front (TPLF) in November 2022 – and because of violence and tensions in other regions, including Oromia. The country also faced violent protests, which claimed dozens of lives, sparked by disunity within the Orthodox church. The right to freedom of expression remains significantly stifled. Authorities continue to arrest journalists, and recently suspended 15 media outlets.

**Kenya** faces increased tension between the government, opposition members, and civilians over crippling increases in living costs. In the reporting period, violations of the right to peaceful assembly have been among the most common restrictions documented. Police officers continue to use excessive force to disperse protests. Despite the progressive step taken by the Supreme Court, which confirmed the decisions of the Court of Appeal to permit the registration of the National Gay & Lesbian Human Rights Commission as a non-governmental organisation (NGO), the LGBT+ community continues to face attacks and threats. Positively, President William Ruto dissolved the Special Service Unit (SSU) that was notorious for abductions and extra-judicial killings.

**Rwanda's** civic space remains severely restricted, with limited space for independent actors as a result of repression of free speech and arbitrary detention of critics, dissenters, and HRDs. Theoneste Nsengimana, a journalist and a member of an opposition political party, was sentenced to seven years imprisonment for “spreading rumours to cause unrest among the population.” Positively, in October, three journalists were acquitted by a Rwandan court, and Paul Rusesabagina, an outspoken critic and former manager of the Hôtel des Mille Collines in Kigali, where he hosted dozens at risk of killing during the 1994 genocide, who was serving a 25-year prison sentence since September 2021, was released in March 2023. He went into exile in the USA.

**Somalia** continues to experience conflict and severe drought caused by the lack of rain that has led to the displacement of over 1.8 million people and a new humanitarian crisis. The extremist group Al-Shabaab continued to carry out terrorist attacks in some parts of the country, leading to the injury of at least 948 people,<sup>1</sup> the death of 613 civilians and the displacement of over a million people.<sup>2</sup> The exercise by Somali citizens of their freedoms of

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<sup>1</sup> United Nations, “Human rights chief decries steep rise in civilian casualties,” 14 November 2022, <https://news.un.org/en/story/2022/11/1130552>, Accessed on 26 March 2023.

<sup>2</sup> United Nations, “Amid Devastating Drought, Ongoing Rights Violations, Somalia Pushes Forward in Fight against Al-Shabaab Terror Group, Security Council Hears,” 22 February 2023, <https://press.un.org/en/2023/sc15208.doc.htm>, Accessed on 26 March 2023.

expression and association were limited, as journalists and critics face harassment, arrests, and intimidation for reporting on sensitive topics. Government security forces have also been responsible for extrajudicial killings, torture, and arbitrary detentions of people suspected of being Al-Shabaab members. The separatist, self-governing region of Somaliland faced deadly clashes between its forces and local militias in Las Anod, the administrative capital of the Sool region. Despite the intention of the region's authorities to hold a poll on 13 November, President Muse Bihi's term and elections were extended for nine months.

**South Sudan** continues to face extreme levels of humanitarian crisis, violence, and impunity, including abductions, extrajudicial killings, rape, gang rape, and other forms of conflict-related sexual violence in 2022 as a result of renewed clashes across the country. In March 2023, the UN Security Council approved a resolution that extended the UN Mission in South Sudan (UNMISS) until 15 March 2024. A few weeks later, the UN Human Rights Council renewed the mandate of its Commission on Human Rights in South Sudan (CHRSS). Authorities, in particular the National Security Service (NSS), continue to unduly restrict free expression, association, and assembly, and to arbitrarily detain critics, HRDs, and journalists.

**Sudan's** human rights situation remains dire following the 25 October 2021 military coup, with the suffocation of civil society and suppression of civic space, as HRDs, journalists, and protestors continue to be targeted. Intercommunal violence continues to be a major source of killings, sexual violence, and displacement in the Darfur region and in other conflict areas of Blue Nile and South Kordofan, as well as in Eastern Sudan. Victims and survivors of human rights violations continue to be denied justice, redress, and accountability. On 5 December 2022, the Sudanese military and a coalition of major civilian actors signed a framework agreement paving a path to a new civilian government more than a year after the military seized power. The signature of a full agreement opening a two-year transition period remains pending. On 16 April 2023, violence erupted during negotiations to integrate the Rapid Support Forces (RSF) into the country's military Sudanese Armed Forces (SAF), aimed at restoring civilian rule. The tension had been building between the army and the powerful paramilitary group for weeks. The clashes between them have caused deaths, injuries, and shattered hopes for a peaceful transition, with at least 459 people killed and over 4000 people injured as of 25 April.<sup>3</sup> A shortage of specialised medical personnel, water, power, and fuel for generators in hospitals has been reported by the World Health Organisation (WHO). Furthermore, access to information is restricted, as the government-owned national TV channel is no longer broadcasting.<sup>4</sup>

In **Tanzania**, positive developments have been recorded since President Samia Suluhu Hassan took office. For example, the government allowed opposition parties to hold public

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<sup>3</sup> UN News, "Sudan: UN aid operation continues amid dire humanitarian conditions," 25 April 2023, <https://news.un.org/en/story/2023/04/1135992>, Accessed 26 April 2023.

<sup>4</sup> CNN, "Rival generals are battling for control in Sudan," 17 April 2023, <https://edition.cnn.com/2023/04/16/africa/sudan-military-clashes-explained-intl/index.html>, Accessed on 17 April 2023.

meetings and sent positive signals regarding freedom of the media and NGOs. However, concerns remain, including about the forceful eviction of Maasai pastoralists from their community land in the Loliondo/Ngorongoro areas.

**Uganda**, traditionally a hub for civil society and human rights organisations, including HRDs in exile from neighbouring countries, faces tensions regarding exercise of freedom of peaceful assembly, in particular by political opposition members and supporters. Despite the constitutional court declaring sections 5 and 10 of the Public Order Management Act 2013 null and void, police continue to implement those sections. Journalists face various forms of intimidation, including through the threat of arrest and assault, especially for writing on politically sensitive topics. Positively, in January 2023, Uganda's Constitutional Court nullified section 25 of the country's Computer Misuse Act, which constituted a charge of offensive communication for which those found guilty could serve up to five years in prison upon conviction. In early 2023, Uganda refused to renew the agreement on the operations of the United Nations Human Rights Office in the country, citing the development of sufficient domestic capacity to monitor rights compliance. The LGBT+ community faces increased pressure following the passing, in March 2023, of a new anti-homosexuality bill that criminalises same-sex acts and expression of/identification as "LGBT."

## **Recommendations**

Considering these trends, DefendDefenders makes the following recommendations to the African Commission on Human and Peoples' Rights:

- Urge all member States to ensure the protection of HRDs, notably by observing the African Charter on Human and Peoples' Rights and the provisions and spirit of the United Nations Declaration on Human Rights Defenders.
- 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.
- Urge member States to cease the harassment and arbitrary detention of HRDs, including those working on politically sensitive topics such as governance, business and human rights, women's rights, and minorities, including the LGBT+ community.
- 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 and urge the government to cooperate with African and international mechanisms, including the African Commission established Commission of Inquiry on Tigray and the International Commission of Human Rights Experts on Ethiopia established by the UN Human Rights Council.

- Call on the Government of Burundi, to allow access in Burundi to the regional and international mechanisms in charge of the monitoring of Human Rights, especially the UN Special Rapporteur on the situation of Human Rights in Burundi.
- Adopt a resolution on Sudan calling on its armed forces and the Rapid Support Forces to immediately ceasefire, restore a civilian-led Transitional Government, and respect human rights and fundamental freedoms including the right to freedom of association and peaceful assembly.
- Call on the Commission to form an independent mechanism in Sudan to conduct a thorough investigation into alleged violations and abuses of inter-national human rights law and violations of international humanitarian law and related crimes committed by all parties in Sudan since 25 October 2021, including on their possible gender dimensions.
- Call on the Government of Sudan cooperate with African and international mechanisms, and to hold those responsible accountable.
- Call on the government of South Sudan to expedite the full implementation of the 2018 revitalized signed agreement; more in particular Chapters 2 and 5 on permanent ceasefire & transitional security arrangements and transitional justice to have a fully unified and disciplined security sector as well as a proper justice system; ratify and domesticate the International Convention on the Protection of all Persons from enforced disappearances.

## Burundi

### General situation

On 26 October 2022, the European Union lifted sanctions against three of Burundi's high-level officials.<sup>5</sup> The three officials, Prime Minister Gervais Ndirakobuca, senior adviser in the president's office Godefroid Bizimana, and former senior military official Leonard Ngendakumana, were part of the officials slapped with EU travel bans and asset freezes for their role in violations committed in relation to the 2015 crisis.

### Freedom of association

Burundi authorities continued to illegally detain human rights lawyer Tony Germain Nkina, despite the country's Supreme Court overturning his conviction on 8 December 2022.<sup>6</sup> His case was sent back to the Appeal Court of Ngozi for a new trial. On 20 December, that Court acquitted him and his co-accused of all charges. However, Burundi's chief prosecutor refused to sign the release order because he would be appealing the ruling. Yet the country's legislation provides for the immediate release of a person upon acquittal, regardless of prosecutorial appeal. Nkina was arrested in 2020 while visiting a client in Kabarore commune and convicted by a court in Kaynaza last year of "collaborating with rebels that attacked Burundi" and sentenced to five years in prison, despite no evidence presented against him. On 28 December 2022, he was eventually released from prison.<sup>7</sup>

On 14 February 2023, Burundian authorities arbitrarily arrested five HRDs and accused them of "rebellion and undermining internal state security and the functioning of public finances."<sup>8</sup> Two of the defenders work for the *Association des femmes juristes du Burundi*, (Association of Women Jurists in Burundi, or AFJB) and three for the *Association pour la paix et la promotion des droits de l'Homme* (Association for Peace and Promotion of Human Rights, or APDH). The charges relate to the relationship and funds their organisations have received from an international organisation. Four HRDs, including Sonia Ndikumasabo, Marie Emerusabe, Audace Havyarimana, and Sylvana Inamahoro, were arrested at Bujumbura Airport as they were preparing to travel to Uganda for a meeting with partners. Meanwhile, Prosper Runyange was arrested in Ngozi on 14 February and transferred to Bujumbura the next day. Their pretrial detention was confirmed by the High Court of Ntahangwa in Bujumbura on 2 March 2023.

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<sup>5</sup> Reuters, "EU lifts sanctions on three Burundian officials including PM," 26 October 2022, <https://www.reuters.com/world/eu-lifts-sanctions-three-burundian-officials-including-pm-2022-10-25/>, Accessed on 26 March 2023.

<sup>6</sup> Human Rights Watch, "HRDs," Still Detained Despite Acquittal," 22 December 2022, <https://www.hrw.org/news/2022/12/22/no-reprieve-burundi>, Accessed on 26 March 2023.

<sup>7</sup> SOS Medias Burundi, "lawyer Tony Germain Nkina released," 28 December 2022, <https://www.sosmediasburundi.org/en/2022/12/28/burundi-lawyer-tony-germain-nkina-released/>, Accessed on 26 March 2023.

<sup>8</sup> Human Rights Watch, "Free Five Rights Defenders," 14 March 2023, <https://www.hrw.org/news/2023/03/14/burundi-free-five-rights-defenders>, Accessed on 26 March 2023.



On 23 February 2023, police officers arrested 24 people during a seminar organised by MUCO Burundi, a non-profit organisation working on HIV/Aids in Gitega. When neighbours saw teenagers entering the non-profit organisation's office, they contacted the police. According to the police investigations, "condoms and documents on the rights of homosexuals" were found at the site. All 24 were charged with "homosexual behaviours and incitement to homosexual practices" following ten days of questioning.<sup>9</sup> Since 2009, homosexuality is illegal in Burundi. It is punishable with a prison sentence of up to two years. President Evariste Ndayishimiye has encouraged people to "eradicate homosexuality" from the nation.

## **Freedom of opinion and expression**

On 2 January 2023, the Mukaza High Court in Bujumbura convicted Floriane Irangabiye on charges of "undermining the integrity of the national territory." The Court sentenced her to 10 years and a fine of 1,000,000 Burundian Francs (US\$ 480).<sup>10</sup> According to the Court's ruling, her conviction stems from an August 2022 Radio Igicaniro program she presented in which she interviewed an HRD and a journalist in exile who both criticised Burundi's human rights record. Sylvestre Nyandwi, Burundi's prosecutor general, claimed that the conviction was not politically motivated. On 23 January 2023, Irangabiye's lawyers filed an appeal.<sup>11</sup>

## **Djibouti**

### **General situation**

Djibouti held its parliamentary elections in February 2023. The main opposition parties, including the Movement for Democratic Renewal and Development (MRD) and the Republican Alliance for Democracy (ARD) boycotted the elections due to claims that the elections would not be free or fair.<sup>12</sup> As a result, only two parties ran for seats in the 65-member National Assembly.

### **Freedom of association**

On 14 April 2023, Alexis Deswaef, Vice-President of the International FIDH, was detained at his hotel after a 48-hour mission in Djibouti that was complicated by the Djibouti Security

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<sup>9</sup>Jamaica Observer, "Burundi arrests 24 in the anti-gay crackdown," 25 March 2023, <https://www.jamaicaobserver.com/latest-news/burundi-arrests-24-in-anti-gay-crackdown/>, Accessed on 26 March 2023.

<sup>10</sup> Committee to Protect Journalists (CPJ), "Burundian journalist Floriane Irangabiye sentenced to 10 years in prison," 20 January 2023, <https://cpj.org/2023/01/burundian-journalist-floriane-irangabiye-sentenced-to-10-years-in-prison/>, Accessed on 26 March 2023.

<sup>11</sup> Human Rights Watch, "Journalist's Conviction Violates Free Speech Rights," 2 February 2023, <https://www.hrw.org/news/2023/02/02/burundi-journalists-conviction-violates-free-speech-rights>, Accessed on 26 March 2023.

<sup>12</sup> Al Jazeera, "Djibouti holds parliamentary vote branded as sham by opposition," 24 February 2023, <https://www.aljazeera.com/news/2023/2/24/djibouti-to-hold-parliamentary-vote-snubbed-by-opposition>, Accessed on 26 March 2023.

and Documentation Service tailing.<sup>13</sup> He was then brought to the airport where he boarded a flight to Addis Ababa. On 12 March 2023, a programme officer for FIDH was denied entry despite having a valid visa.

## **Eritrea**

### **General situation**

On 30 December 2022, Eritrean troops withdrew from Shire, a town in Ethiopia's Tigray region following a cease-fire agreement between the TPLF and Ethiopia's federal government to end the conflict that has killed and displaced millions since its outbreak in November 2020. It remains unclear, however, whether Eritrea maintains soldiers in other areas of Tigray.<sup>14</sup>

### **Freedom of opinion and expression**

On 15 October 2022, the People's Front for Democracy and Justice government arbitrarily detained an Eritrean Catholic Bishop, Fikremariam Hagos, in Asmara upon arrival from pastoral duties overseas.<sup>15</sup>

On 15 December 2022, the Committee to Protect Journalists (CPJ), released its annual prison census report. The report ranked Eritrea as the ninth-worst country for press freedom violations worldwide based on the number of journalists it imprisons.<sup>16</sup> Eritrea has consistently been ranked as last or second-to-last in Reporters Without Borders (RSF's) annual World Press Freedom Index.<sup>17</sup>

## **Ethiopia**

### **General situation**

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<sup>13</sup> FIDH, "FIDH Vice-President arrested and expelled from Djibouti," 14 March 2023, <https://www.fidh.org/en/region/Africa/djibouti/fidh-vice-president-arrested-and-expelled-from-djibouti#:~:text=Paris%2C%2014%20March%202023,to%20the%20capital%20of%20Ethiopia>, Accessed on 26 March 2023.

<sup>14</sup> Aljazeera, "Eritrean soldiers leaving parts of Ethiopia's Tigray." 30 December 2022, <https://www.aljazeera.com/news/2022/12/30/eritrean-soldiers-leaving-major-towns-in-northern-ethiopia-witnesses> Accessed on 26 March 2023.

<sup>16</sup> CPJ, "Prison Census," 14 December 2022, [https://cpj.org/wp-content/uploads/2022/12/CPJ\\_2022-Prison-Census.pdf](https://cpj.org/wp-content/uploads/2022/12/CPJ_2022-Prison-Census.pdf), Accessed on 26 March 2023.

<sup>17</sup>RSF, "RSF's 2022 World Press Freedom Index," <https://rsf.org/en/rsf-s-2022-world-press-freedom-index-new-era-polarisation#:~:text=The%202022%20edition%20of%20the.encourages%20fake%20news%20and%20pro-paganda>, Accessed on 26 March 2023.

On 2 November 2022, in South Africa, Ethiopia's federal government and the TPLF, signed a ceasefire after days of negotiations mediated by the African Union.<sup>18</sup> This agreement, as part of the peace process, has had a positive impact on humanitarian operations and the restoration of telecommunications and essential services.<sup>19</sup>

On 29 November 2022, an attack by the "Fano Militia" on the people of Kiiramuu District claimed many lives and displaced thousands in the neighboring Amhara region of Ethiopia.<sup>20</sup>

On 31 January 2023, the Ethiopia Human Rights Defenders Coalition launched its annual report on the situation of HRDs in Ethiopia in the country due to the conflict. HRDs and journalists bore the brunt of arbitrary arrests and torture. Furthermore, the report found that repressive legislation is used to silence civil society and HRDs.<sup>21</sup>

In February 2023, the Ethiopian government announced a move to end the UN-mandated investigation, the International Commission of Human Rights Experts on Ethiopia (ICHREE).<sup>22</sup> During the 52nd session of the Human Rights Council (HRC) in Geneva on 27 February 2023, the government increased its efforts to prevent the release of the ICHREE's report and prevent a final discussion about Ethiopia, scheduled for September 2023.

Unrest continues in the Ethiopian Orthodox Tewahedo Church over the alleged illegal ordination of three archbishops.<sup>23</sup> The Oromia region also faces an escalation of a conflict that affects freedoms of peaceful assembly, association, and expression (including a blockade of access to independent media) and has led to further displacement.<sup>24</sup> According to local authorities, 10,000 people were displaced in the first half of December 2022.

In a positive development, on 22 March 2023, Ethiopia's parliament removed the TPLF from a list of "terrorist organisations". The move aims to strengthen the November 2022 peace

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<sup>18</sup> The New Humanitarian "As Ethiopia's Tigray peace deal is hailed, a tricky implementation lies ahead," 4 November 2022, <https://www.thenewhumanitarian.org/news/2022/11/04/Ethiopia-Tigray-peace-Pretoria-Obasanjo-Africa-Union>, Accessed on 26 March 2023.

<sup>19</sup> Relief Web, "Situation Report," 15 December 2022, <https://reliefweb.int/report/ethiopia/ethiopia-situation-report-15-dec-2022>, Accessed on 26 March 2023.

<sup>20</sup> All Africa, "Protests Erupt Across Oromia After Latest Violence in East Wollega, OLF Calls On Oromos to 'Defend' Themselves," 6 December 2022, <https://allafrica.com/stories/202212060441.html>, Accessed on 26 March 2023.

<sup>21</sup> EHRDC, "EHRDC launched its first Annual Report on Situations of HRDs in Ethiopian 2023," <https://ethdefenders.org/ehrdc-launched-its-first-annual-report-on-situations-of-human-rights-defenders-in-ethiopian-2023/>, Accessed on 26 March 2023.

<sup>22</sup> Voice Of America, "Addis Seeks Stop to UN Tigray Probe," 27 February 2023, <https://www.voaafrica.com/a/assis-seeks-stop-to-un-tigray-probe/6980850.html>, Accessed on 26 March 2023.

<sup>23</sup> Religion unplugged, "The Crisis Of Schism In The Ethiopian Orthodox Tewahedo Church," 4 February 2023, <https://religionunplugged.com/news/2023/2/2/the-cause-and-context-of-the-crisis-of-schism-in-the-ethiopian-orthodox-tewahedo-church-eotc>, Accessed on 26 March 2023.

<sup>24</sup> The New Humanitarian, "As violence subsides in Tigray, Ethiopia's Oromia conflict flares, 12 January 2023, <https://www.thenewhumanitarian.org/news-feature/2023/01/12/Ethiopia-Oromia-conflict-OLA>, Accessed on 26 March 2023.

agreement and to establish an interim regional government following the end of the two-year civil war, which claimed many lives and displaced millions from their homes.<sup>25</sup>

### **Freedom of opinion and expression**

On 13 December 2022, security forces detained the founder and owner of private YouTube-based media site Ethio Nikat, Meskerem Abera, over allegations of inciting violence, disseminating misinformation, and defaming the military through her platforms.<sup>26</sup> On 15 December 2022, a federal court ordered an extension of her detention for further investigations. Meskerem Abera was previously arrested in May 2022 without formal charges.<sup>27</sup>

On 11 January 2023, a court in Mekelle, Tigray's regional capital, released two of the five Tigray Television journalists, Teshome Temalew and Misgena Seyoumthree, who were detained for the past eight months on charges of "collaborating and disseminating enemy propaganda."<sup>28</sup> A third journalist, Haben Halefom, was released a few weeks earlier.

On 28 January 2023, the communication bureau announced the suspension of 15 media outlets for failing to obtain proper media accreditation from the federal government media regulatory body in Ethiopia's Somali Region.<sup>29</sup> The media outlets include BBC Somali, MM TV, Universal TV, Horyaal TV, RTN TV, Universal TV, Five TV, Sahan TV, Horn Cable TV, and Goobjoog TV. The outlets asserted that the regional government intends to silence critical foreign media outlets because they cover issues that expose the ruling party, namely corruption, conflict, and drought-related issues.

On 10 February 2023, authorities in Ethiopia partially shutdown the internet and restricted access to social media, including Facebook, Messenger, TikTok and Telegram, following violent protests triggered by disunity within the country's Orthodox Church.<sup>30</sup>

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<sup>25</sup>Aljazeera, "Ethiopia removes 'terrorist' tag from Tigray regional party," 22 March 2023, <https://www.aljazeera.com/news/2023/3/22/update-1-ethiopia-removes-terrorist-designation-from-dominant-tigray-party> Accessed on 26 March 2023.

<sup>26</sup>CPJ, "Ethiopia must release journalist Meskerem Abera after second detention this year," 20 December 2022, <https://cpj.org/2022/12/ethiopia-must-release-journalist-meskerem-abera-after-second-detention-this-year/>, Accessed on 27 March 2023.

<sup>27</sup>CPJ, "Ethiopian authorities arrest 11 employees of 4 independent media outlets," 24 May 2022, <https://cpj.org/2022/05/ethiopian-authorities-arrest-11-employees-of-4-independent-media-outlets/>, Accessed on 27 March 2023.

<sup>28</sup>Addis Standard, "Three of five Tigray Tv journalists released after eight months in detention, defense lawyer laments court procedure," 17 January 2023, <https://addisstandard.com/news-three-of-five-tigray-tv-journalists-released-after-eight-months-in-detention-defense-lawyer-laments-court-procedure/>, Accessed on 27 March 2023.

<sup>29</sup>Addis Standard, "Somali region suspends 15 media outlets, accuses reporters of working without licenses," <https://addisstandard.com/news-somali-region-suspends-15-media-outlets-accuses-reporters-of-working-without-licenses/>, Accessed on 27 March 2023.

<sup>30</sup>Reuters, "Social media restricted in Ethiopia after church rift turns violent," 10 February 2023, <https://www.reuters.com/world/africa/social-media-restricted-ethiopia-after-church-rift-turns-violent-2023-02-10/>, Accessed on 27 March 2023.

On 15 February 2023, security agents imprisoned two media workers, Tewodros Asfaw and Deacon Yosef Ketema, without an arrest warrant following the current rift within the Ethiopian Orthodox Tewahedo Church (EOTC).<sup>31</sup> Tewodros has been critical of the government in his commentaries on political and social issues. Prior to his arrest, he spoke about the call made by EOTC for a nationwide demonstration on his YouTube channel. Similarly, Deacon Yosef conducted frequent interviews with religious figures on the current affairs of the church. On 21 February 2023, the authorities released Deacon Yosef, while Tewodros Asfaw was released the day after.<sup>32</sup>

On 26 February 2023, Ethiopian authorities detained Eskinder Nega, a journalist and the founder of an Amhara political party, and later transferred him to a prison in Bahir Dar on charges that remain unclear.<sup>33</sup>

### **Freedom of peaceful assembly**

On 4 February 2023, security forces killed eight people as they opened fire to disperse those gathered for a ceremony for newly appointed clergy members with Orthodox Christian followers in the West Arsi zone, Shashemene City, Oromia Region.<sup>34</sup>

On 17 February 2023, a protest by a group of older women in southern Ethiopia fueled by a water crisis claimed the lives of two people as security personnel tear-gassed and opened fire on demonstrators. Several were also injured.<sup>35</sup>

## **Kenya**

### **General situation**

On 16 October 2022, Kenyan President William Ruto announced that he had dissolved a police unit notorious for abductions and extra-judicial killings, in a move hailed by rights

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<sup>31</sup>All Africa, "Security Forces Detain Two Journalists Amidst Crackdown Following Ongoing Orthodox Church Schism, Ensuing Unrest," 15 February 2023, <https://allafrica.com/stories/202302160062.html>, Accessed on 27 March 2023.

<sup>32</sup>RSF, "In Ethiopia's Somali region, 15 foreign TV channels banned, journalist arrested," 23 February 2023, <https://rsf.org/en/ethiopia-s-somali-region-15-foreign-tv-channels-banned-journalist-arrested>, Accessed 19 April 2023.

<sup>33</sup>Bangkokpost, "Ethiopian dissident Eskinder Nega arrested: political party," 26 February 2023, <https://www.bangkokpost.com/world/2515505/ethiopian-dissident-eskinder-nega-arrested-political-party>, Accessed on 27 March 2023.

<sup>34</sup>Addis Standard, "Tigray interim president sets out regional territorial integrity, justice, IDPs as priorities as interim administration assume power," 23 March 2023, <https://addisstandard.com/news-ethiopian-rights-commission-says-eight-people-killed-in-shashemene-security-forces-applied-excessive-use-of-force/>, Accessed on 27 March 2023.

<sup>35</sup>Voice Of America, "Water Shortage Protest Turns Deadly in Ethiopia's South," 17 March 2023, <https://www.voanews.com/a/water-shortage-protest-turns-deadly-in-ethiopia-s-south/6967729.html>, Accessed on 27 March 2023.

groups.<sup>36</sup> The SSU, a specialised arm of the country's Directorate of Criminal Investigations had come into spotlight in the latter years of former President Uhuru Kenyatta's administration as cases of unexplained disappearances of people and extrajudicial killings of others increased and bodies were found in River Yala.

On 16 March 2023, in response to the economic crisis and high cost of living, Kenya's opposition party, led by Raila Odinga, called for nationwide protests. As a result, protests were held in various parts of the country, including Kisumu, Mombasa, Nairobi, and even in the Mount Kenya region, which is said to have few Raila supporters. However, on 3 April 2023, following an appeal from President William Ruto, Kenyan opposition leader Raila Odinga consented to negotiate and suspend the protests.<sup>37</sup>

### **Freedom of association**

On 4 January 2023, police reported that unknown assailants brutally murdered and dumped the body of Edwin Chiloba, a 24-year-old African LGBT+ rights activist, in a metal box in Kapseret, Uasin Gishu county. LGBT+ minority groups continue to face homophobic attacks.<sup>38</sup> On 31 January 2023, the court charged 24-year-old Jacktone Odhiambo with murder. Reports indicated that he was in a relationship with Edwin Chiloba.<sup>39</sup>

On 17 January 2023, Makadara law courts acquitted eight HRDs of charges of creating a disturbance at Shauri Moyo Police Station.<sup>40</sup> In 2016, police officers detained the HRDs for demanding justice for a minor violated by a station officer.

In a positive development, on 24 February 2023, following a 10-year battle, a five-judge bench of the Supreme Court of Kenya confirmed the decisions of the Court of Appeal to permit the registration of the National Gay & Lesbian Human Rights Commission as an NGO.<sup>41</sup> Despite the new ruling, on 2 March 2023, an anti-LGBT+ group protested the Supreme Court's decision to allow an NGO that advocates for LGBT+ rights to operate.<sup>42</sup> For

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<sup>36</sup>Citizen, "They Became Killers Instead Of Protectors,' President Ruto Explains Disbandment Of DCI Elite Squad," 16 October 2022, <https://www.citizen.digital/news/they-became-killers-instead-of-protectors-president-ruto-explains-disbandment-of-dcis-ssu-n307563>, Accessed on 27 March 2023.

<sup>37</sup> Al Jazeera, "Kenya's Raila Odinga suspends anti-government protests," 3 April 2023, <https://www.aljazeera.com/news/2023/4/3/kenyas-raila-odinga-suspends-anti-government-protests>, Accessed 5 April 2023.

<sup>38</sup> Twitter, KHRC, 6 January 2023, <https://twitter.com/thekhrc/status/1611252833290162179>, Accessed on 27 March 2023.

<sup>39</sup> Africa News, "Kenya to charge one suspect over killing of gay rights activist," 31 January 2023, <https://www.africanews.com/2023/01/31/kenya-to-charge-one-suspect-over-killing-of-gay-rights-activist/>, Accessed 19 April 2023.

<sup>40</sup>Twitter, "KHRC," 17 January 2023, [https://twitter.com/defenderske/status/1615354853605408769?s=24&t=aG2\\_LHNCm6cfs6eMHQ\\_0NA](https://twitter.com/defenderske/status/1615354853605408769?s=24&t=aG2_LHNCm6cfs6eMHQ_0NA), Accessed on 27 March 2023.

<sup>41</sup>Twitter, "KHRC," 24 February 2023, <https://twitter.com/thekhrc/status/1629044503934865409>, Accessed on 27 March 2023.

<sup>42</sup> BBC, "Kenya wrong to ban LGBT rights groups from registering - Supreme Court," 24 February 2023, <https://www.bbc.com/news/world-africa-64491276>, Accessed on 27 March 2023.

a long time, the national board that oversees NGOs refused to register LGBT+ activists.<sup>43</sup> Religious leaders and political figures consistently criticise their work and actions, claiming they violate Kenyan culture.<sup>44</sup>

On 3 February 2023, a Kenyan court issued a death sentence to former police officer Fredrick Leliman for the murder of human rights lawyer Willie Kimani and two others killed in 2016.<sup>45</sup> The court found three officers and a civilian guilty of the murder on 22 July 2022.<sup>46</sup>

On 1 March 2023, following the recent court ruling that community members have a right to association, Seme MP James Nyikal, with other lawmakers, condemned LGBT+ people and all acts of unnatural sexual relations, claiming that they violate natural law.<sup>47</sup>

On 2 March 2023, unknown individuals broke into Muslim for Human Rights (MUHURI) offices and stole valuable property including a laptop with "sensitive information".<sup>48</sup> MUHURI expressed concern that the robbery shows a pattern as their offices have been broken into three times.<sup>49</sup> They reported the incident to the police and investigations are ongoing. MUHURI affirmed that the incident would not intimidate or deter them from doing their work.<sup>50</sup>

### **Freedom of opinion and expression**

On 24 November 2022, Mwangi Muiruri, a journalist from the Nation Media Group was assaulted by the "second lady", Dorcas Gachagua's security personnel at Muti village in the Ithanga sub-county, during a food donations drive.<sup>51</sup> The security personnel confronted Muiruri while he was recording the second lady distributing food and confiscated his phone. During the confrontation they slapped him and attempted to arrest him. On 23 February 2023, Deputy President Rigathi Gachagua accused Mwangi Muiruri, of deliberately

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<sup>43</sup> BBC, "Kenya wrong to ban LGBT rights groups from registering - Supreme Court," 24 February 2023, <https://www.bbc.com/news/world-africa-64491276>, Accessed on 27 March 2023.

<sup>44</sup>Article 19, "Murder of LGBTQ+ activist must prompt urgent reform," <https://www.article19.org/resources/kenya-murder-lgbtq-activist-urgent-reform/>, Accessed on 27 March 2023.

<sup>45</sup> BBC, "Kenya ex-policeman sentenced to death for lawyer's murder," 3 February 2023, <https://www.bbc.com/news/world-africa-64509793>, Accessed on 27 March 2023.

<sup>46</sup> BBC, "Willie Kimani: Kenyan policemen guilty of murdering human rights lawyer," 22 July 2022, <https://www.bbc.com/news/world-africa-62264439>, Accessed on 27 March 2023.

<sup>47</sup> The Star, "Female body is proof that nature is against LGBTQ - MP Nyikal," 1 March 2023, <https://www.the-star.co.ke/news/2023-03-01-female-body-is-proof-that-nature-is-against-lgbtq-mp-nyikal/>, Accessed on 27 March 2023.

<sup>48</sup> Twitter, "Muhuri Kenya," 3 March 2023, <https://twitter.com/MUHURIKENYA/status/1631539026820845569>, Accessed on 27 March 2023.

<sup>49</sup>Twitter, "Muslim For Human Rights," <https://twitter.com/MUHURIKENYA/status/1631691100355215360>, Accessed on 27 March 2023.

<sup>50</sup>Twitter, "Muslim For Human Rights," 3 March 2023, <https://twitter.com/MUHURIKENYA/status/1631691105472331777>, Accessed on 27 March 2023.

<sup>51</sup> The Star, "Gachagua attacks journalist assaulted by wife's aides," 23 February 2023, <https://www.the-star.co.ke/counties/central/2023-02-23-gachagua-attacks-journalist-assaulted-by-wifes-aides/>, Accessed on 27 March 2023.

disrupting Kenya Kwanza functions.<sup>52</sup> Deputy President Gachagua claimed that the journalist previously disrupted two of President William Ruto's campaign functions in Murang'a county while he was a deputy president. In a separate incident, on 27 February 2023, the Deputy President alleged that journalists were biased against him and were being paid by certain individuals to harm his reputation.<sup>53</sup>

On 15 February 2023, the government ordered one of Nairobi's leading bookstores Textbook Centre, to stop selling a teen book titled 'What's Happening to Me?'<sup>54</sup> The ruling follows a public outcry from parents with school-age children and religious leaders demanding that the government conduct a thorough market audit and prohibit gay-themed books. Parts of the book allegedly defines lesbian and gay dating and states that "it's possible to fancy both boys and girls." Religious clerks called on President William Ruto to protect teens from "so-called same-sex doctrine through books from Western countries."

On 24 March 2023, Kenya's media regulatory authority threatened to revoke the broadcast licenses of six local media outlets, including Citizen TV, NTV, K24, KBC, TV47, and Ebru TV, for allegedly "violating the programming code" in their coverage of the abovementioned protests called by the opposition.<sup>55</sup>

### **Freedom of peaceful assembly**

On 21 February 2023, police used tear gas to disperse shirtless protesters and detained some demonstrators, during a protest on the rising living cost.<sup>56</sup> On 22 February 2023, a court charged Kenyan comedian Eric Omondi and 16 other content creators for staging a sit-in protest demanding to speak with national assembly Speaker Moses Wetang'ula about the high cost of living outside parliament. Court freed them on a cash bail of Sh10,000 each.<sup>57</sup>

On 23 February 2023, cyberbullies threatened sexual violence on Gloria Orwoba, a Kenyan politician, for protesting period poverty (the inability to afford or access period supplies) which they termed as violating the house's "dress code" by sitting through a senate meeting

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<sup>52</sup> The Star, "Gachagua attacks journalist assaulted by wife's aides," 23 February 2023, <https://www.the-star.co.ke/counties/central/2023-02-23-gachagua-attacks-journalist-assaulted-by-wifes-aides/>, Accessed on 27 March 2023.

<sup>53</sup> The Standard, "Verbal attacks against journalists unwarranted," 13 February 2023, <https://www.standardmedia.co.ke/editorial/article/2001467918/verbal-attacks-against-journalists-unwarranted>, Accessed on 27 March 2023.

<sup>54</sup> Washington blade, "Kenya cracks down on teenage books with gay-specific themes," 15 February 2023, <https://www.washingtonblade.com/2023/02/15/kenya-cracks-down-on-teenage-books-with-gay-specific-themes/>, Accessed on 27 March 2023.

<sup>55</sup> Nile post, "Kenya threatens to withdraw licenses of media houses that cover protests 'carelessly'," 23 March 2023, <https://nilepost.co.ug/2023/03/23/kenya-threatens-to-withdraw-licenses-of-media-houses-that-cover-protests-carelessly/>, Accessed on 27 March 2023.

<sup>56</sup> Africa news, "Young demonstrators protest cost of living in Nairobi," 21 February 2023, <https://www.africanews.com/2023/02/21/young-demonstrators-protest-cost-of-living-in-kenya/>, Accessed on 27 March 2023.

<sup>57</sup> The Citizen, "Comedian Eric Omondi and 16 others charged, freed on Sh10,000 cash bail each," 22 February 2023, <https://www.thecitizen.co.tz/tanzania/news/east-africa-news/cost-of-living-comedian-eric-omondi-and-16-others-charged-freed-on-sh10-000-cash-bail-each-4133222>, Accessed on 27 March 2023.



in clothing stained with fake menstrual blood.<sup>58</sup> Parliamentarians demanded her ejection from the session with online messages questioning her leadership, calling her actions "shameful." This incident provoked conversations about period stigma and access to menstrual cycles. According to the Ministry of health 2020 figures, approximately 65% of women and girls in urban areas, and 46% in rural areas have access to disposable menstrual pads.

On 20 March 2023, Raila Odinga, the leader of the Azimio la Umoja opposition party, called for a country-wide demonstration to protest the skyrocketing cost of living and the allegedly stolen election conducted last August. During the protests in Nairobi, the police threw tear gas and arrested dozens of people, including two opposition Members of Parliament. Meanwhile, in Kisumu, police authorities shot and killed William Mayange, a Maseno University student, during the demonstrations.<sup>59</sup> According to police reports, protesters, including students, broke through the Maseno police line, "prompting officers to use live bullets to disperse the rowdy youths." Additionally, the police claimed that they ran out of tear gas canisters.

## **Rwanda**

### **General situation**

Rwanda's civic space remains severely restricted, with limited space for independent actors as a result of repression of free speech and arbitrary detention of critics, dissenters, and HRDs. The space for political opposition remained closed. According to Human Rights Watch (HRW), the ruling Rwandan Patriotic Front (RPF) continued to target individuals and their families who were seen as threats to the regime.<sup>60</sup>

### **Freedom of association**

On 24 March 2023, the Rwandan government ordered the release of Paul Rusesabagina, an outspoken critic of Rwandan President Paul Kagame, who had been serving a 25-year prison sentence since September 2021 because of his affiliations with an organisation that opposed Rwandan President Paul Kagame.<sup>61</sup>

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<sup>58</sup> Guardian, "Kenyan senator targeted by online threats after period poverty protest," 20 February 2023, <https://www.theguardian.com/global-development/2023/feb/20/kenyan-senator-gloria-orwoba-online-threats-period-poverty-protest>, Accessed on 27 March 2023.

<sup>59</sup> The East African, "University student shot dead during Kenya's opposition protests, 21 March 2023, <https://www.theeastafrican.co.ke/tea/news/east-africa/varsity-student-killed-in-kenya-protests-4166504>, Accessed on 27 March 2023.

<sup>60</sup> Human Rights Watch, "Rwanda," 2023, <https://www.hrw.org/world-report/2023/country-chapters/rwanda>, Accessed 27 March 2023.

<sup>61</sup> Reuters, "Hotel Rwanda' hero Rusesabagina freed from Rwandan jail," 25 March 2023, <https://www.reuters.com/world/africa/hotel-rwanda-figure-rusesabagina-be-released-prison-government-source-2023-03-24/>, Accessed on 27 March 2023.

## **Freedom of opinion and expression**

On 5 October 2022, three journalists were acquitted by a Rwandan court because prosecutors failed to provide sufficient evidence on the charges against them of distributing false information to incite violence and tarnish the country's image.<sup>62</sup> The journalists have been detained for four years.

On 16 December 2022, the Rwamagana chamber of the High Court sentenced Théophile Ntirutwa, a member of the unregistered Dalfa-Umurinzi opposition party, to seven years imprisonment for "spreading false information or harmful propaganda with intent to cause a hostile international opinion against the Rwandan Government."<sup>63</sup>

On 19 January 2023, Rwanda police confirmed the death of a 43-year-old famous journalist John Williams Ntwali in a car accident. John Williams Ntwali allegedly disappeared for several days after covering a story about the case of a jailed teacher and media investor, Christopher Kayumba.<sup>64</sup>

## **Somalia/ Somaliland**

### **General situation**

Despite the intention of the Somaliland region to vote on 13 November, president Muse Bihi's term and elections were extended for nine months.<sup>65</sup>

On 30 November 2022, Somali forces ended a 20-hour siege at the popular Villa Rays hotel in Mogadishu by the Islamist group al-Shabaab, which claimed 14 lives, including eight civilians.<sup>66</sup>

Somaliland and Puntland continue to face conflict over control of Las Anod, the administrative region's capital in south-eastern Somaliland. On 6 January 2023, after days of deadly protests, Somaliland security forces withdrew from the contested border town of Las Anod, which is claimed by Somalia's Puntland State.<sup>67</sup>

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<sup>62</sup> Reuters, "Rwanda court acquits reporters accused of publishing fake news," 5 October 2022, <https://www.reuters.com/world/africa/rwanda-court-acquits-reporters-accused-publishing-fake-news-2022-10-05/>, Accessed on 27 March 2023.

<sup>63</sup> Human Rights Watch, "Politician Convicted for Harming Rwanda's Image," 18 January 2023, <https://www.hrw.org/news/2023/01/18/politician-convicted-harming-rwandas-image>, Accessed on 27 March 2023.

<sup>64</sup> Twitter, "Sina Rolley," 20 January 2023, [https://twitter.com/soniarolley/status/1616222993645969408?t=JDXJE0mt13LgGGG9a\\_We1g&s=08](https://twitter.com/soniarolley/status/1616222993645969408?t=JDXJE0mt13LgGGG9a_We1g&s=08), Accessed on 27 March 2023.

<sup>65</sup> Reuters, "Somaliland lawmakers vote to extend president's term by two years," 1 October 2022, <https://www.reuters.com/world/africa/somaliland-lawmakers-vote-extend-presidents-term-by-two-years-2022-10-01/>, Accessed on 27 March 2023.

<sup>66</sup> The Africa report, "Al-Shabaab 'is losing ground' says President Mohamud," 30 November 2022, <https://www.theafricareport.com/264496/somalia-al-shabaab-is-losing-ground-says-president-mohamud/>, Accessed on 27 March 2023.

<sup>67</sup> Voice Of America, "Somaliland Withdraws Troops from Disputed Town to Halt Violence," 6 January 2023, <https://www.voanews.com/a/somaliland-withdraws-troops-from-disputed-town-to-halt-violence/6907540.html>, Accessed on 27 March 2023.

On 7 January 2023, both the Somali government and the Al-Shabab insurgent group denied negotiating for peace in response to the militant group's plea to the government.<sup>68</sup> On 12 January 2023, thousands of people marched under the leadership of President Hassan Sheikh Mohamud, who urged Somalis to expel Al-Shabab militants from their areas and be vigilant in the fight against Islamists.<sup>69</sup>

On 27 January 2023, the East African Community (EAC) reviewed and evaluated the Republic of Somalia's institutional and legal frameworks to determine its readiness to become a member of the regional bloc following the request of Somalia's president, Hassan Sheikh Mohamud, to join the EAC.<sup>70</sup>

### **Freedom of expression**

RSF ranked Somalia as the worst nation for journalists in Africa, placing it 140th out of 180 countries in the 2022 World Press Freedom Index. This ranking is attributed to the fact that journalists in Somalia work in an environment characterised by violence.<sup>71</sup>

On 8 October 2022, The Ministry of Posts and Telecommunications outlawed the crime of spreading messages of extremist ideology through social media and traditional media.<sup>72</sup> Similarly, the Federal Government of Somalia, through companies that provide Internet services, suspended more than 40 social media pages used by terrorists to spread intimidation, incitement, and wrong messages.<sup>73</sup>

On 11 October 2022, officers from the Somali Intelligence and Security Agency arrested and denied Abdalle Ahmed Mumin access to lawyers over trumped-up charges and immediately transferred him to a notorious National Intelligence and Security Agency (NISA) detention facility Godka Jilacow.<sup>74</sup> On 26 October 2022, the court granted Abdalle Mumin bail for the second time after his health deteriorated while in detention.<sup>75</sup>

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<sup>68</sup> Voice Of America, "Somali Government, Al-Shabab Deny Peace Talks," 7 January 2023, <https://www.voanews.com/a/somali-government-al-shabab-deny-peace-talks/6909112.html>, Accessed on 27 March 2023.

<sup>69</sup> Voice Of America, "Somalia Rallies to Fight Militants," 13 January 2023, <https://www.voanews.com/a/somalia-rallies-to-fight-militants/6917249.html>, Accessed on 27 March 2023.

<sup>70</sup> Eurasia review, "Somalia Hopes To Join East African Community," 27 January 2023, <https://www.eurasiareview.com/27012023-somalia-hopes-to-join-east-african-community-oped/>, Accessed on 27 March 2023.

<sup>71</sup> RSF, "Somalia," <https://rsf.org/en/country/somalia>, Accessed on 27 March 2023.

<sup>72</sup> Facebook, "SNTV," 8 October 2022, SNTV, <https://www.facebook.com/sntvnews/posts/pfbid02GYtGZtHzdDj3aJJZaFitF8ekFtcCWxvmJJ57e5uihCbxCX2B7Zq39CmZLQBJsWYI>, Accessed on 27 March 2023.

<sup>73</sup> Facebook, "Moisomalia," <https://www.facebook.com/moisomalia/posts/pfbid0pLnkkBn4VCZ8nrWreMpCaBUfH9PjmyozXLgBMQgUc u584DMC3XkcwLTTjpHeuhyjl>, Accessed on 28 March 2023.

<sup>74</sup> SJS "Somalia media fraternity condemn actions of the Somalia's deputy minister of information for persecuting Abdalle Ahmed Mumin, call for accountability against him and other government officials," 11 October 2022, <https://sjsyndicate.org/2022/10/21/somalia-media-fraternity-condemn-actions-of-the-somalias-deputy-minister-of-information-for-persecuting-abdalle-ahmed-mumin-call-for-accountability-against-him-and-other-government-officials/>, Accessed on 28 March 2023.

<sup>75</sup> SJS, "Somalia Media fraternity call for the Somali government to drop malicious charges against Abdalle Ahmed Mumin," 16 October 2022, <https://sjsyndicate.org/2022/10/16/somalia-media-fraternity-call-for->

On 22 October 2022, Galmudug police detained journalist Sadaq Said Nur in Southern Galkayo for unknown reasons.<sup>76</sup> He had previously reported a news story about armed militia barricaded at the Qaboobe displaced camp ahead of a United Nations High Commissioner for Refugees (UNHCR) delegation's visit to the camp.

On 22 October 2022, Somaliland police under the orders of Gabiley Mayor, arbitrarily arrested Horn Cable TV reporter Farhan Abdi Isse for covering a news conference held by members of the Waddani opposition party, who demanded that the Somaliland government recognise Gabiley as a region rather than a town.<sup>77</sup>

On 23 October 2022, Jubaland intelligence officials unlawfully imprisoned Abdullahi Hussein Kilas, a journalist working for Horn Cable TV, for covering an attack on a hotel in Kismayo city which left nine civilians dead and 47 others injured during a car explosion.<sup>78</sup> Authorities directed the station to remove Kilas' news report for him to be released.<sup>79</sup>

On 25 October 2022, Captain Nur Elmi Mohamed of Galmudug's Dhusamareb police commission instructed the detention of Dalsan TV journalist Mowlid Mo'alim Hassan in Dhusamareb town without clear charges against him following his coverage of a protest by a community of local women in Dhusamareb.<sup>80</sup>

On 29 October 2022, a double suicide car bombing at Mogadishu's KM5 junction claimed the lives of civilians, Universal Somali TV journalist Mohamed Isse Koonaa, and injured Reuters photojournalist Feisal Omar, M24 TV journalist, and Voice of America freelancer Abdukadir Mohamed Abdulle while on duty.<sup>81</sup>

On 15 November 2022, media advocates rejected the Ministry of Information's two unreasonable and illegal demands for Abdalle Mumin's release and the dismissal of the accusations against him hence a sudden end to the conversation without any resolution. The demands called for Abdalle Mumin "to quit his media advocacy work and that media associations publish an apology statement in favour of the position of the Ministry of

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[the-somali-government-to-drop-malicious-charges-against-abdalle-ahmed-mumin/](#), Accessed on 28 March 2023.

<sup>76</sup> SJS, "Attacks against journalists climb as Somali authorities declare crackdown on press freedom," 27 October 2022, <https://sjsyndicate.org/2022/10/27/attacks-against-journalists-climb-as-somali-authorities-declare-crackdown-on-press-freedom/>, Accessed on 28 March 2023.

<sup>77</sup> Ibid

<sup>78</sup> Ibid

<sup>79</sup> Aljazeera, "Attack on hotel in Somalia's Kismayo ends with 9 civilians dead," 23 October 2022, <https://www.aljazeera.com/news/2022/10/23/car-explosion-gunfire-hit-hotel-in-somalia-port-city-police>, Accessed on 28 March 2023.

<sup>80</sup> SJS, "Attacks against journalists climb as Somali authorities declare crackdown on press freedom," 27 October 2022, <https://sjsyndicate.org/2022/10/27/attacks-against-journalists-climb-as-somali-authorities-declare-crackdown-on-press-freedom/>, Accessed on 28 March 2023.

<sup>81</sup> SJS, "Prominent TV journalist killed, two others injured in Mogadishu bombings," 29 October 2022, <https://sjsyndicate.org/2022/10/29/prominent-tv-journalist-killed-two-others-injured-in-mogadishu-bombings/>, Accessed on 28 March 2023.

Information and to change the position of the media advocates towards the government directive.”<sup>82</sup>

On 30 November 2022, Southwest intelligence arbitrarily detained three Somali Journalists Syndicate (SJS) officials for unclear reasons in Baidoa airport. The journalists were planning to travel back to Mogadishu from a women journalists’ empowerment training.<sup>83</sup> On 1 December, the three officials were freed without charges.<sup>84</sup>

On 3 December 2022, Galmudug police detained Shabelle TV reporter Hashim Omar Hassan for posting a news story about civilians abducted by al-Shabaab in central Somalia. They later released him the following day without any charges.<sup>85</sup>

On 18 December 2022, authorities in Mogadishu arrested and strictly limited the movement of UK-based journalist Jamal Osman for unknown reasons. Osman was arrested upon his arrival at Aden Adde International Airport.<sup>86</sup>

On 19 December 2022, Villa Somalia issued a directive to censor local media stations by requiring news organisations to regularly present written copies of their news reports to Villa Somalia's office of communications.<sup>87</sup> Furthermore, NISA agents assaulted and removed Arlaadi Media Network reporter Mohamed Nur Mohamed from the federal parliament's Lower House building in Mogadishu for unknown reasons.<sup>88</sup>

On 22 December 2022, Beledweyne police commissioner arbitrarily detained four Radio Hiiraanweyn journalists, raided the radio station, and ordered its complete shutdown for covering an al-Shabaab attack in the central Somalia region.<sup>89</sup>

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<sup>82</sup> SJS, “Somali authorities set new conditions to drop charges and free Abdalle Mumin,” 16 November 2022, <https://sjsyndicate.org/2022/11/16/somali-authorities-set-new-conditions-to-drop-charges-and-free-abdalle-mumin/>, Accessed on 28 March 2023.

<sup>83</sup>SJS, “Three SJS officials detained in Baidoa airport,” 30 November 2022, <https://sjsyndicate.org/2022/11/30/alert-three-sjs-officials-detained-in-baidoa-airport/>, Accessed on 28 March 2023.

<sup>84</sup> SJS, “Threats, arbitrary detention against Somali journalists on the rise amid crackdown on free press,” 5 December 2022, <https://sjsyndicate.org/2022/12/05/threats-arbitrary-detention-against-somali-journalists-on-the-rise-sjs-says/>, Accessed on 28 March 2023.

<sup>85</sup> Ibid

<sup>86</sup> Hiiraan, “Channel 4's Jamal Osman detained in Mogadishu's airport hotel, scheduled for deportation,” 18 December 2022, [https://www.hiiraan.com/news4/2022/Dec/189151/channel\\_4\\_s\\_jamal\\_osman\\_detained\\_in\\_mogadishu\\_s\\_ai\\_rport\\_hotel\\_scheduled\\_for\\_deportation.aspx](https://www.hiiraan.com/news4/2022/Dec/189151/channel_4_s_jamal_osman_detained_in_mogadishu_s_ai_rport_hotel_scheduled_for_deportation.aspx), Accessed on 28 March 2023.

<sup>87</sup> Horn Observer, “SJS condemns new restrictions and censorship orders imposed on local media, calls upon Somali authorities to respect press freedom,” 20 December 2022, <https://hornobserver.com/articles/1898/Somalia-SJS-condemns-new-restrictions-and-censorship-orders-imposed-on-local-media-calls-upon-Somali-authorities-to-respect-press-freedom>, Accessed on 28 March 2023.

<sup>88</sup> Ibid

<sup>89</sup> SJS, “Authorities raid and close down Radio Hiiraanweyn, 4 journalists detained after covering al-Shabaab attack,” 22 December 2022, <https://sjsyndicate.org/2022/12/22/radio-hiiraanweyn-shut-down-four-journalists-detained-in-beledweyne-after-covering-al-shabaab-attack/>, Accessed on 28 March 2023.

On 17 January 2023, Somali police arbitrarily arrested Abdihafid Nur, a Kalsan TV journalist, for covering a community protesting the district commissioner in Kahda.<sup>90</sup> However, he was released without charges the following night.

On 22 January 2023, Somali police forces fired live bullets at two journalists working for Risaala Media Corporation as they were covering a terror incident at the Mogadishu mayor's office.<sup>91</sup>

On 25 January 2023, Somaliland police raided and detained two SomNews TV employees, reporter Mohamed Mohamud Koronto and cameraman Mahdi Siyad, without charging them.<sup>92</sup> They allegedly detained them because the authorities were annoyed by the television's ongoing coverage of the Las Anod unrest.

On 25 January 2023, the Banadir Regional Court extended the fourth hearing of SJS secretary-general Abdalle Ahmed Mumin over security reasons.<sup>93</sup> A few days before the hearing Al-Shabaab attacked the local government centre in the Banadir region. On 13 February 2023, Mumin appeared in court and was sentenced to two months in prison.

On 26 January 2023, Abdirahman Mohamed, a reporter for Horyal24 TV, was sentenced to a nine-month prison term and a fine of (USD 105) for his reporting on a Somaliland military officer who closed a mother and child health centre in the village of Fiqifuliye, which reportedly resulted in the death of a young expecting mother in October of last year.<sup>94</sup> Another journalist who reported the story for SomNews TV, Jabir Said Duale, was also fined (USD 70). On 17 October 2022, the two were taken into custody but released on bond later.

On 10 February 2023, four men (three armed) and one driving a *tuk-tuk* (*bajaj*) attacked Abdirahman Hassan Omar, an SJS lawyer, and injured his hands and legs.<sup>95</sup> The occurrence happened a few days after he was illegally removed from the legal team

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<sup>90</sup> Facebook, "Kalsan TV," 17 January 2023, <https://www.facebook.com/127251944121647/posts/pfbid0hbDdSTjYBJ6VdLr8xwBzuTUUyBzR2WxMSvtAmXrcU4FHsJlUqsnA3nEnYoP1eGqZl/?d=n>, Accessed on 28 March 2023.

<sup>91</sup> Facebook, "Risaala TV," 22 January 2023, <https://www.facebook.com/risaalatelevision/videos/860490415058522/>, Accessed on 28 March 2023.

<sup>92</sup> Facebook, "Son news," 25 January 2023, <https://www.facebook.com/SOMMNEWSTV/posts/pfbid04FNpkSnYWFjtyYD4b2vzuTqxkJFWgE5onVsoGQwXwAxnSF74Qr6jaZdZpWqyj6iXl>, Accessed on 28 March 2023.

<sup>93</sup> Facebook, "Risaala TV," 24 January 2023, <https://www.facebook.com/risaalatelevision/posts/pfbid033bufwikd3xvLhoJQpRZkAW5C9KrPzZGeQ7Ef1xJlC5uywj3iEJNTUZTES3cRgyvRl>, Accessed on 28 March 2023.

<sup>94</sup> SJS, "Amid deteriorating press freedom situation, journalists continue to face detention and harassment in Somaliland and Mogadishu," 28 January 2023, <https://sjsyndicate.org/2023/01/28/amid-deteriorating-press-freedom-situation-journalists-continue-to-face-detention-and-harassment-in-somaliland-and-mogadishu/>, Accessed on 28 March 2023.

<sup>95</sup> SJS, "Amid ongoing crackdown on media freedom, SJS condemns recent arbitrary arrests of journalists in Mogadishu and Somaliland," 23 February 2023, <https://sjsyndicate.org/2023/02/23/amid-ongoing-crackdown-against-media-freedom-sjs-condemns-recent-arbitrary-arrests-of-journalists-in-mogadishu-and-somaliland/>, Accessed on 28 March 2023.

defending a press freedom case at the Banadir Regional Court for the journalists.<sup>96</sup> The case is under investigation by the police.

On 12 February 2023, authorities arrested two Risaala Media Corporation journalists, Qasim Ibrahim Adani and videographer Abdikarin Mohamud Mohamed for covering a protest of local transporters complaining against road closure at Sana'a intersection by Somali police in Kaaraan district.<sup>97</sup> Police instructed them to delete footage of and refrain from covering related protests before their release.

On 19 February 2023, Somaliland police in Wajale detained Guled Ali Ibrahim, a Saab TV reporter, for posting receipts on his Facebook, exposing an illegal tax collection by the mayor of the border town of Wajale.<sup>98</sup> On 21 February 2023, he was forced to withdraw his post and later freed.

On 20 February 2023, the Somali intelligence agents in Mogadishu briefly detained and interrogated Ali Elmi Salaad and Sakariye Mohamed Salad, a reporter, and a cameraman for the privately-owned Radio Kulmiye in Mogadishu for allegedly covering a disputed election by the Banadir Truck Owners Cooperative but were freed without charges.<sup>99</sup>

On 23 February 2023, one plain-clothed intelligence officer and a uniformed police officer, under the order of regional police chief Mahdi Omar Mumin arrested Abdalle Ahmed Mumin while attending a public consultation event at the Jazeera hotel for unknown reasons.<sup>100</sup>

### **Freedom of peaceful assembly**

On 15 November 2022, police issued a warning against further demonstrations after many individuals in the self-declared republic of Somaliland got wounded during demonstrations against the extension of President Muse Bihi Abdi's term by two years.<sup>101</sup>

On 2 January 2023, the UN Mission of Somalia, in a statement, condemned the violence that resulted in the deaths of at least twenty people and the admission of thirty people, including

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<sup>96</sup> Twitter, "SJS," 12 February 2023, [https://twitter.com/sjs\\_Somalia/status/1624722247838584833](https://twitter.com/sjs_Somalia/status/1624722247838584833), Accessed on 28 March 2023.

<sup>97</sup> Facebook, "Risaala Media Coporation," 12 February 2023, <https://www.facebook.com/RadioRisaala/posts/pfbid02uQ66LAXV6VW8dZ2nrEiWQLiyknu3HSwDC5kB9brDK9HQ1J7AWRDenC2u4HT4PFZtl>, Accessed on 28 March 2023.

<sup>98</sup> SJS, "Amid ongoing crackdown on media freedom, SJS condemns recent arbitrary arrests of journalists in Mogadishu and Somaliland," 23 February 2023, <https://sjsyndicate.org/2023/02/23/amid-ongoing-crackdown-against-media-freedom-sjs-condemns-recent-arbitrary-arrests-of-journalists-in-mogadishu-and-somaliland/>, Accessed on 28 March 2023.

<sup>99</sup> Ibid

<sup>100</sup> SJS, "SJS Secretary General Abdalle Ahmed Mumin re-arrested and faces government persecution," 24 February 2023, <https://sjsyndicate.org/2023/02/24/sjs-secretary-general-abdalle-ahmed-mumin-re-arrested-and-faces-government-persecution/>, Accessed on 28 March 2023.

<sup>101</sup> Business Ghana, "Fresh protests in Somaliland over election delay," 15 November 2022, <https://www.businessghana.com/site/news/politics/274522/Fresh-protests-in-Somaliland-over-election-delay>, Accessed on 27 March 2023.

women and children, to the Las Anod hospital with gunshot wounds during the deadly clashes between protesters and Somaliland's security forces in Las Anod.<sup>102</sup>

On 21 January 2023, two individuals lost lives during a protest sparked by the death of a *Bajaj* transport driver.<sup>103</sup>

## South Sudan

### General situation

On 13 December 2022, Special Representative of the UN Secretary-General for South Sudan, and Head of United Nations Mission in South Sudan (UNMISS) Nicholas Haysom, briefed the UN Security Council on the situation in South Sudan. He acknowledged the passage of essential bills, such as the Constitution Making Bill, and ratification of the roadmap that extends the transitional period by 24 months by the Transitional National Legislature.<sup>104</sup> Additionally, He applauded the National Constitutional Amendment Committee's review of the National Elections Act, but he voiced concerns over the unsolved issue surrounding the implementation of quotas for women and people with disabilities.

In a positive development, on 22 February 2023, President Salva Kiir and the First Vice-President, Dr Riek Machar, resolved their disagreement regarding sections 54 and 55 of the National Security Act by agreeing that the National Security Service (NSS) should not be allowed to arrest citizens without a warrant.<sup>105</sup> As a result, these two sections should be repealed, a small step in the right direction that does not change the fact that the constitutional mandate of the NSS does not permit it to make any arrests. The NSS has been credibly accused of kidnapping, arbitrarily arresting, torturing, forcefully disappearing, and even summarily executing citizens, HRDs, and government critics, including at its infamous “blue house” in Juba.

On 4 March 2023, South Sudan President Salva Kiir fired the Defense and Interior Ministers, Angelina Teny and Mahmoud Solomon, respectively. This move violated the terms of the 2018 revitalized peace agreement.<sup>106</sup> According to the agreement, Riek Machar's party,

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<sup>102</sup>Africa news, “Deadly clashes between protesters and security forces in Somaliland,” 2 January 2023, <https://www.africanews.com/2023/01/02/deadly-clashes-between-protesters-and-security-forces-in-somaliland/>, Accessed on 27 March 2023.

<sup>103</sup> Crisis 24, “Disruptive civil unrest in Mogadishu,” 21 January 2023, <https://crisis24.garda.com/alerts/2023/01/somalia-disruptive-civil-unrest-in-mogadishu-jan-21>, Accessed on 27 March 2023.

<sup>104</sup> United Nations, “Underscoring Progress in South Sudan’s Revitalized Peace Agreement, Security Council Urges Country to Meet Agreed Timeframes, Tackle Renewed Violence”, 13 December 2022, <https://press.un.org/en/2022/sc15139.doc.htm>, Accessed on 28 March 2023.

<sup>105</sup> Radio tamazuj, “Kiir, Machar agree to scrap NSS powers to arrest without a warrant,” 22 February 2023, <https://www.radiotamazuj.org/en/news/article/kiir-machar-agree-to-scrap-nss-powers-to-arrest-without-a-warrant>. Accessed on 28 March 2023.

<sup>106</sup> Reuters, “South Sudan president fires defence and interior ministers,” 4 March 2023, <https://www.reuters.com/world/africa/south-sudan-president-fires-defence-interior-ministers-2023-03-04/>, Accessed on 28 March 2023.



SPLM-IO, is responsible for appointing the Defense Minister. Concerns have been mounting as the ruling party of President Kiir, SPLM-IG, took control of the strategic position.

### **Freedom of association**

The trial against Kuel Aguer and six others associated with the People's Coalition for Civic Action (PCCA) started on 3 October ,2022.<sup>107</sup> Authorities arrested Kuel in August 2021 during the crackdown on protests ahead of which PCCA called for the current leaders to step down. Kuel and six other activists associated with the PCCA who fled the country were charged in absentia for subverting the constitutional government, attempting to overthrow the government by unconstitutional means, and causing disaffection among security forces. If found guilty, they face a possible sentence of 20 years in prison. According to HRW, Kuel was denied adequate health care and regular access to his lawyer while in detention.

On 12 December 2022, the special court dismissed all charges against Kuel Aguer due to lack of evidence and released him immediately.<sup>108</sup> The PCCA released a statement applauding the special court for its ruling, claiming that it was a historic victory for the rule of law and the affirmation of citizens' freedom of expression.<sup>109</sup>

### **Freedom of opinion and expression**

In October 2022, Abraham Chol Maketh, a self-proclaimed prophet, appeared in court.<sup>110</sup> Maketh and four others were accused and charged with subverting the constitutional government, causing disaffection among police force or defence forces, publishing or communicating false statements that were prejudicial to South Sudan, and undermining the authority of or insulting the president.<sup>111</sup> Maketh was arrested in July 2021 after predicting that President Salva Kiir and his First Deputy, Dr. Riek Machar, would leave office before the 10-year anniversary of the country's independence, that month. According to HRW, Maketh experienced human rights violations during his detention, including being denied access to health care.<sup>112</sup>

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<sup>107</sup> HRW, "South Sudan Government Begins Trial of Activists, Critics," <https://www.hrw.org/news/2022/10/06/south-sudan-government-begins-trial-activists-critics>, 6 October 2022, Accessed on 28 March 2023.

<sup>108</sup> Radio Tamazuj, "Kuel Aguer acquitted, case dismissed," 9 December 2022, <https://radiotamazuj.org/en/news/article/kuel-aguer-acquitted-court-dismisses-case>, Accessed on 28 March 2023.

<sup>109</sup> PCCA, "PCCA welcomes the release of Gov. Kuel Aguer", 11 December 2022, <http://www.thecivilactionssd.org/pcca-welcomes-the-release-of-gov-kuel-aguer/>, Accessed on 28 March 2023.

<sup>110</sup>Radio Tamazuj, "Prophet' Abraham Chol appears in court after over a year in detention", 30 September 2022, <https://radiotamazuj.org/en/news/article/prophet-abraham-chol-appears-before-the-high-court-after-over-a-year-in-detention>, Accessed on 28 March 2023.

<sup>111</sup> Ibid

<sup>112</sup> Human Rights Watch, "South Sudan Government Begins Trial of Activists, Critics", 6 October 2022, <https://www.hrw.org/news/2022/10/06/south-sudan-government-begins-trial-activists-critics>, Accessed on 28 March 2023.

On 9 December 2022, the four co-accused were acquitted due to lack of evidence and a few charges against Maketh were dropped.<sup>113</sup> However, Maketh was charged under sections 76 and 202 of the South Sudanese Penal Code Act 2008, which outline punishment for insulting the president and other leaders. On 20 December 2022, the judge sentenced Maketh to 31 months in prison under section 202, and a three-month jail term or a fine of SSP 500,000 (approx. USD 4,000) under section 76.<sup>114</sup>

On 3 January 2023, the NSS detained six South Sudan Broadcasting Corporation (SSBC) journalists for reportedly releasing a video of President Salva Kiir wetting himself that went viral on social media. According to a SSBC official, the network did not broadcast the video.<sup>115</sup> The six are being held in the Blue House NSS headquarters. According to Muthoki Mumo, a spokesperson of CPJ, the arrest reflects a trend of security personnel resorting to arbitrary detention whenever officials find coverage unfavorable.<sup>116</sup> The NSS released the journalists without charges in March 2023.<sup>117</sup>

## **Sudan**

### **General situation**

Sudan continues to repress and interrogate activists for their online activity. These include arrest of activists without charges, violent suppression of peaceful protests, and the use of excessive force against opposition political leaders.<sup>118</sup>

On 4 December 2022, the military junta and major political forces united under the umbrella, Forces for Freedom and Change (FFC) to sign an agreement to support a democratic

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<sup>113</sup> Eye Radio, Court indicts Abrahaam Chol for “insulting” the President”, 9 December 2022, <https://www.eyeradio.org/court-indicts-abraham-chol-for-insulting-the-president/>, Accessed on 28 March 2023.

<sup>114</sup>Eye Radio, “Prophet Chol convicted to 31 months in jail”, 20 December 2022, <https://www.eyeradio.org/prophet-abraham-chol-is-convicted-to-31-months-in-jail/#:~:text=The%2055%2Dyear%2Dold%20was,of%20or%20insulting%20the%20President>, Accessed on 28 March 2023.

<sup>115</sup>CNN, “Six journalists detained over footage that shows South Sudan president seemingly wetting himself” 7 January 2023, <https://edition.cnn.com/2023/01/07/africa/journalists-detained-south-sudan-president-intl/index.html>, Accessed on 28 March 2023.

<sup>116</sup> CPJ, “South Sudan security forces detain 6 state media employees,” 6 January 2023, <https://cpj.org/2023/01/south-sudan-security-forces-detain-6-state-media-employees/>, Accessed on 28 March 2023.

<sup>117</sup> Voice of America, Journalists Held Over South Sudan President Video Are Freed, 18 March 2023, <https://www.voanews.com/a/journalists-held-over-south-sudan-president-video-are-freed-/7011724.html>, Accessed 27 March 2023.

<sup>118</sup> African Centre For Justice and Peace Studies, “Continued targeting of opposition political leaders by Sudanese authorities,” 27 October 2022, <https://www.acjps.org/sudan-continued-targeting-of-opposition-political-leaders-by-sudanese-authorities/>, Accessed on 28 March 2023.

transition. This was done to establish a transitional civilian government to replace the military rule for 24 months.<sup>119</sup>

On 3 March 2023, during HRC 52, DefendDefenders emphasised the central importance of Sudanese citizens' right to protest, urged judicial institutions to ensure accountability at the command responsibility level. They also urged the High Commissioner, the designated Expert, and the Special Rapporteur on freedoms of peaceful assembly and association to push back against Sudanese civil society suffocation.<sup>120</sup>

On 16 April 2023, the SAF clashed with the paramilitary group RSF during negotiations aimed at integrating the RSF into the country's military to restore civilian rule. According to the World Health Organization (WHO), hospitals are facing shortages of specialised medical personnel, water, power, and fuel for generators. The government has restricted access to information by ceasing broadcasting on the national TV channel. The ongoing conflict has resulted in deaths and injuries, created tension among civilians, and shattered hopes for a peaceful transition.<sup>121</sup> Approximately 459 people have killed and over 4000 people have been injured as of 25 April 2023.<sup>122</sup> The conflict has triggered a humanitarian crisis, and left millions of residents trapped inside their homes, with many lacking food, water, medicines, and fuel.

On 18 April 2023, armed forces assaulted Aidan O'Hara, the EU's ambassador in Sudan, at his home in the capital Khartoum.<sup>123</sup> On 23 April 2023, foreign governments started to land aircraft and organised convoys in Khartoum to evacuate their nationals, diplomats, and citizens.<sup>124</sup> On 24 April 2023, the paramilitary RSF allegedly killed Mohamed al-Gharawy,<sup>125</sup> an assistant administrative attaché at the Egyptian embassy in Khartoum while he was on his way to the embassy to follow up on the evacuation of Egyptian citizens.

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<sup>119</sup> Sudan Tribune, "Future of Sudan's Burhan as army chief in question following accord," 21 December 2022, <https://sudantribune.com/article268511/>, Accessed on 28 March 2023.

<sup>120</sup> Defend Defenders, "Oral statements delivered during the 52nd session of the UN Human Rights Council (27 February-4 April 2023)," 3 March 2023, <https://defenddefenders.org/oral-statements-hrc52/>, Accessed on 28 March 2023.

<sup>121</sup> CNN, "Rival generals are battling for control in Sudan," 17 April 2023, <https://edition.cnn.com/2023/04/16/africa/sudan-military-clashes-explained-intl/index.html>, Accessed on 17 April 2023.

<sup>122</sup> UN News, "Sudan: UN aid operation continues amid dire humanitarian conditions," 25 April 2023, <https://news.un.org/en/story/2023/04/1135992>, Accessed 26 April 2023.

<sup>123</sup> Sudan Tribune, "EU diplomat assaulted at his home in Khartoum," 17 April 2023, <https://sudantribune.com/article273103/>, Accessed 25 April 2023.

<sup>124</sup> Al Jazeera, "Foreigners evacuated as factions battle in Sudan's Khartoum," 23 April 2023, <https://www.aljazeera.com/news/2023/4/23/foreign-citizens-evacuated-as-factions-battle-in-khartoum>, Accessed 25 April 2023.

<sup>125</sup> Sudan Tribune, "Egyptian embassy staff member killed in Khartoum," 24 April 2023, <https://sudantribune.com/article273323/>, Accessed 25 April 2023.

On 24 April 2023, unidentified gunmen stormed Kober prison in Sudan, where former president Omar al-Bashir was being detained and freed everyone inside during the intense fighting.<sup>126</sup> It is unclear if Omar al-Bashir was moved out, and his whereabouts remain unknown.

On 24 April 2023, the SAF and the RSF agreed to a 72-hour ceasefire beginning at midnight on April 24 following negotiations mediated by the United States of America and Saudi Arabia.<sup>127</sup>

### **Freedom of association**

On 23 October 2022, a delegation of seven Humanitarian Aid Commission (HAC) employees delivered a letter canceling registration and seizing all assets of the Sudanese Consumers Protection Society (SCPS) for unknown reasons.<sup>128</sup> Property such as seals, headed paper, and other documents were confiscated by the group.

### **Freedom of opinion and expression**

On 20 October 2022, a group of Sudanese federal police raided an art gallery and detained nine guests, confiscated nine out of twelve works of art, and damaged one piece of art.<sup>129</sup> The show expressed what Ahmed Esam, a 21-year-old HRD and artist, had gone through in detention while working with a group of artists at Civil Lap House. On 21 October 2022, the detainees were charged with several offenses under Articles 63, 69, and 77 of the Sudanese Penal Code 199, including inciting violence against the authorities and causing a public nuisance. The authorities released the detainees on bond without giving back any of the confiscated personal property, such as cell phones, that had been taken during their arrest.

On 13 December 2022, a group of police officers arrested Mohamed Salah Ali Khaber, a human rights activist working for the Zakat Chamber in Al-damazin. Khaber was arrested after he posted a statement on Facebook from the Zakat Chamber Employees group

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<sup>126</sup> Middle East Eye, "Sudan turmoil: Where is Omar al-Bashir?," 24 April 2023, <https://www.middleeasteye.net/news/sudan-turmoil-omar-bashir-where>, Accessed 25 April 2023.

<sup>127</sup> Al Jazeera, "Sudan factions agree to 72-hour ceasefire as foreigners evacuated," 24 April 2023, <https://www.aljazeera.com/news/2023/4/24/us-says-sudan-factions-agree-to-ceasefire-as-foreigners-evacuated>, Accessed 26 April 2023.

<sup>128</sup> African Centre For Justice And Peace Studies, "Humanitarian Aid Commission unlawfully cancels the registration of Sudanese Consumers Protection Society," 2 November 2022, <http://www.acjps.org/sudan-humanitarian-aid-commission-unlawfully-cancels-the-registration-of-sudanese-consumers-protection-society/>, Accessed on 28 March 2023.

<sup>129</sup> African Centre For Justice And Peace Studies, "Nine people arrested by police during an art exhibition by a HRD," 27 October 2022, <https://www.acjps.org/sudan-nine-people-arrested-by-police-during-an-art-exhibition-by-a-human-rights-defender/>, Accessed on 28 March 2023.

expressing their displeasure with the agreement that was signed on 4 December 2022, between the Alliance of Freedom and Change and Sudanese Military Alliance.<sup>130</sup>

On 14 January 2023, a group of military Intelligence (MI) officers arrested Mr. Ali Mohamed Hajo, a 36-year-old human rights activist, from his home in Al-Damazin town for a Facebook post on his account. The post disclosed information about the arrival of an officer Esam Aldrigi, who allegedly ordered the torture of detainees arrested during a demonstration at the MI detention center to meet the Reconciliation Initiative.

On 14 March 2023, Ibrahim Abdalrhman a, photographer, and journalist was hit in the chest by a stone while covering an anti-coup protest at Sharwani Station.<sup>131</sup> The journalist complained of chest congestion and pain that affect his breathing despite a medical report that claimed he was in good condition.

On 14 March 2023, while covering a violent demolition of slums in El Mamoura, police officers physically and verbally assaulted journalist Ikhlas Nimir. Before she was released, the police officers forced her to board a lorry that took her around Khartoum, and they forced her to erase the pictures on her mobile phone.<sup>132</sup> Ikhlas Nimir says she is suffering from chest congestion and difficulty in breathing as a result of this injury.

### **Freedom of peaceful assembly**

On 10 February 2023, a tear gas canister thrown by security forces during anti-junta demonstrations claimed the life of a 15-year-old boy in Omdurman.<sup>133</sup>

On 28 February 2022, a security officer shot a 14-year-old boy Ibrahim Mazoob Ibrahim in the chest at a rally. Two additional bullets were fired, and these injured demonstrators.<sup>134</sup>

On 14 March 2023, a teargas canister struck a freelance photographer, Mohamed Farouq, in his upper left hand while covering a protest on the coup at Khartoum's Algurshi Garden

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<sup>130</sup> African Centre For Justice And Peace Studies, "Human Rights Activist Arrested and Charged with Defamation over Social Media Post in Al-damazin," 20 December 2022, <https://www.acjps.org/blue-nile-human-rights-activist-arrested-and-charged-with-defamation-over-social-media-post-in-al-damazin/>, Accessed on 28 March 2023.

<sup>131</sup>African Centre For Justice And Peace Studies, "Excessive use of force and arbitrary arrest and detention of protesters during the 14th March anti-coup rallies," 19 March 2023, <https://www.acjps.org/update-on-anti-coup-protest-in-sudan-excessive-use-of-force-and-arbitrary-arrest-and-detention-of-protesters-during-the-14th-march-anti-coup-rallies/>, Accessed on 28 March 2023.

<sup>132</sup>Dabanga, "Sudan police assault journalist in Khartoum," 14 March 2023, <https://www.dabangasudan.org/en/all-news/article/sudan-police-assaults-journalist-in-khartoum>, Accessed on 28 March 2023.

<sup>133</sup> Dabanga Sudan, "15year old boy killed by Sudan security forces as protests are met with heavy violence," 10 February 2023, <https://www.dabangasudan.org/en/all-news/article/15yo-boy-killed-by-security-forces-as-pro-democracy-protests-are-met-with-heavy-violence>, Accessed on 28 March 2023.

<sup>134</sup> African Centre For Justice and Peace Studies, "14-year-old boy shot dead by a police officer," 4 March 2023, <https://www.acjps.org/sudan-14-year-old-boy-shot-dead-by-a-police-officer-during-a-rally-in-khartoum/>, Accessed on 28 March 2023.

Square.<sup>135</sup> He was transferred to the Aljudah hospital where he underwent surgery to remove glass fragments from his hand.

On 14 March 2023, police arrested eleven young, peaceful protesters during an anti-coup demonstration at Sharwani station.<sup>136</sup> While at the police, the female demonstrators were verbally abused and charged under Articles 69 and 77 of the Sudanese Criminal Code, 1991, which deal with public nuisance and disturbance of public peace. The Emergency Lawyers Group offered legal assistance and they were freed on bond.

## **Tanzania**

### **General situation**

On 21 October 2022, the Tanzanian government-backed taskforce granted some of the opposition's requests namely, to set up an independent electoral body, but rejected the idea of drafting a new constitution. Prior to the 2025 general elections, the taskforce also supports lifting a ban on political rallies. The panel cautioned, however, that a full constitutional reform, which is a top priority for the opposition, is likely to take long.<sup>137</sup>

On 14 November 2022, Tanzania's High Court dismissed a citizens' constitutional petition challenging certain elements of the Government Proceedings Act, which pertains to the implementation of court judgments involving the government.<sup>138</sup>

On 25 January 2023, Tanzania's opposition leader and former presidential candidate, Tundu Lissu, returned to Tanzania from exile in Belgium.<sup>139</sup> His decision came after the government decided to lift a blanket ban on political rallies, instituted by former President John Magufuli.

On 26 January 2023, in a further attempt to facilitate tourism and trophy hunting in the Ngorongoro Conservation Area, the Tanzanian government demanded that owners of

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<sup>135</sup> African Centre For Justice And Peace Studies, "Excessive use of force and arbitrary arrest and detention of protesters during the 14th March anti-coup rallies," 19 March 2023, <https://www.acjps.org/update-on-anti-coup-protest-in-sudan-excessive-use-of-force-and-arbitrary-arrest-and-detention-of-protesters-during-the-14th-march-anti-coup-rallies/>, Accessed on 28 March 2023.

<sup>136</sup> Ibid

<sup>137</sup>The East African, "Tanzania reform taskforce says new constitution to take time to draft." 21 October 2022, <https://www.theeastafrican.co.ke/tea/news/east-africa/tanzania-taskforce-supports-lifting-of-political-rallies-ban-3993398> Accessed on 27 March 2023.

<sup>138</sup>All Africa, "Court Dismisses Petition Against Gpa Provisions." 14 November 2022, <https://allafrica.com/stories/202211150169.html> Accessed on 27 March 2023.

<sup>139</sup> Voice of America, "Tanzania Opposition Leader Tundu Lissu Returns From Exile," 25 January 2023, <https://www.voanews.com/a/tanzania-opposition-leader-tundu-lissu-returns-from-exile/6933675.html>, Accessed 27 March 2023.

forcibly confiscated cattle pay heavy fines.<sup>140</sup> The move can be interpreted as an indirect way of targeting indigenous Maasai herders for opposing expulsion of indigenous communities.

### **Freedom of association**

On 17 November 2022, the District Court of Ngorongoro dismissed nine cases under Section 225(5) of the Criminal Procedure Act due to the prosecution's failure to bring evidence to prove their case beyond a reasonable doubt.<sup>141</sup> This followed the arrest of Maasai protestors during a land demarcation procedure carried out in June and July 2022.<sup>142</sup>

On 25 November 2022, a Tanzanian court mandated the release of 24 Maasai pastoralists after prosecutors dropped murder charges against them.<sup>143</sup> They had been imprisoned following the death of a police officer in June 2022 during demonstrations against government plans to force Maasai off of their ancestral land in Loliondo, Ngorongoro District in relation to conservation projects.

### **Freedom of peaceful assembly**

On 3 January 2023, Tanzanian President Samia Suluhu Hassan lifted a blanket ban on political rallies, which the opposition had long requested.<sup>144</sup> She directed police and other law enforcement forces to allow parties to hold rallies without undue difficulty in advance of the civic elections next year and the general election in 2025. On 21 January 2023, Freeman Mbowe, the head of Tanzania's opposition party Chadema, conducted his first rally in the nation.<sup>145</sup>

## **Uganda**

### **General situation**

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<sup>140</sup> Los Angeles Times, "Tanzania squeezes Maasai herders by seizing livestock," 26 January 2023, <https://www.latimes.com/world-nation/story/2023-01-26/tanzania-squeezes-maasai-by-seizing-livestock-report-says>, Accessed on 27 March 2023.

<sup>141</sup> Tanzania HRDs Coalition, "Updates on the immigration case against residents of Loliondo Ngorongoro district." 17 November 2022, [www.thrdc.or.tz/events-and-awards/events-details-views/updates-on-the-immigration-case-against-residents-of-loliondo-in-ngorongoro-district](http://www.thrdc.or.tz/events-and-awards/events-details-views/updates-on-the-immigration-case-against-residents-of-loliondo-in-ngorongoro-district) Accessed on 27 March 2023.

<sup>142</sup> The Guardian, "Tanzania charges 20 Maasai with murder after police officer dies during protests." 23 June 2022, <https://www.theguardian.com/global-development/2022/jun/23/tanzania-charges-20-maasai-with-after-police-officer-dies-during-protests> Accessed on 27 March 2023.

<sup>143</sup> The Guardian, "Tanzania drops murder charges against 24 Maasai leaders." 25 November 2022, <https://www.theguardian.com/global-development/2022/nov/25/tanzania-drops-charges-against-24-maasai-leaders> Accessed on 27 March 2023.

<sup>144</sup> Aljazeera, "Tanzania's President Hassan ends 6-yr ban on opposition rallies," 3 January 2023, <https://www.aljazeera.com/news/2023/1/3/tanzania-president-hassan-lifts-ban-on-opposition-rallies>, Accessed on 27 March 2023.

<sup>145</sup> Africa news, "Crowds gather as Tanzanian opposition holds first rally since ban lifted," 21 January 2023, <https://www.africanews.com/2023/01/21/crowds-gather-as-tanzanian-opposition-holds-first-rally-since-ban-lifted/>, Accessed on 27 March 2023.

In its consideration of the second periodic report on Uganda, the UN Committee Against Torture acknowledged the country's significant human rights institutions but raised concerns about unauthorised places of detention and failure to investigate cases of torture conclusively.<sup>146</sup> Ugandan Attorney General Kiryowa Kiwanuka denied that cases of torture were not being investigated, noting that the Directorate of Public Prosecutions had concluded 508 cases involving torture, passed down over 800 convictions, and the government paid compensation to victims of torture.

On 3 February 2023, Uganda announced it would not extend the UN human rights office's term.<sup>147</sup> The letter addressed to the Office of the UN High Commissioner for Human Rights (OHCHR) by Uganda's Foreign Affairs Ministry cited Uganda's progress in developing a domestic capacity to monitor rights as the primary reason for its decision. According to the Ugandan government, the OHCHR Uganda office was established in 2006 and initially focused only on human rights issues in conflict-plagued areas in Uganda's north and northeastern regions. However, it was later allowed to cover the rest of the country. The ministry stated in the letter that there was "peace throughout the country, coupled with strong national human rights institutions and a vibrant civil society." Additionally, the letter stated that the government had since been committed to promoting and protecting human rights.

Uganda's parliament introduced a new Anti-Homosexuality Bill in March 2023.<sup>148</sup> The new Bill criminalises same-sex acts, including broad prohibitions on acts such as touching another person "with the intention of committing the act of homosexuality." The Bill also criminalises those who identify "as a lesbian, gay, transgender, a queer, or any other sexual or gender identity contrary to the binary categories of male and female." It proposes a 10-year jail term for those who identify as LGBT+. Additionally, the proposed Bill declares it unlawful to "purport to contract a marriage with another person of the same sex." The proposed law stipulates that the "promotion of homosexuality" is punishable by up to five years in jail. Furthermore, it essentially declares that all same-sex acts are non-consensual. The proposed Bill also targets landlords, brothel proprietors, chief executives of pro-gay organisations, journalists, publishers and film directors with imprisonment or fines.<sup>149</sup>

## Freedom of association

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<sup>146</sup> OHCHR, "In Dialogue with Uganda, Experts of the Committee against Torture Welcome the State's Human Rights Institutions, Ask about Unauthorised Places of Detention and Inaction in Prosecuting Several Torture Cases." November 2022, <https://www.ohchr.org/en/news/2022/11/dialogue-uganda-experts-committee-against-torture-welcome-states-human-rights>. Accessed on 28 March 2023.

<sup>147</sup> Voice Of America, "Uganda Says It Will Not Renew Mandate of UN Human Rights Office" 8 February 2023, <https://www.voanews.com/a/uganda-says-it-will-not-renew-mandate-of-un-human-rights-office/6953234.html>, Accessed on 28 March 2023.

<sup>148</sup> Human Rights Watch, "New Anti-Gay Bill Further Threatens Rights" 9 March 2023, <https://www.hrw.org/news/2023/03/09/uganda-new-anti-gay-bill-further-threatens-rights>, Accessed on 28 March 2023.

<sup>149</sup> Monitor, "How new anti-gay Bill will affect you" 6 March 2023, <https://www.monitor.co.ug/uganda/news/national/how-new-anti-gay-bill-will-affect-you-4147430>, Accessed on 28 March 2023.



On 28 November 2022, six security officers arrested Joseph Kabuleta, the president of the political opposition party, National Economic Empowerment Dialogue (NEED) and refused to disclose his location for a day.<sup>150</sup> Kabuleta was charged with promoting sectarianism because he commented on 30 May 2022 that service delivery in some areas of the country was based on ethnic lines. Prior to his arrest, Kabuleta urged President Yoweri Museveni to take the nation's ongoing insecurity very seriously at a press conference. On 14 December 2022, the leaders of NEED called for Kabuleta's release claiming that his health was deteriorating and that he needed medical treatment.<sup>151</sup>

On 30 December 2022, the umbrella group, the United Forces Change, led by former Forum for Democratic Change (FDC) president Dr Kiiza Besigye, and National Unity Platform (NUP) leader Robert Kyagulanyi also known as Bobi Wine organised a prayer meeting at Sharing Hall Nsambya. The police officers arrested 30 of the opposition supporters and fired tear gas. Lucas Owoyesigire, the deputy spokesperson for the Kampala Metropolitan Police, claimed that the meeting was illegal as organisers failed to inform the chief of police before holding it. Prayers were to be offered for those detained, killed, or abducted, particularly those from NUP party, whose whereabouts have remained a mystery for the past two years.

### **Freedom of opinion and expression**

On 13 October 2022, President Museveni signed into law the Computer Misuse (Amendment) Act, 2022, under which those found guilty are liable to imprisonment of up to seven years and are barred from holding public office for up to 10 years. In addition, the law criminalises the publication of information likely to "ridicule, degrade or demean another person or group of persons" under the banner of hate speech, which rights advocates have decried as a further infringement on freedom of expression.<sup>152</sup> In January 2023, Uganda's Constitutional Court nullified section 25 of the country's infamous Computer Misuse Act, which constituted a charge of offensive communication for which those found guilty could serve up to five years in prison upon conviction.<sup>153</sup> In a unanimous ruling, the bench of five justices led by Deputy Chief Justice Richard Butera ruled that the impugned section "curtails inherent freedoms of speech and expression that are guaranteed in the Constitution."

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<sup>150</sup> Voice Of America, "Rights Activists Demand Release of Arrested Ugandan Opposition Leader" 29 November 2022, <https://www.voanews.com/a/rights-activists-demand-release-of-arrested-ugandan-opposition-leader-/6854792.html>, Accessed on 28 March 2023.

<sup>151</sup>The Independent, "Government given nine days to release Kabuleta," 26 March 2023, <https://www.independent.co.ug/government-given-nine-days-to-release-kabuleta/>, Accessed on 28 March 2023.

<sup>152</sup>African Centre For Media Excellence, "New computer misuse law threatens freedom of expression, activists say," 17 October 2022, <https://acme-ug.org/2022/10/17/new-computer-misuse-law-threatens-freedom-of-expression-activists-say/>, Accessed on 28 March 2023.

<sup>153</sup> Monitor, "Court nullifies section 25 of Computer Misuse Act," 11 January 2023, <https://www.monitor.co.ug/uganda/news/national/court-declares-section-25-of-computer-misuse-null-and-void-4081782>, Accessed on 28 March 2023.

On 15 November 2022, police officers arrested and detained Africa Ronald, a journalist working for Point FM.<sup>154</sup> Ronald was accused of Inciting violence. Later, security forces transferred him and moved him to an unidentified location.

On 25 November 2022, Entebbe post journalist Henry Lubulwa was arrested and charged with defamation under Sec 179 of the Penal Code Act. On 28 November 2022, he was granted a bond.<sup>155</sup>

On 5 December 2022, General Muhoozi Kainerugaba, the son of Ugandan President Yoweri Museveni, threatened to “crush” journalists who “abuse” him in a tweet that was subsequently deleted.<sup>156</sup> In another tweet deleted on the same day, he accused journalists from the Daily Monitor, one of the leading independent newspapers, of being “terrorists (...) that have been abusing us forever”. He threatened to deal with them.

On 17 January 2023, the Magistrate Court dismissed a case against two Digitalk Online TV staff Norman Tumuhimbise (Executive Director) and Faridah Bikobere.<sup>157</sup> The two journalists were arrested along with seven of their colleagues in March 2022.<sup>158</sup> Seven journalists were released, but Norman Tumuhimbise and Faridah Bikobere remained in jail and were charged with cyberstalking and “offensive communication” under Sections 26 and 25 of the Computer Misuse Act as amended, respectively.<sup>159</sup> The judge dismissed the case due to the lack of sufficient evidence.

Three journalists were assaulted and later arrested by the country’s Civil Aviation Authority officials on 27 January 2023.<sup>160</sup> The arrest happened after the journalists tried to take pictures of the bus in which the officials were travelling at break-neck speed. Two journalists sustained bruises while the other could not speak thanks to the trauma from the incident that saw the aviation officials pounce on the journalists accusing them of taking their pictures to malign them, before taking them to Abaita Babiri police station, where they were held for five hours.

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<sup>154</sup> Twitter, “HRNJ,” 18 November 2022, <https://twitter.com/HRNJUganda/status/1593574680056700930>, Accessed on 28 March 2023.

<sup>155</sup> Twitter, “HRNJ,” 28 November 2022, <https://twitter.com/HRNJUganda/status/1597240600314904576>, Accessed on 28 March 2023.

<sup>156</sup> RSF, “We will crush you,” Ugandan president’s son warns journalists,” <https://rsf.org/en/we-will-crush-you-ugandan-president-s-son-warns-journalists>, Accessed on 28 March 2023.

<sup>157</sup> Human Rights Network For Journalists, “Court dismisses case against two Digitalk TV staff,” 17 January 2023, <https://hrnjuganda.org/?p=9640>, Accessed on 28 March 2023.

<sup>158</sup> Monitor, “Journalists under siege as authorities escalate assaults, raids and arrests,” 31 May 2022, <https://monitor.civicus.org/explore/journalists-under-siege-authorities-escalate-assaults-raids-and-arrests/>, Accessed on 28 March 2023.

<sup>159</sup> CPJ “Two Ugandan journalists charged with cyberstalking the president, remanded to prison,” 17 March 2023, <https://cpj.org/2022/03/two-ugandan-journalists-charged-with-cyberstalking-the-president-remanded-to-prison/>, Accessed on 28 March 2023.

<sup>160</sup> Monitor, “Aviation officials brutally arrest three journalists over 'computer misuse',” 26 January 2023, <https://www.monitor.co.ug/uganda/news/national/aviation-officials-brutally-arrest-three-journalists-over-computer-misuse--4100852>, Accessed on 28 March 2023.

On 30 January 2023, the Magistrate Court dismissed the case against two journalists, Pidson Kareire and Moses Mugarula, for want of prosecution.<sup>161</sup> The two journalists were accused of publishing a story claiming that the current Speaker of Parliament, Anita Among, is involved in corruption.<sup>162</sup> They were charged with Offensive Communication and Criminal Libel in November 2021.

On 5 March 2023, police officers arrested freelance journalist Andrew Arinaitwe, while covering a story on claims of sexual abuse by teachers in Ugandan boarding schools, including at Kings College Budo.<sup>163</sup> Arinaitwe had gone to the school after failing to reach the principal on the phone to get a response from the school. He entered the school without being questioned or stopped by a security guard, but later the principal, John Fred Kazibwe, accused the journalist of illegally accessing the premises. On 9 March 2022, authorities charged him with criminal trespass with the intent to steal, detained him, and adjourned his case.

### **Freedom of peaceful assembly**

In October 2022, nine university students were arrested in Kampala for protesting the construction of a new oil pipeline in Uganda and neighbouring Tanzania.<sup>164</sup> They were held for six days and charged with “common nuisance.” Environmentalists and human rights advocates have launched a campaign to halt the oil pipeline project, which they claim will displace tens of thousands of people and endanger fragile ecosystems in the region. Furthermore, they accused the Ugandan government of “forced displacement, deforestation and other forms of environmental degradation.” They also alleged that the authorities were involved in the intimidation and arbitrary and illegal arrests of environmental HRDs, EHRDs involved in natural resource governance.

On 9 December 2022, four HRDs, Barigye Bob, Ivan Kabale, Musoke Hamis Walusimbi and Ssemwanga Jackson, were arbitrarily arrested during a peaceful protest. The protestors demanded the National Environment Management Authority (NEMA) examine the environmental effects caused by the East African Crude Oil Pipeline, its impact on climate change and the human rights abuses the project has caused.<sup>165</sup>

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<sup>161</sup> Twitter, “HNRJ” 30 January 2023, <https://twitter.com/HRNJUganda/status/1619984882071138305>, Accessed on 28 March 2023.

<sup>162</sup> Monitor, “Government critics face continued harassment, journalists face restrictions, assault and arrest,” <https://monitor.civicus.org/explore/government-critics-face-continued-harassment-journalists-face-restrictions-assault-and-arrest/>, Accessed on 28 March 2023.

<sup>163</sup> Monitor, “Ugandan journalist Andrew Arinaitwe detained on criminal trespass charges,” 10 March 2023, <https://cpj.org/2023/03/ugandan-journalist-andrew-arinaitwe-detained-on-criminal-trespass-charges/>, Accessed on 28 March 2023.

<sup>164</sup> Reuters, “Uganda police detain nine people for oil pipeline protest” 4 October 2022, <https://www.reuters.com/world/africa/uganda-police-detain-nine-people-oil-pipeline-protest-2022-10-04/>, Accessed on 28 March 2023.

<sup>165</sup> Front Line Defenders, “Four HRDs arbitrarily arrested during a peaceful protest and later released on bail,” 14 December 2022, <https://www.frontlinedefenders.org/en/case/ssemwanga-jackson-arbitrarily-arrested-during-peaceful-protest-and-later-released>, Accessed on 28 March 2023.

Three of the HRDs were held at Kampala Central police station. The authorities kept Ssemwanga Jackson at an undisclosed site until the morning of 12 December 2022, at which point they took him to the Kampala Central police station. On 12 December 2022, the four HRDs were released. On 14 December 2022, the four HRDs were rearrested after reporting to the police station as directed. They were charged with “common nuisance” and released on bail.<sup>166</sup>

Positively, on 18 March 2023, the Constitutional court declared sections 5 and 10 of the Public Order Management Act 2013 null and void.<sup>167</sup> The five justices of the constitutional court ruled that the sections contravene article 29 1 (d) of the constitution, which gives a right to freedom of assembly and demonstration. Despite this decision, police say it will continue implementing Section 5 of the Public Order Management Act.<sup>168</sup> According to police spokesperson Fred Enanga, people who intend to protest, even in a peaceful manner, must notify the police of their intentions to be given permission.

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<sup>166</sup> Ibid

<sup>167</sup> YouTube, “UBC,” <https://www.youtube.com/watch?v=7e7G9pfq2ZA>, Accessed on 28 March 2023.

<sup>168</sup> YouTube, “NTV,” <https://www.ntv.co.ug/ug/news/national/police-insists-poma-is-still-law-despite-court-decision--4165658>, Accessed on 29 March 2023.