



# DEFENDDEFENDERS

East and Horn of Africa Human Rights Defenders Project

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

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### DefendDefenders' Bi-Annual Report to the ACHPR

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## Executive summary

DefendDefenders (the East and Horn of Africa Human Rights Defenders Project) welcomes the opportunity offered by the 77th 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 3 May to October 2023. Additionally, welcomes the Commission's review of Eritrea and Uganda during the session pursuant to Article 62 of the African Charter, which imposes on states the obligation to report every two years on the legislative and other measures taken with a view to giving effect to the rights and freedoms recognized and guaranteed by the Charter.

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).

Over the past six months, the sub-region has faced significant human rights challenges, including constraints on civic space, freedom of expression, and ongoing conflict and violence in Ethiopia, Somalia, South Sudan, and Sudan. The sub-region also witnessed widespread harassment, intimidation, and attacks on HRDs and organisations. In Kenya, authorities unduly restricted citizens' rights to free assembly and expression, targeting independent organisations and media outlets with vague, overbroad legal provisions. During the reporting period, HRDs working on sexual orientation and gender identity and expression (SOGIE) were repeatedly attacked in Burundi, Kenya, and Uganda. Additionally, environmental HRDs faced acute risks in Tanzania and Uganda.

**Burundi's** promises to promote freedom of expression and open civic space remain unfulfilled. Authorities persistently curtail the rights of HRDs, journalists, and political opponents through arbitrary arrests and detention, reprisals, including physical attacks, and legal harassment through the use of trumped-up charges. Journalist Floriane Irangabiye remains incarcerated for criticising the government. Prominent human rights groups in the country have faced suspension or outlawing since 2015, with perpetrators enjoying impunity. Burundi's refusal to grant access to independent human rights groups highlights the need for continued international scrutiny. During the 43rd Universal Periodic Review (UPR), UN member states made recommendations to the government of Burundi calling for investigations into torture allegations, the cessation of harassment against activists and journalists, and the promotion of an enabling environment for civil society.

**Djibouti** and **Eritrea** remain under the grip of two highly repressive governments, both ranking among the world's worst abusers of press freedom. Although Eritrea's press

freedom ranking showed a slight improvement in Reporters Without Borders' 2023 World Press Freedom Index, media space in the country remains heavily restricted with no room for independent reporting. In May 2023, DefendDefenders and 35 NGOs called for an extension of the Special Rapporteur on Eritrea's mandate, condemning the ongoing human rights violations, both at home and abroad, in Ethiopia's Tigray region, by Eritrean authorities. Eritrea has consistently denied access to the Special Rapporteur and rejected substantive engagement with the Human Rights Council and the African Commission on Human and Peoples' Rights. Notably, Eritrea submitted its National Report on the African Charter covering the 2017-2020 period, raising hopes for government accountability regarding human rights violations and compliance with ACHPR decisions and recommendations.

**Ethiopia** continues to face grave human rights, security, and humanitarian challenges, particularly in the Amhara, Oromia, and Tigray regions. Even though almost one year has passed since the Federal Government and the Tigray People's Liberation Front (TPLF) signed a ceasefire agreement, ongoing atrocities, including possible crimes against humanity, persist. Despite substantial evidence of international law violations committed by all parties to the conflict in northern Ethiopia, government accountability measures remain inadequate. Moreover, reports suggest a persistent pattern of arrest, detention, and torture of independent voices, including journalists and HRDs, and civilians, along with numerous credible allegations of violations against Amhara civilians since the declaration of a state of emergency in August 2023. This state of emergency grants state agents' broad authority, including the enforcement of measures such as curfews and arrests without warrants. The country's media and civil society operate under severe restrictions, threatening to nullify gains that had been made in the 2018-2020 period, including amendments to restrictive pieces of legislation such as the Civil Society Proclamation. Journalists are arrested and detained without charge despite court orders for release.

In **Kenya**, authorities continue to restrict fundamental rights, particularly the right to peaceful assembly. There was a surge in police violence during anti-government protests organised by an opposition party, Azimio la Umoja. These protests address electoral injustice, high living costs, and tax hikes. Regrettably, these protests have resulted in injuries and deaths due to excessive police force. Moreover, the right to freedom of expression is under attack, with security officers impersonating journalists and arbitrarily detaining media personnel during protest coverage.

**Rwanda's** human rights record remains a subject of international concern due to challenges related to political freedoms and freedom of expression. Rwandan authorities employ extensive surveillance, intimidation tactics, and arbitrary detention. Allegations of torture and assassinations against HRDs, journalists, and critics who oppose the regime have multiplied in recent years. Additionally, media censorship and self-censorship among reporters and citizens further limit the space for open dialogue and criticism. President Paul Kagame's confirmation of his candidacy for a fourth term in the upcoming presidential election raises concerns about the consolidation of power and a lack of political pluralism in the country.

In **Somalia**, ongoing conflict, violence, insecurity, and drought have contributed to an alarming humanitarian situation. Freedom of the press remains limited as journalists and critics are subject to harassment, arrests, and intimidation when reporting on sensitive topics. Meanwhile, in the separatist, self-governing region of Somaliland, elections are scheduled for 28 December 2023, and the presidential election for 13 November 2024. However, concerns mount as the pre-election period has been marked by a climate of repression, fear, and intimidation.

**South Sudan** continues face a severe humanitarian and human rights crisis due to the ongoing localized violence, in many areas of the country. Violence and impunity, including abductions, extrajudicial killings, rape, gang rape, and other forms of conflict-related sexual violence against women and girls, persist. Additionally, the commitments to the 2018 Revitalized Peace Agreement including unifying security forces, establishing transitional justice mechanisms, and creating a permanent Constitution, are yet to be implemented. Civic space remains severely restricted. The National Security Service (NSS) imposes the State's regime of censorship in newsrooms and interferes heavily with the activities of civil society groups. HRDs critical of the government, including those who have gone into exile, are subjected to surveillance, intimidation, and threats. However, during the reporting period, South Sudan made some progress by ratifying the Maputo Protocol and marginally amending the NSS Act.

The outbreak of conflict in **Sudan**, on 15 April 2023, has resulted in widespread human rights and international humanitarian law violations, as well as in a major humanitarian crisis. The conflict between the Sudanese Armed Forces (SAF) and the Rapid Support Forces (RSF) has led to at least 9,000 deaths among civilians. Millions need humanitarian assistance or face acute food insecurity. CSOs have called for the establishment of an international independent mechanism to investigate reported human rights violations and abuses and hold those responsible to account.

We welcome **Tanzania's** decision to host the 77th ordinary session of the Commission, which shows the authorities' commitment to cooperation and dialogue on human rights matters, as well as its openness to civil society, in the country and on the African continent. The country's human rights situation, however, has deteriorated in the last period, particularly regarding freedoms of expression and association. Although President Samia Suluhu Hassan has taken steps to address human rights concerns reported during her predecessor's term, the government is yet to review and amend repressive provisions within laws that affect freedom of expression and association. Since the Tanzania's national assembly approved an agreement with Dubai for the development and management of ports in June 2023, authorities have detained or threatened at least 22 individuals, including protesters, for their criticism of the deal. Additionally, Tanzanian opposition leader, Tundu Lissu, and several Chama cha Demokrasia na Maendeleo (CHADEMA) party leaders were arrested and accused of holding an unlawful assembly and obstructing police officers in the performance of their duties. On a separate note, the African Court on Human and Peoples' Rights directed Tanzania to amend its National Elections Act and Criminal Procedure Act, citing violations in election officer qualification criteria and provisions related to non-bailable offenses on 13 June 2023.

In **Uganda**, significant human rights challenges persist, hindering the full enjoyment of human rights for all. HRDs, civil society actors, and journalists are navigating an increasingly restrictive environment. The right to freedom of expression is not adequately guaranteed, as journalists and HRDs, find themselves frequently targeted, assaulted, and even arrested for their work. The recent signing of the 2023 Anti-Homosexuality Act has amplified concerns regarding the safety and well-being of sexual minorities and those who provide assistance to HRDs and citizens, irrespective of their sexual orientation, who continue to face an onslaught of attacks and threats.

## **Recommendations**

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

- Urges all member States to ensure the protection of HRDs by observing the African Charter on Human and Peoples' Rights and the United Nations Declaration on Human Rights Defenders.
- Urge member States to cease the harassment and arbitrary detention of HRDs, including those working on politically sensitive topics such as environmental rights, governance, and human rights, women's rights, and minorities, including the sexual minorities community.
- Call on governments to cooperate with African and international human rights mechanisms, including those established by the African Commission and the United Nations, to effectively investigate human rights violations, and to hold those responsible accountable.
- Urges governments to regional and international mechanisms responsible for monitoring human rights access to their respective countries, including granting access to the UN Special Rapporteurs.
- Urge governments to implement resolutions and decisions of the African on Human and Peoples' Rights.
- Call on the Federal Government of Ethiopia through independent and impartial bodies to investigate allegations of human rights violations thoroughly and effectively.
- Call on the Eritrea and Uganda government to implement recommendations provided during their state review.
- Adopt a resolution condemning ongoing human rights violations committed by Eritrean authorities, both at home and abroad in the context of the war in Tigray, and urging the government of Eritrea to address outstanding issues, including those highlighted in the Commission's Resolutions on the Human Rights Situation in Eritrea (ACHPR/Res.91(XXXVIII)05) and on the General Human Rights Situation in Africa (ACHPR/Res.207(L)2011).
- Adopt a resolution on the human rights situation in Burundi, including the situation of human rights defenders and civil society, and that calls upon the government to extend an invitation to the Commission to undertake a general human rights promotion mission in Burundi.
- Call on Tanzania to implement the African Court on Human and Peoples' Rights ruling to amend its National Elections Act and Criminal Procedure Act.



## Burundi

### General situation

On 12 May 2023, during the 43rd session of the UPR, at the UN Human Rights Council (the Council), several representatives of states and human rights organisations highlighted that the civic space in Burundi remains closed and recommended that the government investigate the numerous cases of torture committed by police, security services, and intelligence agents to cease harassment and violations against HRDs, journalists, and other media workers.<sup>1</sup>

On 3 July 2023, the Burundian delegation withdrew from the country's periodic review by the UN Human Rights Committee in Geneva, shortly after the session began.<sup>2</sup> The delegation declared their objection to the presence of members of civil society in attendance, individuals whom the government claimed to be "criminals convicted by Burundian justice." Among those present from civil society was Armel Niyongere, a prominent human rights lawyer, who, along with eleven other HRDs and journalists, had been convicted in absentia for their alleged involvement in a coup attempt that took place in May 2015. The Committee refused to exclude duly accredited participants from the public meeting. Consequently, it conducted the review in the absence of the state delegation.

On 6 July 2023, The World Organisation Against Torture (OMCT) and members of the SOS-Torture network in Burundi expressed concern about the closure of civic space and the criminalisation of HRDs in Burundi.<sup>3</sup> They highlighted that over a hundred Burundian HRDs are still living and working in exile due to the risk of reprisals.

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<sup>1</sup> UN TV, "Burundi Review - 43rd Session of Universal Periodic Review," 4 May 2023, <https://media.un.org/en/asset/k18/k18lievama>, Accessed on 2 October 2023.

<sup>2</sup> "UN Human Rights Committee regrets Burundi's withdrawal from public dialogue," 3 July 2023, [https://www.ohchr.org/en/press-releases/2023/07/un-human-rights-committee-regrets-burundis-withdrawal-public-dialogue#:~:text=GENEVA%20\(3%20July%202023\)%20%E2%80%93,of%20the%20delegation%20from%20Burundi.](https://www.ohchr.org/en/press-releases/2023/07/un-human-rights-committee-regrets-burundis-withdrawal-public-dialogue#:~:text=GENEVA%20(3%20July%202023)%20%E2%80%93,of%20the%20delegation%20from%20Burundi.), Accessed on 2 October 2023.

<sup>3</sup> Relief web, "La criminalisation des défenseurs des droits humains doit cesser," 6 July 2023, <https://reliefweb.int/report/burundi/burundi-la-criminalisation-des-defenseurs-des-droits-humains-doit-cesser>, Accessed on 2 October 2023.



On 25 August 2023, DefendDefenders, in partnership with other NGOs, urged the UN Human Rights Council to adopt a new resolution on Burundi ahead of its 54th session. They urged the Council to extend the Special Rapporteur's mandate by another year and to secure the necessary funding to enable the Special Rapporteur to fully carry out their responsibilities in monitoring and documenting human rights issues.<sup>4</sup>

### **Freedom of association**

On 25 August 2023, the Intermediate Court of Gitega sentenced seven of the 26 MUCO association members arrested in February 2023 to one year of penal servitude for homosexual practices and imposed a 200-thousand Burundian franc fine for allegedly inciting debauchery and prostitution.<sup>5</sup> In the same case, the Gitega High Court acquitted the other 19 individuals.<sup>6</sup>

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

On 2 May 2023, a Burundian court upheld a 10-year prison sentence for journalist Floriane Irangabiye.<sup>7</sup> After being arrested in 2022, Irangabiye was sentenced to a decade in prison and fined USD 500 for allegedly “undermining the integrity of the national territory.” The verdict has been widely criticised, not only for its blatant unfairness but also for sending mixed signals after Burundian authorities had given the impression that human rights advancements were possible, notably because of the recent release of four HRDs.

On 5 August 2023, authorities arrested Police Chief Corporal Jérôme Niyonkuru for unknown reasons, shortly after he publicly criticised bribery within police units responsible for road safety. His arrest could be connected to his anti-bribery advocacy.<sup>8</sup>

## **Djibouti**

### **General situation**

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<sup>4</sup> DefendDefenders, “DefendDefenders’ oral statements at HRC54, 11 September 2023, <https://defenddefenders.org/oral-statements-hrc54/>, Accessed on 2 October 2023.

<sup>5</sup> Jamaica Observer, “Burundi arrests 24 in anti-gay crackdown,” 6 March 2023, <https://www.jamaicaobserver.com/latest-news/burundi-arrests-24-in-anti-gay-crackdown/>, Accessed on 2 October 2023.

<sup>6</sup> Le Mandat, “19 acquitted, 7 convicted,” 25 August 2023, <https://lemandat.org/2023/08/verdict-sur-le-dossier-des-lgbt-au-burundi-19-acquittes-7-condamnes/>, Accessed on 2 October 2023.

<sup>7</sup> CPJ, “Burundian appeals court upholds 10-year prison term for journalist Floriane Irangabiye”, <https://cpj.org/2023/05/burundian-appeals-court-upholds-10-year-prison-term-for-journalist-floriane-irangabiye/>, Accessed on 2 October 2023.

<sup>8</sup> SOS Media, “un agent de la police détenu pour avoir dit la même chose que le président Nev”, 7 August 2023, <https://www.sosmediasburundi.org/2023/08/07/bujumbura-un-agent-de-la-police-detenu-pour-avoir-dit-la-meme-chose-que-le-president-neva/>, Accessed on 2 October 2023.

In Djibouti, the right to freedom of opinion and expression, association, and peaceful assembly is severely curtailed. CIVICUS Monitor ranks Djibouti as a closed country.<sup>9</sup> The government has repeatedly prevented opposition political parties from operating freely and effectively and created serious obstacles for the registration of human rights associations and trade unions. Additionally, freedom of expression is severely restricted, and journalists engage in self-censorship, journalists and activists who are critical of the government are regularly harassed or arrested.<sup>10</sup>

## **Eritrea**

### **General situation**

On 17 May 2023, DefendDefenders, together with 35 NGOs, issued a letter ahead of the 53rd session of the UN Human Rights Council.<sup>11</sup> The letter urges countries to actively support the adoption of a resolution that extends the mandate of the Special Rapporteur on Eritrea and condemns the ongoing human rights violations by the Eritrean authorities.<sup>12</sup> Eritrea continues to deny entry to the Special Rapporteur and to refuse meaningful engagement with the Human Rights Council as well as the African Commission on Human and Peoples' Rights.

On 29 October 2023, pursuant to Article 62 of the African Charter which imposes on States the obligation to report every two years on the legislative and other measures taken with a view to giving effect to the rights and freedoms recognised and guaranteed by the Charter, Eritrea will be reviewed based on the country's report covering the period 2017-2020.<sup>13</sup>

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

In the 2023 world press freedom index, Reporters Without Borders (RSF) ranked Eritrea 174<sup>th</sup> out of 180 countries, a slight change from previous years when Eritrea was ranked 179<sup>th</sup>. However, the press freedom watchdog reported that "the media remain in President Issaias Afwerki's despotic grip."<sup>14</sup>

On 26 July 2023, the UN Working Group on Arbitrary Detention, established by the Human Rights Council, urged the Eritrean government to unconditionally release journalist Dawit Isaak and to provide information about his situation and whereabouts

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<sup>9</sup> CIVICUS Monitor, "Djibouti", <https://monitor.civicus.org/country/djibouti>.

<sup>10</sup> Freedom House, "Djibouti", 2023, <https://freedomhouse.org/country/djibouti/freedom-world/2023>, Accessed 2 October 2023.

<sup>11</sup> DefendDefenders, 17 May 2023, "The annual Council resolution should outline the country's human rights situation and extend the Special Rapporteur's mandate," <https://defenddefenders.org/wp-content/uploads/2023/05/HRC53-Civil-society-letter-on-ERITREA.pdf>, Accessed on 2 October 2023.

<sup>12</sup> DefendDefenders, "The UN Human Rights Council should adopt a strong resolution, 17 May 2023, <https://defenddefenders.org/eritrea-hrc-strong-resolution-2023/>, Accessed on 2 October 2023.

<sup>13</sup> ACHPR, Eritrea State Report, August 2023, <https://achpr.au.int/en/state-reports/eritrea-2nd-periodic-report-2017-2020>, Accessed on 2 October 2023.

<sup>14</sup> Relief web, 2023 World Press Freedom Index, 3 May 2023, [https://reliefweb.int/report/world/2023-world-press-freedom-index-journalism-threatened-fake-content-industry-enru?gclid=Cj0KCQjwnMWkBhDLARIsAHBOftpOJ6xyD5LNjFfMXBsM0QXC.S-MwFG7FLijV5cw4pYUo\\_r6uxw1UCYaAv1NEALw\\_wcB](https://reliefweb.int/report/world/2023-world-press-freedom-index-journalism-threatened-fake-content-industry-enru?gclid=Cj0KCQjwnMWkBhDLARIsAHBOftpOJ6xyD5LNjFfMXBsM0QXC.S-MwFG7FLijV5cw4pYUo_r6uxw1UCYaAv1NEALw_wcB), Accessed on 2 October 2023.

without delay.<sup>15</sup> The opinion adopted by the Working Group was prompted by a communication filed by RSF, the Raoul Wallenberg Centre for Human Rights (RWCHR), DefendDefenders, and international NGOs.

## Ethiopia

### General situation

On 23 May 2023, the Commission ended the mandate of the Commission of Inquiry concerning the situation in the Tigray Region of the Federal Democratic Republic of Ethiopia.<sup>16</sup>

On 12 July 2023, security forces at Addis Ababa Bole International Airport stopped Aba Serekebirhan Woldesamuel, an outspoken critic of the war in the Tigray region, from proceeding with his travel to his intended destination for unknown reasons.<sup>17</sup> According to recent reports circulating in local media, his involvement in the nomination of 10 Archbishops for dioceses under the newly established See of Selama Kessate Berhan Archdiocese of the Tigray Orthodox Tewahedo Church is believed to have made him a target due to Ethiopia's long history of religious diversity and tensions between different religious groups.<sup>18</sup>

On 3 August 2023, Yelikal Kefale, the President of the Amhara regional state, directed an appeal to Prime Minister Abiy Ahmed and the federal government to create and implement a crucial legal framework to address the increasing security unrest, including disruptions in flights and internet shutdowns.<sup>19</sup>

On 5 August 2023, Justice Minister Gideon Timothewos declared a six-month state of emergency in the Amhara region due to escalating armed activity that disrupted the region's social and economic activities, with the option to implement it in other areas as needed.<sup>20</sup> A State of Emergency Command Post, headed by the Director-General of National Intelligence, will enforce measures like curfews and arrests without court orders.

### Freedom of association

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<sup>15</sup>HRC, "Opinions adopted by the Working Group on Arbitrary Detention at its ninety-sixth session," 5 April 2023, <https://www.ohchr.org/sites/default/files/documents/issues/detention-wg/opinions/session96/A-HRC-WGAD-10-Eritrea-AEV.pdf>, Accessed on 2 October 2023.

<sup>16</sup>ACHPR, "Resolution on the termination of the mandate of the Commission of Inquiry on the Situation in the Tigray Region of the Federal Democratic Republic of Ethiopia," 13 June 2023, <https://achpr.au.int/en/adopted-resolutions/556-resolution-termination-mandate-commission-inquiry>, Accessed on 2 October 2023.

<sup>17</sup>Addis Standard, "Orthodox priest stranded at Addis Abeba Airport, says his rights violated by security forces," 14 July 2023, <https://addisstandard.com/news-orthodox-priest-stranded-at-addis-abeba-airport-says-his-rights-violated-by-security-forces/>, Accessed on 2 October 2023.

<sup>18</sup>Addis Standard, "Tigray Orthodox church leaders announce plans to ordain 10 episcopate," 23 May 2023, "Tigray Orthodox church leaders announce plans to ordain 10 episcopate," <https://addisstandard.com/news-tigray-orthodox-church-leaders-announce-plans-to-ordain-10-episcopate/>, Accessed on 2 October 2023.

<sup>19</sup>Addis Standard, "Amhara region requests federal gov't to intervene amid escalating security crisis, reports of internet and flight interruptions," 3 August 2023, <https://addisstandard.com/news-update-amhara-region-requests-federal-govt-to-intervene-amid-escalating-security-situation-reports-of-internet-and-flight-interruptions/>, Accessed on 2 October 2023.

<sup>20</sup>France 24, "Police beat, arrest opposition supporters in Ethiopia's Tigray," 7 September 2023, <https://www.france24.com/en/live-news/20230907-police-beat-arrest-opposition-supporters-in-ethiopia-s-tigray>, Accessed on 2 October 2023.

On 24 July 2023, Human Rights Watch (HRW) called for the immediate release of seven Oromo opposition members who were detained by Ethiopian authorities for nearly three years without justification.<sup>21</sup> HRW asserts that their detention is politically motivated.

On 7 September 2023, in Ethiopia's Tigray region, police arrested and used force against opposition leaders and supporters who were planning protests against the TPLF led interim administration. At least 26 people, including key opposition figures, were taken into custody. The arrests came after earlier detentions of protest organisers who criticised the TPLF's governance. Security forces cordoned off the rally location in Mekele, and there were reports of violence against demonstrators.<sup>22</sup>

## **Freedom of opinion and expression**

On 6 May 2023, Djiboutian authorities and the International Criminal Police Organisation (Interpol) allegedly arrested and renditioned Gobeze, the founder and editor of The Voice of Amhara, a privately-owned YouTube-based broadcaster.<sup>23</sup> Prior to his arrest, Gobeze was reporting on recent unrest in Amhara regional state, following the demobilization of the Amhara State Special Forces. On 9 May 2023, a court granted police an additional 14 days to hold Gobeze for investigation on accusations of terrorism and leading the media propaganda wing of an unnamed extremist group. However, an Interpol representative stated that the organisation had no information about Gobeze in its databases and noted that it was not authorised to arrest or extradite individuals.

On 21 May 2023, the Ethiopian Media Authority temporarily suspended Mahibere Kidusan TV for airing a statement from a committee established by the Holy Synod.<sup>24</sup> The statement incited the gathering of priests to address internal tensions regarding the appointment of new episcopate members for Oromia regional state.<sup>25</sup>

On 17 July 2023, an employee from Ethiopia Insider reported that the outlet's office was robbed the night before.<sup>26</sup> The stolen items include three cameras, a smartphone, four laptops, and six camera lenses. Allegations suggest that the perpetrators selectively took equipment to inflict damage on the company's video reporting capabilities. This suspicion

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<sup>21</sup> Addis Standard, "Human Rights Watch urges Ethiopia to release seven Oromo opposition figures held without charges for nearly three years," 24 July 2023, <https://addisstandard.com/news-human-rights-watch-urges-ethiopia-to-release-seven-oromo-opposition-figures-held-without-charges-for-nearly-three-years/>, Accessed on 2 October 2023.

<sup>22</sup> TRT, "Police disperse opposition supporters in Ethiopia's Tigray, 7 September 2023, <https://www.trtafrika.com/africa/police-disperse-opposition-supporters-in-ethiopias-tigray-14861402>, Accessed on 2 October 2023.

<sup>23</sup> CPJ, "Journalist Gobeze Sisay facing terrorism investigation in Ethiopia after arrest in Djibouti," 12 May 2023, <https://cpj.org/2023/05/journalist-gobeze-sisay-facing-terrorism-investigation-in-ethiopia-after-arrest-in-djibouti/>, Accessed on 2 October 2023.

<sup>24</sup> Addis Standard, "Media authority temporarily suspends license of Orthodox Church affiliated TV," 1 May 2023, <https://addisstandard.com/news-media-authority-temporarily-suspends-license-of-orthodox-church-affiliated-tv/>, Accessed on 2 October 2023.

<sup>25</sup> Mahibere Kidusan Broadcast Services, "Facebook," 21 May 2023, <https://www.facebook.com/eotcmkidusan/posts/pfbid0kKRZfaiNWOpClpyUSuuNWtyXNHahgy1DZH4DUMudijNXNbcu8N7G1CGU P73Y6e9dlm>, Accessed on 2 October 2023.

<sup>26</sup> CPJ, "CPJ calls for swift and credible investigation into burglary of Ethiopia Insider office," 20 July 2023, <https://cpj.org/2023/07/cpj-calls-for-swift-and-credible-investigation-into-burglary-of-ethiopia-insider-office/>, Accessed on 2 October 2023.

is intensified by the significant pressure the media outlet has been facing due to their reporting.<sup>27</sup>

On 10 August 2023, federal police arrested Abay Zewdu, the chief editor of Amhara Media Center (AMC), for unknown reasons.<sup>28</sup> Prior to his arrest, the journalist had extensively covered the Amhara crisis including interviews with civilians and Fano militiamen and described it as a freedom struggle in a report. On 21 August 2023, he was subsequently transferred to the Awash Arba military facility.

On 17 August 2023, police arrested Yidnekachew Kebede, the founder, and editor of Negari TV, a YouTube-based outlet.<sup>29</sup> On 21 August, he appeared in court, where the police accused him of aiding "anti-peace elements" and producing video content "with the intent of provoking violence,". Prior to his arrest, Yidnekachew had criticised the state of emergency and denounced the detention of political activists and civilians on Facebook. On 1 September 2023, Yidnekachew returned to court and was released on bail of 6,000 birr (US\$108) without any charges.

On 25 August 2023, police in Addis Ababa detained Fekadu Mahtemework, the editor-in-chief of the weekly Ghion magazine, under the state of emergency decree.<sup>30</sup> Prior to his arrest, the journalist had published reports and a commentary on the conflict in Amhara and the declaration of the state of emergency. On 4 September 2023, Fekadu was released without charge.

## Kenya

### General situation

On 26 June 2023, Kenyan President William Ruto signed the Finance Bill 2023 into law, which increases existing taxes and introduces new ones, including a 3% digital asset tax.<sup>31</sup> The ruling party claims it will boost government funds and reduce reliance on foreign loans. On 30 June 2023, an opposition senator launched a case, saying that specific parts of the law were unconstitutional. As a result, Kenya's High Court suspended the implementation of the newly signed finance law which sparked multiple protests in Kenya.<sup>32</sup>

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27 Addis Standard, "Online media outlet Ethiopia Insider suffers robbery, jeopardizing daily news production," 17 July 2023, <https://addisstandard.com/news-online-media-outlet-ethiopian-insider-suffers-robbery-jeopardizing-daily-news-production/>, Accessed on 2 October 2023.

28 CPJ, "Three more journalists arrested under Ethiopia's state of emergency," 6 September 2023, <https://cpj.org/2023/09/three-more-journalists-arrested-under-ethiopias-state-of-emergency/>, Accessed on 2 October 2023.

29 CPJ, "Three more journalists arrested under Ethiopia's state of emergency" 6 September 2023, <https://cpj.org/2023/09/three-more-journalists-arrested-under-ethiopias-state-of-emergency/>, Accessed on 2 October 2023.

<sup>30</sup> Ibid

31 Coingeek. "Kenyan president signs Finance Bill, demands 3% tax from digital asset traders," 5 July 2023, <https://coingeek.com/kenyan-president-signs-finance-bill-demands-3-tax-from-digital-asset-traders/>, Accessed on 2 October 2023.

32 Reuters, "Kenya's High Court blocks tax hikes in newly signed law" 30 June 2023, <https://www.reuters.com/world/africa/kenyas-high-court-blocks-tax-hikes-newly-signed-law-2023-06-30/>, Accessed on 2 October 2023.

On 9 September 2023, Amnesty International and other human rights groups submitted a memorandum of understanding to the National Dialogue Committee (NDC), emphasising the importance of preserving civic space.<sup>33</sup> This memorandum outlined five critical concerns, including issues like unlawful use of lethal police force and delays in police accountability, to be discussed during the Azimio-Kenya Kwanza peace talks. Irungu Houghton, Director of Amnesty Kenya, stressed the need for NDC's focus on these matters.

On 26 September 2023, Senator Samson Cherargei proposed extending the presidential term from five to seven years, arguing it is necessary for effective governance.<sup>34</sup> However, the ruling UDA party and opposition lawmakers oppose this. The proposal could harm civic space and civil rights by hindering opposition, risking one-party dominance, and reducing election frequency, accountability, and checks on power.

### **Freedom of Association**

On 21 July 2023, plainclothes police officers abducted human rights activist Boniface Ogutu Akach and took him to an undisclosed location as he was heading to the Kisumu Peace and Justice Center.<sup>35</sup> Prior to this incident, he had been gathering evidence of police misconduct during the ongoing protests. His whereabouts remain unknown.

On 30 August 2023, the Kenyan Human Rights Commission (KHRC) called on National Cohesion and Integration Commission (NCIC) Kenya to intervene and stop an unspecified group dubbed the Anti Lesbian, Gay, Bisexual, Transgender, Queer and Others (LGBTQ+) movement that was running a hate campaign, raising funds with the intention to promote violence against the LGBTQ+ community.<sup>36</sup>

On 13 September 2023, the Supreme Court of Kenya, upheld the decision of the high court, approving the registration of the National Gay & Lesbian Human Rights Commission as an NGO reaffirming the right of the sexual minorities to associate.<sup>37</sup> On 15 September 2023, Sheikh Abu Qatada called on parliament to condemn the ruling which he believes contradicts holy scriptures, urging members of parliament to unite and file a petition within a month to oppose the decision.<sup>38</sup>

### **Freedom of peaceful assembly**

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<sup>33</sup> All Africa, "Amnesty International Urges National Dialogue Committee to Address Key Human Rights Concerns," 9 September 2023, <https://allafrica.com/stories/202309090131.html>, Accessed on 2 October 2023.

<sup>34</sup> NTV Kenya, "Leaders react to Cherargei's proposal to extend the presidential term limit," 26 September 2023, <https://ntvkenya.co.ke/news/leaders-react-to-cherargeis-proposal-to-extend-the-presidential-term-limit/>, Accessed on 2 October 2023.

<sup>35</sup> Nation, "Where is vocal human rights activist Boniface Ogutu Akach?," 21 July 2023, <https://nation.africa/kenya/counties/kisumu/where-is-vocal-human-rights-activist-boniface-ogutu-akach--4311092>, Accessed on 2 October 2023.

<sup>36</sup> KHRC, "Stop dangerous hate campaign," <https://www.khrc.or.ke/index.php/publications/250-letter-to-ncic-stop-dangerous-hate-campaign/file>, Accessed on 2 October 2023.

<sup>37</sup> Twitter, "KHRC", 24 February 2023, [https://twitter.com/thekhrc/status/1629044503934865409?ref\\_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1629044503934865409%7Ctwgr%5E7fd1d0ce62449d9dbc340d0918e07decac539837%7Ctwcon%5Es1\\_&ref\\_url=https%3A%2F%2Fmonitor.civicus.org%2Fexplore%2Flandmark-judgment-affirms-the-rights-to-association-and-equality%2E](https://twitter.com/thekhrc/status/1629044503934865409?ref_src=twsrc%5Etfw%7Ctwcamp%5Etweetembed%7Ctwterm%5E1629044503934865409%7Ctwgr%5E7fd1d0ce62449d9dbc340d0918e07decac539837%7Ctwcon%5Es1_&ref_url=https%3A%2F%2Fmonitor.civicus.org%2Fexplore%2Flandmark-judgment-affirms-the-rights-to-association-and-equality%2E), Accessed on 2 October 2023.

<sup>38</sup> Nation, "Supreme Court reaffirms LGBTQ right to associate", 13 September 2023, <https://nation.africa/kenya/news/supreme-court-reaffirms-lgbtq-right-to-associate-4366506>, Accessed on 2 October 2023.



On 4 May 2023, President William Ruto's government and Kenya's opposition, led by veteran opposition politician Raila Odinga, reached an agreement in regard to the opposition protests, with the opposition announcing the suspension of its mass anti-government protests over the high cost of living.<sup>39</sup>

On 6 June 2023, Kenyan police fired tear gas at hundreds of individuals protesting the proposed finance bill, that increases taxes on fuel and housing.<sup>40</sup> At the same time, undercover police officers violently arrested an activist carrying a sign that conveyed the message: "The era of colonialism continues."

In July 2023, Mbeere North MP Geoffrey Ruku introduced the Maandamano Bill, which aims to regulate protests and holds organisers accountable for property damage, potentially imprisoning participants in illegal protests. Legal experts argue that it duplicates existing laws and infringes on constitutional rights.<sup>41</sup>

Every year on 7 July, Kenyans actively protest during the annual "*Saba Saba*" demonstration. On 7 July 2023, the Kenyan police fired tear gas at the mass rally convoy of opposition leader Raila Odinga during anti-government protests on the cost-of-living crisis and a series of controversial tax hikes. In a similar incident, the police also arrested 74 young people and fired tear gas to disperse crowds of protesters who were marching through the streets of Nairobi and other towns, carrying placards that read "*Tumechoka*," which means "We are tired."<sup>42</sup> Furthermore, law enforcement officers fatally shot one of the protestors in Kisumu.<sup>43</sup> Activists initiated *Saba Saba* in 1990, demanding free elections and a multi-party system as part of the pro-democracy movement.<sup>44</sup> Today, HRDs and CSOs actively commemorate *Saba Saba* by protesting the cost-of-living crisis and a series of controversial tax hikes.

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<sup>39</sup> Aljazeera, "Kenya opposition suspends protest after agreement with government," 4 May 2023, <https://www.aljazeera.com/news/2023/5/4/kenya-opposition-suspends-protest-after-agreement-with-government>, Accessed on 2 October 2023.

<sup>40</sup> Reuters, "Kenyan police fire tear gas at protesters marching against finance bill," 6 June 2023, <https://www.reuters.com/world/africa/kenyan-police-fire-teargas-protesters-marching-against-finance-bill-2023-06-06/>, Accessed on 2 October 2023.

<sup>41</sup> The Standard, "Maandamano Bill will curtail right to hold demos, legal experts say," August 2023, <https://www.standardmedia.co.ke/national/article/2001477379/bill-on-protests-will-curtail-right-to-hold-demos-legal-experts-say>, <https://www.standardmedia.co.ke/national/article/2001477379/bill-on-protests-will-curtail-right-to-hold-demos-legal-experts-say>, Accessed on 2 October 2023.

<sup>42</sup> Twitter, "Defenders Coalition," 10 July 2023, <https://twitter.com/defenderske/status/1678401192395718670?s=48&t=LQT5CWaFfjM892XdQ-Nwzw>, Accessed on 2 October 2023.

<sup>43</sup> Aljazeera, "One man shot dead in Kenya amid protests over tax hikes," 7 July 2023, <https://www.aljazeera.com/news/2023/7/7/kenyan-police-use-tear-gas-to-stop-protests-over-tax-hikes>, Accessed on 2 October 2023.

<sup>44</sup>The elephant, "Saba Saba and the Evolution of Citizen Power," 7 July 2023, <https://www.theelephant.info/features/2020/07/07/saba-saba-and-the-evolution-of-citizen-power/>, Accessed on 2 October 2023.

On 7 July 2023, police arrested three lawyers for demanding the unconditional release of 32 peaceful protestors who had been arrested for participating in the *Saba Saba* protests.<sup>45</sup> The protestors were expected to appear in court to enter their pleas. However, on 10 July 2023, they were released.<sup>46</sup>

On 12 July 2023, police arrested and harassed two protesters who were demonstrating against the disposal of raw sewage into the river from Nyakio building in Nanyuki.<sup>47</sup> The protesters were held at Nanyuki police station. In a similar incident, on 12 July 2023, the police in Mombasa fired tear gas to disperse crowds of peaceful individuals who were protesting the cost of living and several controversial tax hikes.<sup>48</sup>

On 12 July 2023, police officers fatally shot six people during protests in Kenya against the rising cost of living. Additionally, health workers reported that they tear-gassed more than 50 school children in Nairobi.<sup>49</sup> In a recent statement, DefendDefenders and Defenders Coalition-Kenya strongly condemned the violent use of force by police officers during the *Saba Saba* nationwide demonstrations in Kenya.<sup>50</sup> On 20 July 2023, an unidentified police officer told a journalist that they had been instructed not to disclose the number of deaths and injury.<sup>51</sup> Neglecting to report deaths or injuries resulting from police actions to the government-established Independent Policing Oversight Authority within 24 hours is unlawful according to the executive director of the Independent Medico-Legal Unit watchdog, Peter Kiama.<sup>52</sup>

On 19 July 2023, several individuals and demonstrators protesting against the increased cost of living and tax hikes were shot by security forces, leaving some with fatal injuries.<sup>53</sup> It is alleged that law enforcement arrested at least 300 people across the nation, including notable opposition figures.<sup>54</sup> The protests were, however, marked by instances of violence.

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<sup>45</sup> Twitter, "The People Watchman," 8 July 2023, <https://twitter.com/bonifacemwangi/status/1677589709747281921?s=48&t=LQT5CWaFfjM892XdQ-Nwzw>, Accessed on 2 October 2023.

<sup>46</sup> Twitter, Defenders Coalition, 8 July 2023, <https://twitter.com/defenderske/status/1677683521257701378?s=48&t=LQT5CWaFfjM892XdQ-Nwzw>, Accessed 2 October 2023.

<sup>47</sup> Twitter, "Defenders coalition," 12 July 2023, <https://twitter.com/defenderske/status/1679004836380004352?s=46&t=LQT5CWaFfjM892XdQ-Nwzw>, Accessed on 2 October 2023.

<sup>48</sup> Twitter, Article 19 Eastern Africa, 12 July 2023, <https://twitter.com/article19eafric/status/1679040809881026562?s=20>, Accessed on 2 October 2023.

<sup>49</sup> AP, "Police say officers kill at least 6 as Kenyans protest rising costs, and 50 children are tear-gassed," 12 July 2023, <https://apnews.com/article/kenya-protests-economy-nairobi-police-china-cb6cb377b1239c340bbcd5000f8f4f70>, Accessed on 2 October 2023.

<sup>50</sup> DefendDefenders, "Now is the opportunity to defend Freedom of Expression and Assembly, 14 July 2023, <https://defenddefenders.org/kenya-now-is-the-opportunity-to-defend-freedom-of-expression-and-assembly/>, Accessed on 2 October 2023.

<sup>51</sup> Africa news, "Kenya police instructed to conceal protest deaths, watchdog reveals 6 fatalities", <https://www.africanews.com/2023/07/20/kenya-police-instructed-to-conceal-protest-deaths-watchdog-reveals-6-fatalities/>, Accessed on 2 October 2023.

<sup>52</sup> All Africa, "Kenya police instructed to conceal protest deaths, watchdog reveals 6 fatalities", <https://www.africanews.com/2023/07/20/kenya-police-instructed-to-conceal-protest-deaths-watchdog-reveals-6-fatalities/>, Accessed on 2 October 2023.

<sup>53</sup> Reuters, "Several reported shot during tax hikes unrest," 19 July 2023, <https://www.reuters.com/world/africa/protesters-hurl-rocks-kenyan-police-three-day-tax-protest-begins-2023-07-19/>, Accessed on 2 October 2023.

<sup>54</sup> All Africa, "9 dead and more than 300 arrested after protests," <https://www.africanews.com/2023/07/14/kenya-9-dead-and-more-than-300-arrested-after-protests/>, Accessed on 2 October 2023.



On 21 July 2023, human rights organisations in Kenya, strongly criticised the growing use of plainclothes officers in unmarked vehicles to forcefully detain and abduct protestors during nationwide demonstrations.<sup>55</sup>

## Freedom of opinion and expression

On 22 June 2023, the Government of Kenya and Netflix Africa signed an agreement that ceases the streaming of movies that focus on LGBTQ+ themes to align with section 165 of the Penal Code Act.<sup>56</sup>

On 26 June 2023, Kenya's Minister of Commerce, Moses Kuria, launched a verbal attack against the Nation Media Group (NMG), targeting its journalists.<sup>57</sup> He publicly referred to them as "prostitutes of the Aga Khan" and threatened to dismiss any government official involved in business with NMG. Prior to this incident, NTV, one of the channels under NMG, aired an investigative report, raising concerns about a potential import scandal within Kuria's ministry.<sup>58</sup> On 12 June 2023, the Media Council of Kenya condemned the act of making public threats against journalists in a statement, emphasising that such actions pose a significant risk to their work and have a negative impact on Kenya's international reputation.<sup>59</sup>

On 19 July 2023, the Media Council of Kenya voiced concern over security officers posing as journalists to arrest protestors, which puts real journalists in danger.<sup>60</sup> The Council also criticised the needless and arbitrary detention of journalists during these events. A video showed an officer pushing a photojournalist, causing them to fall down the staircase. This incident highlights a troubling trend in the country where police officers have been impersonating journalists, especially during ongoing protests. Legal representatives for Babu Owino a Kenyan politician expressed their concern that some police officers are now entering courtrooms disguised as members of the press.<sup>61</sup>

## Rwanda

### General situation

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<sup>55</sup> NTV, "Police working with suspected private militia to butcher people in Dandora, Kibera," 21 July 2023, <https://ntvkenya.co.ke/news/khrc-police-working-with-suspected-private-militia-to-butcher-people-in-dandora-kibera/>, Accessed on 2 October 2023.

<sup>56</sup> Twitter, "KTMG", 22 June 2023, <https://twitter.com/kuchutimes/status/1671881404999938052?s=48>, Accessed on 2 October 2023.

<sup>57</sup> Africa new, "storm over minister who called journalists "prostitutes", 21 June 2023, <https://www.africanews.com/2023/06/21/kenya-storm-over-minister-who-called-journalists-prostitutes/>, Accessed on 2 October 2023.

<sup>58</sup> Ibid

<sup>59</sup> Twitter, "Media council of Kenya," 19 June 2023, <https://twitter.com/mediacouncilk/status/1670746912998260737?s=48>, Accessed on 2 October 2023.

<sup>60</sup> MCK, "police masquerading as journalists to arrest protestors is a threat to media work," 19 July 2023, <https://mediacouncil.or.ke/sites/default/files/advisory-press-releases/MCK%20Press%20Statement%20-%20%20Police%20Masquerading%20as%20Journalists%20a%20Threat%20to%20Media%20Work.pdf>, Accessed on 2 October 2023.

<sup>61</sup> [1] Star, "Lawyers want CJ to address influx of police in courts," 21 July 2023, <https://www.the-star.co.ke/news/realtime/2023-07-21-lawyers-want-cj-to-address-influx-of-police-in-courts/>, Accessed on 2 October 2023.

On 20 September 2023, Rwanda's President Paul Kagame confirmed his run for a fourth term in the upcoming presidential election, following his re-election as chairman of the ruling party.<sup>62</sup> Kagame has been in power since 2000, with constitutional changes in 2015 allowing presidents to serve two five-year terms. If re-elected in 2024, he could serve for a total of 10 years.

## **Freedom of opinion and expression**

On 3 May 2023, various civil society groups, expressed deep concerns regarding the death of prominent journalist John Williams Ntwali in a car accident days after covering a story about the case of a jailed teacher and media investor, Christopher Kayumba.<sup>63</sup> The absence of concrete evidence, including video or photo documentation, and the vagueness of the medical report have triggered suspicions, leading advocacy groups to demand an independent investigation.

On 3 May 2023, Amnesty International highlighted the continued unlawful detention of journalist Theoneste Nsengimana, who has been held since October 2021 on charges of "spreading rumors to incite unrest among the population".<sup>64</sup>

## **Somalia/Somaliland**

### **General situation**

On 20 June 2023, Somalia's government announced that they had reached a consensus to implement a one-person, one vote system every five years from June 2024.<sup>65</sup> This announcement followed President Hassan Sheikh Mohamud's pledge in March to end the complex clan-based indirect voting system in place in Somalia.

On 9 August 2023, during a meeting convened by Somaliland President Muse Bihi Abdi to address election preparations and regional security, UCID Party Chairman Faysal Ali Warabe accused President Bihi of attempting to delay the elections and extend his term.<sup>66</sup> President Bihi asserts that political parties' elections should precede the presidential elections, but Faysal Ali Warabe highlighted Bihi's record of ignoring laws, evading compromise, and sidestepping consultation. Somaliland holds multi-stage elections, including local at regional levels before the presidential vote.

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<sup>62</sup> BBC, Rwanda's President Paul Kagame confirms fourth-term bid, 20 September 2023, <https://www.bbc.com/news/world-africa-66865681>, Accessed on 2 October 2023.

<sup>63</sup> Amnesty International, "journalists in Rwanda among those in region suffering repression", 3 May 2023, <https://www.amnesty.org.uk/press-releases/eastsouthern-africa-journalists-rwanda-among-those-region-suffering-repression>, Accessed on 2 October 2023.

<sup>64</sup> Ibid

<sup>65</sup> Reuters, "Somalia says it will revert to direct vote for officials starting next year," 28 May 2023, <https://www.reuters.com/world/africa/somalia-says-it-will-revert-direct-vote-officials-starting-next-year-2023-05-28/>, Accessed on 2 October 2023.

<sup>66</sup> Hiran, "Somaliland opposition parties skip President's meeting with political organizations", <https://www.hiraan.com/news4/2023/Aug/192554/somaliland-opposition-parties-skip-president-s-meeting-with-political-organizations.aspx>, Accessed on 2 October 2023.

On 24 August 2023, Somalia Women and Childcare Associations (SWCCA), with support from the United Nations, organised a two-day symposium that gathered various participants, including HRDs, journalists, Members of Parliament, cabinet Ministers, and academics, with the primary goal of empowering CSOs and fostering collaborative efforts to advance human rights. It concluded with a resounding call to expand Somalia's civic space and enhance human rights advocacy.<sup>67</sup>

## Freedom of expression

On 1 May 2023, guards under the instructions of Mohamed Suudi, a sanitation director, physically assaulted three journalists who were reporting on the problem of waste water accumulation.<sup>68</sup> Furthermore, the Shabelle Media Network alleges that the same official had threatened their cameraman, Abdifatah Rooble, the day before.<sup>69</sup>

On 10 May 2023, the Criminal Investigation police summoned Ahmed Said Ahmed, an online reporter for Radio Kulmiye, to inquire about his investigative stories regarding government officials who were accused of disappearing to foreign countries and misusing visas.<sup>70</sup>

On 15 May 2023, Somaliland police arrested journalist Busharo Ali Mohamed and reportedly subjected her to torture.<sup>71</sup> Prior to her arrest, Busharo had been actively covering Somaliland's declining democracy and had referred to the current leader as "an autocratic" figure. On 17 May 2023, a court in Hargeisa extended her remand in police custody for an additional seven days.<sup>72</sup>

On 18 May 2023, Judge Salah Ali Mohamud from the Banadir Regional Court verbally attacked journalists who were reporting on corruption and injustices.<sup>73</sup> He declared investigations by agencies against them, accusing the journalists of inciting 'fitna,' or civil strife which he deemed to be a criminal act.

On 20 May 2023, the office of Somalia's Attorney General summoned SYL TV journalist Hussein Abdulle Mohamed.<sup>74</sup> Deputy Attorney General Mohamed Osman Mohamud interrogated him about his recent reporting, which exposed alleged corruption and abuse of power involving Attorney General Sulayman Mohamed Mohamud and implicated President Hassan Sheikh Mohamud's family members in another graft story. After an hour of questioning, Hussein was released with a cautionary notice of potential future

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<sup>67</sup>UNSOM, "United Nations assistance mission in somalia," 24 august 2023, <https://unsom.unmissions.org/two-day-meeting-ends-call-expand-somalia%E2%80%99s-civic-space-and-enhance-human-rights-advocacy>, Accessed on 2 October 2023.

<sup>68</sup>CPJ, "Somaliland authorities indefinitely suspend BBC," 20 July 2023, <https://cpj.org/2022/07/somaliland-authorities-indefinitely-suspend-bbc/>, Accessed on 2 October 2023.

<sup>69</sup>SJS, "Somali journalists subjected to threats, beating, arbitrary detention as authorities continue to deny journalists' access to information," 3 May 2023, <https://sjsyndicate.org/2023/05/03/wpfd-somali-journalists-subjected-to-threats-beating-arbitrary-detention-as-authorities-continue-to-deny-journalists-access-to-information/>, Accessed on 2 October 2023.

<sup>70</sup>SJS "Journalists face intimidation and threats of prosecution for reporting allegations of corruption and injustices in Mogadishu," 25 May 2023, <https://sjsyndicate.org/2023/05/25/journalists-face-intimidation-and-threats-of-prosecution-for-reporting-allegations-of-corruption-and-injustices-in-mogadishu/>, Accessed on 2 October 2023.

<sup>71</sup>SJS, "Somaliland detains critical female journalist, SJS calls for her unconditional freedom," 19 May 2023, <https://sjsyndicate.org/2023/05/19/somaliland-detains-critical-female-journalist-sjs-calls-for-her-unconditional-freedom/>, Accessed on 2 October 2023.

<sup>72</sup>Ibid

<sup>73</sup>SJS, "Journalists face intimidation and threats of prosecution for reporting allegations of corruption and injustices in Moga dishu," 25 May 2023, <https://sjsyndicate.org/2023/05/25/journalists-face-intimidation-and-threats-of-prosecution-for-reporting-allegations-of-corruption-and-injustices-in-mogadishu/>, Accessed on 2 October 2023.

<sup>74</sup>Ibid

police interrogations. On 29 May 2023, Saleban Mohamed Mohamud, the Minister of Information for Jubbaland, issued a directive urging journalists to cease providing neutral coverage of the war against al-Shabaab.<sup>75</sup> In addition, he instructed them to “align with the government and actively promote government propaganda.”

On 4 June 2023, the Deputy Minister of Information, Abdirahman Yusuf Al-Adaala, announced that the Ministry of Information and Facebook agreed to grant authorities the power to restrict Al-Shabaab-related content on the platform.<sup>76</sup> Prior to this announcement, journalists had reported the deletion and restriction of their news content on Facebook.

On 5 June 2023, freelance journalist Abdirahman Ahmed Aden, associated with The New Humanitarian, an independent journalism organisation, was assaulted by armed individuals.<sup>77</sup> They reportedly issued death threats, detained him, and later released him without filing any charges. The individuals involved revealed their intention to target journalists affiliated with international media outlets.

On 8 June 2023, security forces detained Mohamed Kaafi Adan Bishaar, a correspondent for the Jubbaland State TV after he reported on local elders welcoming a new administration appointed by the Jubbaland authorities for the Gedo region.<sup>78</sup> On 9 June 2023, he was released without any charges filed against him. Prior to his arrest, armed individuals visited his residence.

On 9 June 2023, a local TV director and a prominent online journalist received warnings about the potential hacking or suspension of their Facebook pages.<sup>79</sup> This came after they had covered a highly publicised incident in which police officers in Mogadishu physically assaulted a young man with a disability. Furthermore, journalists in central Somalia reported that their content was removed when they reported allegations.

On 27 June 2023, the Somaliland police arrested journalist Abdiqani Hussein Abokor (Baylood) from Horyaal24 TV.<sup>80</sup> His arrest is linked to a recent report which exposed errors on voting cards in several regions of Somaliland and caused dissatisfaction among the Somaliland Electoral Commission.<sup>81</sup> On 1 July 2023, authorities in Hargeisa remanded him in police custody for an additional week.<sup>82</sup> The next day, the Somaliland Electoral Commission issued a statement announcing legal proceedings against Horyaal24 TV and journalist Abdiqani.<sup>83</sup>

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<sup>75</sup> SJS, “SJS calls for end to suppression and detention of journalists and demands release of imprisoned colleagues,” 19 June 2023, <https://sjsyndicate.org/2023/06/19/sjs-calls-for-end-to-suppression-and-detention-of-journalists-and-demands-release-of-imprisoned-colleagues/>. Accessed on 2 October 2023.

<sup>76</sup> SJS, “SJS calls for end to suppression and detention of journalists and demands release of imprisoned colleagues,” 19 June 2023, <https://sjsyndicate.org/2023/06/19/sjs-calls-for-end-to-suppression-and-detention-of-journalists-and-demands-release-of-imprisoned-colleagues/>. Accessed on 2 October 2023.

<sup>77</sup> Ibid

<sup>78</sup> Ibid

<sup>79</sup> Ibid

<sup>80</sup> SJS, “Twitter,” 27 June 2023, [https://twitter.com/sjs\\_somalia/status/1673745371053408261?s=48&t=L0T5CWaFfjM892XdQ-Nwzw](https://twitter.com/sjs_somalia/status/1673745371053408261?s=48&t=L0T5CWaFfjM892XdQ-Nwzw). Accessed on 2 October 2023.

<sup>81</sup> SJS, “Twitter,” 27 June 2023, [https://twitter.com/sjs\\_Somalia/status/1673745373041393664](https://twitter.com/sjs_Somalia/status/1673745373041393664). Accessed on 2 October 2023.

<sup>82</sup> SJS, “Twitter,” 3 July 2023, [https://twitter.com/sjs\\_Somalia/status/1675835149722828800](https://twitter.com/sjs_Somalia/status/1675835149722828800). Accessed on 2 October 2023.

<sup>83</sup> SJS, “Twitter,” 3 July 2023, [https://twitter.com/sjs\\_Somalia/status/1675835151383658497](https://twitter.com/sjs_Somalia/status/1675835151383658497). Accessed on 2 October 2023.

On 15 August 2023, police in Dhusamareeb arrested Goobjoog TV reporter while he was interviewing regional police officers about their salaries.<sup>84</sup> They released him after one night, warned against his reporting, and questioned his report alleging embezzlement of funds allocated for junior police officers participating in a training seminar supported by the European Union Capacity Building Mission in Somalia (EUCAP Somalia.) On 17 August 2023, they returned his camera but forced him to delete his video interviews.<sup>85</sup>

Separately, on 15 August 2023, following a brief court appearance, Maroodi Jeh court sentenced Somali-British journalist Busharo Ali Mohamed to one year in jail.<sup>86</sup> Despite the absence of substantial evidence or findings of wrongdoing, the judge ordered the sentence to commence from her arrest on 15 May 2023.<sup>87</sup> The court allows for a potential sentence reduction through a financial arrangement, considering her time served in prison.

On 17 August 2023, four plainclothes security personnel arrested Mohamed Ibrahim Osman Bulbul, a reporter from the privately owned Kaab TV network, at Mogadishu University.<sup>88</sup> They punched him in the chest, struck his shoulder with the pistol butt, and forced him into an unmarked vehicle. Prior to this, the journalist had previously published a report exposing embezzlement of EU funds for Somali police training.<sup>89</sup> Media reports suggest that the detaining police intend to present an email correspondence from the EUCAP as incriminating evidence against detained journalist Mohamed Ibrahim Bulbu.<sup>90</sup> On 22 August 2023, his family members and friends reported that they had been receiving calls and messages from Bulbul's phones, all without his knowledge.<sup>91</sup>

On 23 August 2023 police officers detained journalists Zakariye Mohamed Salad and Mohamed Dulmi-diid from Five Somali TV for three hours, and confiscated their equipment.<sup>92</sup> The reporters were covering the aftermath of Al-Shabaab attacks in Mogadishu and were released without charges, but they were forced to abandon their stories.

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<sup>84</sup> CPJ, "Two Somali journalists arrested for reporting on police, 1 remains in custody," 23 August 2023, <https://cpj.org/2023/08/two-somali-journalists-arrested-for-reporting-on-police-1-remains-in-custody/>, Accessed on 2 October 2023.

<sup>85</sup> Ibid

<sup>86</sup> SJS, "Twitter," 15 August 2023, [https://twitter.com/sjs\\_Somalia/status/1691353034587021312](https://twitter.com/sjs_Somalia/status/1691353034587021312), Accessed on 2 October 2023.

<sup>87</sup> Ibid

<sup>88</sup> CPJ, "Two Somali journalists arrested for reporting on police, 1 remains in custody," 23 August 2023, <https://cpj.org/2023/08/two-somali-journalists-arrested-for-reporting-on-police-1-remains-in-custody/>, Accessed on 2 October 2023.

<sup>89</sup> Horn Observer, "Journalist BulBul devices compromised while in prison," 5 September 2023, <https://hornobserver.com/articles/2434/SJS-Journalist-Mohamed-Bulbul's-phone-devices-compromised-during-incommunicado-detention>, Accessed on 2 October 2023.

<sup>90</sup> SJS, "Journalist Mohamed Bulbul's phone devices compromised during incommunicado detention" 25 September 2023, <https://hornobserver.com/articles/2434/SJS-Journalist-Mohamed-Bulbul's-phone-devices-compromised-during-incommunicado-detention>, Accessed on 2 October 2023

<sup>91</sup> Ibid

<sup>92</sup> SJS, "Twitter," [https://twitter.com/sjs\\_somalia/status/1694610202379592153?s=48&t=LOT5CWaFfIM892XdQ-Nwzw](https://twitter.com/sjs_somalia/status/1694610202379592153?s=48&t=LOT5CWaFfIM892XdQ-Nwzw), Accessed on 2 October 2023.

On 29 September 2023, Banadir Police Chief Moalin Mahdi instructed police officers to arrest individuals criticising the presidential family, courts, and the police force.<sup>93</sup> He emphasised that public or media criticism of police law enforcement activities is unacceptable, stating that complaints about court decisions should be handled legally. Mahdi highlighted the need to address issues in digital and social media, reiterating that criticism of court decisions should follow legal procedures.

## South Sudan

### General situation

On 9 May 2023, the Ministry of Justice presented the NSS Act 2014 (Amendment) Bill 2023 to Parliament after it was passed by the Council of Ministers.<sup>94</sup> The key amendments within Section 55 of the NSS Act entail the removal of powers previously held by security personnel, specifically their authority to arrest, detain and monitor communications. The proposed amendments also establish joint oversight of the NSS, with President Salva Kiir and First Vice President Riek Machar. On 27 July 2023, CSOs acknowledged progress in aligning the NSS Act with the law but expressed concerns about the amendments' weaknesses that need addressing for full rights protection. They urged transparency and public participation in the amendment process and called for an end to arbitrary arrests and detentions by the NSS during the ongoing law review.<sup>95</sup>

In June 2023, South Sudan signed the Maputo Protocol, becoming the 44th African Union member state to do so after initiating the process in October 2017 when the South Sudanese Parliament signed the protocol's instruments.<sup>96</sup> This protocol is a progressive women's rights instrument, affirming women's rights across various domains, underlining the universal, indivisible, and interdependent nature of human rights for African women.

### Freedom of opinion and expression

On 27 July 2023, a female journalist from Advance Youth Radio received a series of threatening phone calls. These threats came after she had previously been targeted with threats of harm and attempts to shut down the radio station while departing from the inauguration of the South Sudanese Artist Union's office, where violence had broken out during the event.<sup>97</sup>

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<sup>93</sup>SJS, "Twitter", 24 August 2023, [https://twitter.com/sjs\\_somalia/status/1694610202379592153?s=48&t=LQT5CWaFfjM892XdQ-Nwzw](https://twitter.com/sjs_somalia/status/1694610202379592153?s=48&t=LQT5CWaFfjM892XdQ-Nwzw). Accessed on 2 October 2023.

<sup>94</sup> Radio Tamujuz. "Justice Ministry tables NSS, 3 other bills in parliament," 9 May 2023, <https://radiotamazuj.org/en/news/article/justice-ministry-tables-4-bills-in-parliament>. Accessed on 2 October 2023

<sup>95</sup> Human Rights Watch, "Joint Open Letter," 27 July 2023, <https://www.hrw.org/news/2023/07/27/joint-open-letter-strengthen-gaps-amendments-south-sudans-abusive-national-security>. Accessed on 2 October 2023

<sup>96</sup> African Union, "South Sudan becomes the 44th country to ratify the Protocol on Women's Rights," 7 June 2023, <https://au.int/en/pressreleases/20230607/south-sudan-becomes-44th-country-ratify-protocol-womens-rights>, Accessed on 2 October 2023

<sup>97</sup> UJOSS, "UJOSS denounces death threat against female journalist," 28 July 2023, <https://dr.211check.org/wp-content/uploads/2023/07/Union-of-Journalists-South-Sudan-denounces-death-threats-against-female-journalist.pdf>. Accessed on 2 October 2023.



On 3 August 2023, during a press conference, managing director of the Media Authority, Elijah Alier Kuai, announced the lifting of the suspension order and restrictions on Radio Miraya.<sup>98</sup> This decision came after the station had previously been ordered not to cover events following its suspension on 9 March 2018, over “refusal to be regulated under media laws”.<sup>99</sup>

On 30 September 2023, John Wulu, manager and chief editor of Top FM in South Sudan, reported that journalists, including female reporters, encounter intimidation, threats, and harassment while covering corruption stories.<sup>100</sup> He further highlighted that media outlets routinely face blockades when reporting on conflict-related issues, subjecting journalists to ongoing challenges and risks.

## **Sudan**

### **General situation**

On 20 September 2023, Sudanese CSOs issued a letter calling on the Human Rights Council to establish an international commission for investigating violations of humanitarian and human rights laws in Sudan since the outbreak of war between the SAF and the RSF on 15 April 2023.<sup>101</sup> The conflict has resulted in numerous violations, such as illegal detentions, torture, and sexual violence.

### **Freedom of association**

On 31 July 2023, the African Center for Justice and Peace Studies (ACJPS), reported that numerous instances have been documented in which SAF and RSF personnel arbitrarily arrested activists. Among these activists were 17 members of resistance committees who were advocating for peace and the release of detainees.<sup>102</sup>

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

In the ongoing six-month conflict, journalists continued to face violence causing casualties and substantial job losses.<sup>103</sup> Around 75 journalists' homes were raided, and 12 print media companies were banned from operating. Broadcasting stations, such as

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<sup>98</sup> Radio Tamujuz, “South Sudan lifts ban on Radio Miraya,” 3 August 2023, <https://radiotamazuj.org/en/news/article/south-sudan-lifts-ban-on-radio-miraya>, Accessed on 2 October 2023.

<sup>99</sup>Sudan Tribune, “South Sudan suspends UN Miraya radio,” 9 March 2018, <https://sudantribune.com/article63054/>, Accessed on 2 October 2023.

<sup>100</sup> Voice Of America, “Harsh Media Environment Has Chilling Effect, 30 September 2023,” <https://www.voanews.com/a/south-sudanese-advocates-harsh-media-environment-has-chilling-effect-/7291232.html>, Accessed on 2 October 2023.

<sup>101</sup> African Centre For Justice and Human Rights, “Joint letter from Sudanese civil society organizations on the human rights situation in Sudan”, 20 September 2023, <https://www.acjps.org/a-joint-letter-from-sudanese-civil-society-organizations-on-the-human-rights-situation-in-sudan-september-2023/>, Accessed on 2 October 2023

<sup>102</sup>African Centre For Justice and Human Rights, “Human rights defenders and activists arrested, detained and falsely charged for their work in Sudan”, 31 July 2023, <https://www.acjps.org/human-rights-defenders-and-activists-arrested-detained-and-falsely-charged-for-their-work-in-sudan/>, Accessed on 2 October 2023.

<sup>103</sup>African Centre For Justice and Human Rights, “Shrinking civic space amidst escalation in armed conflict in Sudan”, 20 July 2023, <https://www.acjps.org/shrinking-civic-space-amidst-escalation-in-armed-conflict-in-sudan/>, Accessed on 2 October 2023.

the National Sudanese Television and Radio, Aljareeda, and Alrabia Alhadath, faced attacks, leading to significant disruptions in the media sector. The widespread assault on media personnel and outlets has resulted in a severe breakdown of communication throughout Sudan.

On 11 May 2023, a group of RSF members raided the offices of Alherak newspaper in Central Khartoum and proceeded to destroy their working equipment. In a similar incident, on 29 May 2023, a group of individuals in RSF uniforms raided the premises of Almidan newspaper in the Khartoum II neighborhood of Central Khartoum, causing damage to the building and equipment.<sup>104</sup>

On 18 May 2023, a group of individuals in RSF uniforms arrested and physically assaulted Mr. Issa Dafallah, a journalist covering the looting and burning of Almalag local market in Nyala, South Darfur.<sup>105</sup> They confiscated his phone and subjected him to interrogation.

On 19 May 2023, during a gunfight in Nyala town, a stray bullet hit journalist and Sudanese radio correspondent Mr. Khalid Sharaf Eldien in his right foot while he sought shelter inside a cinema hall.<sup>106</sup>

On 20 May 2023, RSF officers at an East Nile bridge checkpoint stopped journalist Faiz Abu Bakar. They accused him of collaborating with SAF, verbally abused him, and shot him in the feet.<sup>107</sup>

On 27 May 2023, a group of individuals dressed in RSF attire, raided the house of Ms. Sumaya Sayed in Khartoum.<sup>108</sup> They threatened her family members and robbed items such as money, gold, and a vehicle. On the same day, a group of SAF soldiers carried out a raid on the family home of Mr. Fatima Ali in Khartoum. The group looted the house, taking all easily transportable items, and proceeded to steal from all the other residences within the same building.<sup>109</sup>

In mid-June, an unidentified group attacked freelance journalist Salah Damba in the Al-Jabalain region confiscated his passport amid the chaos of the conflict.<sup>110</sup>

On 19 June 2023, a group of armed individuals, wearing RSF uniforms, raided the residence of Professor Ali Mohamed Shomo, the director of media and publications council, in the Alsafia.<sup>111</sup> During the incident, the assailants subjected the house guard to torture, gained access to Professor Ali's residence, and proceeded to destroy his personal possessions, including his library. Additionally, they stole one of his vehicles.

On 19 June 2023, Mr. Ahmed Alfaful and Mr. Rashid Jebreel, who work for Aljazeera Channel in Khartoum, were imprisoned by a group of RSF personnel in Kafoury,

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<sup>104</sup> Ibid

<sup>105</sup> Ibid

<sup>106</sup> Ibid

<sup>107</sup> Ibid

<sup>108</sup> Ibid

<sup>109</sup> Ibid

<sup>110</sup> RSF, "Sudan's belligerents are targeting journalists", <https://rsf.org/en/sudan-s-belligerents-are-targeting-journalists>, Accessed on 2 October 2023.

<sup>111</sup> African Centre For Justice and Human Rights, "Shrinking civic space amidst escalation in armed conflict in Sudan", 20 July 2023, <https://www.acjps.org/shrinking-civic-space-amidst-escalation-in-armed-conflict-in-sudan/>, Accessed on 2 October 2023.



Khartoum Bahari while they were covering a media event. The two were held briefly and then released following an interrogation.<sup>112</sup>

On 20 June 2023, RSF soldiers raided the home of Mr. Ahmed Alfadul, an Aljazeera Channel journalist, along with his colleague, photographer Mr. Rashid Jebreel. They physically assaulted them in front of Mr. Alfadul's family and confiscated their cell phones.<sup>113</sup>

On 24 June 2023, Military Intelligence officers arrested journalist Ms. Zamzam Khatir in North Darfur, as she was heading to attend a meeting organised by the local ceasefire committee.<sup>114</sup> Prior to her arrest, Ms. Khatir had reported on a gunfight in Koutum town involving SAF and RSF forces, as well as documented violations by armed Arab groups and individuals in RSF uniforms.

On 30 June 2023, Ms. Samahir Abdul Shafi, a journalist working for Zalingi Radio in Central Darfur State, tragically lost her life in a bomb explosion.<sup>115</sup>

On 15 August 2023, a coalition of Sudanese media organisations issued a joint statement, highlighting the severe threats faced by Sudanese journalists, including arrests, disappearances, and violence driven by accusations of bias and affiliations with warring groups.<sup>116</sup> Female journalists have been particularly vulnerable, leading to casualties, imprisonments, and journalists seeking refuge in neighboring countries. This situation has also directly targeted media organisations, causing a blackout in conflict zones. The statement urgently calls for the protection of Sudanese journalists, the promotion of journalistic integrity, and the preservation of press freedom as Sudan moves toward democracy.

## Tanzania

### General situation

On 13 June 2023, the African Court on Human and Peoples' Rights issued directives to Tanzania, instructing the country to amend its National Elections Act and Criminal Procedure Act.<sup>117</sup> These directives were based on the Court's findings of violations in the

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<sup>112</sup>Ibid

<sup>113</sup> Ibid

<sup>114</sup>African Centre For Justice and Human Rights, "Shrinking civic space amidst escalation in armed conflict in Sudan", 20 July 2023, <https://www.acjps.org/shrinking-civic-space-amidst-escalation-in-armed-conflict-in-sudan/>, Accessed on 2 October 2023.

<sup>115</sup> African Centre for Justice and Peace Studies, "Shrinking civic space amidst escalation in armed conflict in Sudan", 20 July 2023, <https://www.acjps.org/shrinking-civic-space-amidst-escalation-in-armed-conflict-in-sudan/>, Accessed on 2 October 2023.

<sup>116</sup> Sudanese Media, "Four months of violations against press freedom", 15 August 2023, <https://sudantribune.com/article276163/>, Accessed on 2 October 2023.

<sup>117</sup> ACHPR, "The african court on human and peoples' rights has delivered judgements ordering the government of tanzania to amend the national elections act and the criminal procedure act,"

qualification criteria for election officers and specific provisions concerning non-bailable offenses. Tanzania is obligated to submit regular progress reports, at intervals of six months, until full implementation of the Court's directives is achieved.

### **Freedom of association**

On 17 July 2023, the police arrested lawyer Peter Madeleka near an Arusha courthouse after the high court canceled his plea with the director of public prosecution in a 2020 case involving economic sabotage.<sup>118</sup> Authorities subsequently charged him with new crimes. Mwabukusi and Nshala allege that his arrest is connected to his public criticism of the port agreement.

On 15 August 2023, Regional Commissioner John Mongella unveiled a government controversial plan to forcibly evict over 80,000 Maasai people from their ancestral lands.<sup>119</sup> This plan involved reclassifying Game Controlled Areas into Game Reserves, banning permanent residency, and prohibiting livestock grazing. Maasai leaders refused to endorse the plan, citing fears of manipulation. In response, the Maasai community initiated a lawsuit in the East African Court of Justice, but the court dismissed their case. Concerns persist about the Maasai's well-being, land rights, and access to essential services, as the government has reduced healthcare services, imposed livelihood restrictions, downgraded public hospitals to clinics, discontinued ambulance, and emergency services, and relocated healthcare professionals to urban areas.

### **Freedom of peaceful assembly**

On 10 June 2023, Tanzanian authorities arrested 22 individuals, including protesters, for criticising the Tanzania National Assembly's approval of an "intergovernmental agreement" with the Emirate of Dubai in October 2022.<sup>120</sup> This agreement involved developing, managing, and operating sea and lake ports by the Emirate of Dubai in specified areas, including special economic zones, logistic parks, and trade corridors.<sup>121</sup> Their criticism stemmed from concerns that this deal grants Dubai excessive control over Tanzania's ports, potentially violating both Tanzanian and international law.

On 17 June 2023, Commander Jumanne Muliro of the Dar es salaam Special Zone issued a ban on a planned demonstration organized by opposition party member Deus Soka.<sup>122</sup> The ban forced the organizer to draft a cancellation notice for the protest. On 19 June 2023, the police arrested protestors who continued their demonstration despite the ban.<sup>123</sup>

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<https://thrdc.or.tz/newsletterfiles/african%20court%20ordered%20the%20government%20of%20tanzania%20to%20amend%20the%20nea%20%26%20cpa%20.pdf>. Accessed on 2 October 2023

<sup>118</sup> Ibid

<sup>119</sup> Life gate, Tanzania sides with trophy hunters and tourists evicting the Maasai," 15 August 2023, <https://www.lifegate.com/tanzania-evicting-maasai>, Accessed on 2 October 2023.

<sup>120</sup> Human Rights Watch, "Critics of Port Deal Arrested", 7 August 2023, <https://www.hrw.org/news/2023/08/07/tanzania-critics-port-deal-arrested>, Accessed on 2 October 2023.

<sup>121</sup> The Citizen, "As MPs approve DP World, TPA deal" 10 June 2023, <https://www.thecitizen.co.tz/tanzania/news/national/aye-as-mps-approve-dp-world-tpa-deal-4265412>, Accessed on 2 October 2023.

<sup>122</sup> [1] Citizen, "Police disperse, arrest demonstrators against DP World deal", 19 June 2023, <https://www.thecitizen.co.tz/tanzania/news/national/maasai-youth-attack-injure-journalists-in-ngorongoro-4336610>, Accessed on 2 October 2023.

<sup>123</sup> Ibid

On 12 July 2023, police summoned lawyer Boniface Mwabukusi for co-hosting a news conference in Dar es Salaam protesting the port agreement.<sup>124</sup> On 14 July 2023, both Mwabukusi and politician Mdude Nyagali were arrested.<sup>125</sup> During the arrests, the police took Mwabukusi's phone and interrogated him for eight hours and released him without charges. On 17 July 2023, the police released Nyangali on a police bond without charges, and they demanded the surrender of his electronic devices, which he refused to comply with.<sup>126</sup>

On 11 September 2023, police arrested Tanzanian opposition leader Tundu Lissu and several CHADEMA party leaders at a hotel in Arusha for allegedly holding an unlawful assembly and preventing police from doing their work.<sup>127</sup> Later on the same evening, the authorities released them on bail.<sup>128</sup> Since his return from exile in January, Lissu has been holding political rallies across the country, criticising President Samia Suluhu Hassan's administration for its human rights record and its controversial management of ports.<sup>129</sup>

### Freedom of opinion and expression

On 10 July 2023, the director of criminal investigation ordered Dr. Rugemeleza Nshala, a lawyer and activist, to appear before the police for an investigation in response to his critical comments on the Tanzania-Dubai deal.<sup>130</sup> According to HWR, he fled Tanzania after receiving death threats for his outspoken opposition to the agreement.

On 28 July 2023, Surfshark, a cybersecurity firm, disclosed that Tanzania, alongside five other African countries, enforced internet restrictions during the first half of 2023, contributing to a total of the 42 global internet disruptions recorded.<sup>131</sup>

On 22 July 2023, Chadema Party militants assaulted journalists Fortune Francis and Sunday George, while covering a rally in Dar es Salaam for Mwananchi Communications Limited.<sup>132</sup> They also attacked their driver, Omari Mhando, and stole their phones. Such incidents of violence against journalists convey an environment that is not safe for their work.

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<sup>124</sup>Human Rights Watch, "Critics of Port Deal Arrested," 7 August 2023, <https://www.hrw.org/news/2023/08/07/tanzania-critics-port-deal-arrested>, Accessed on 2 October 2023.

<sup>125</sup> Ibid

<sup>126</sup> Ibid

<sup>127</sup> Aljazeera, "anzania opposition leader Lissu released after weekend arrest," <https://www.aljazeera.com/news/2023/9/11/tanzania-opposition-leader-lissu-released-after-weekend-arrest#:~:text=Lissu%2C%20vice%20chairman%20of%20Tanzania's,on%20social%20media%20platform%20X>, Accessed on 2 October 2023.

<sup>128</sup> Aljazeera, "Tanzania opposition leader Lissu released after weekend arrest," 11 September 2023, <https://www.aljazeera.com/news/2023/9/11/tanzania-opposition-leader-lissu-released-after-weekend-arrest#:~:text=Lissu%2C%20vice%20chairman%20of%20Tanzania's,on%20social%20media%20platform%20X>, Accessed on 2 October 2023.

<sup>129</sup> Aljazeera, "anzania opposition leader Lissu returns from exile," 25 January 2023, <https://www.aljazeera.com/news/2023/1/25/tanzania-opposition-stalwart-lissu-to-return-from-exile#:~:text=Tanzanian%20opposition%20leader%20and%20former,a%20ban%20on%20political%20rallies>, Accessed on 2 October 2023.

<sup>130</sup> Human Rights Watch, "Critics of Port Deal Arrested", 7 August 2023, <https://www.hrw.org/news/2023/08/07/tanzania-critics-port-deal-arrested>, Accessed on 2 October 2023.

<sup>131</sup>

<sup>132</sup> International Federation of Journalists, "Journalists assaulted while covering political rally", 8 August 2023, <https://www.ifi.org/media-centre/news/detail/category/press-releases/article/tanzania-journalists-assaulted-while-covering-political-rally>, Accessed on 2 October 2023.

On 15 August 2023, a group of Maasai youths armed with machetes and spears attacked and critically injured journalists Ferdinand Shayo and Deniss Msacky, as well as their translator, Habib Mchane, during their investigation into the government's plan for residents to relocate from the reserve to Handeni District.<sup>133</sup> The Maasai community in Ngorongoro district have been protesting the government's intention to evict them from the Ngorongoro Conservation Area (NCA) and Loliondo to make way for trophy hunting and elite tourists.

## Uganda

### General situation

On 30 June 2023, the UN High Human Rights sub-offices in Gulu officially closed. On 31 July 2023, the Moroto sub-offices also closed. Furthermore, on 5 August 2023, the Kampala offices officially ended their operations according to UN High Commissioner for Human Rights Volker Türk.<sup>134</sup> These actions were in response to the Government's choice not to renew the Host Country Agreement.

On 26 July 2023, the UN Human Rights Committee voiced concern over Uganda's enactment of the Anti-Homosexuality Act (AHA), which criminalizes same-sex relationships and the arbitrary arrest of political opponents, journalists, and human rights defenders.<sup>135</sup> The Committee emphasised the urgent need for repealing the Act and ensuring remedies for victims.

### Freedom of opinion and expression

On 7 May 2023, two unidentified gunmen targeted and fatally shot Ibrahim Tsubira, the chairperson of the Uganda Bloggers Association.<sup>136</sup> Ibrahim Tsubira was known as an outspoken and fearless commentator on national issues. The motives behind his death remain unclear, but the police are investigating the case.

On 12 May 2023, authorities detained Stanley Kisambira Male, a judiciary driver who had complained about low salary, accusing him of promoting hate speech against judges in violation of the Computer Misuse (Amended) Act.<sup>137</sup> On 22 May 2023, the Magistrate's

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<sup>133</sup> Citizen, "Maasai youth attack, injure journalists in Ngorongoro," 15 August 2023, <https://www.thecitizen.co.tz/tanzania/news/national/maasai-youth-attack-injure-journalists-in-ngorongoro-4336610>, Accessed on 2 October 2023.

<sup>134</sup> UN, "Türk announces closure of UN Human Rights office in Uganda," 4 August 2023, <https://www.ohchr.org/en/press-releases/2023/08/turk-announces-closure-un-human-rights-office-uganda>, Accessed on 2 October 2023.

<sup>135</sup> UN, "UN Human Rights Committee publishes findings on Brazil, Burundi, Colombia, Cyprus, Lesotho, State of Palestine and Uganda," 26 July 2023, <https://www.ohchr.org/en/press-releases/2023/07/un-human-rights-committee-publishes-findings-brazil-burundi-colombia-cyprus>, Accessed on 2 October 2023.

<sup>136</sup> New Vision, "Police confirms death of vlogger Olaxess was a targeted attack," 9 May 2023, <https://www.newvision.co.ug/category/news/vlogger-ismah-olaxess-murder-confirmed-as-tar-159904>, Accessed on 2 October 2023.

<sup>137</sup> KFM, "Judiciary driver who complained about low pay remanded", 22 May 2023, <https://www.kfm.co.ug/news/judiciary-driver-who-complained-about-low-pay-remanded.html>, Accessed on 2 October 2023.

court informed Kisambira that he would remain in prison for 10 additional days since the magistrate supposed to hear his case was unavailable.<sup>138</sup>

On 14 June 2023, unidentified people harassed four reporters who were covering local elections in Bukedea district.<sup>139</sup> Among them, Eddy Enuru, a broadcast reporter, was confronted as he prepared to begin live coverage of the elections. Additionally, 10 individuals, claiming to be security personnel, told reporter Emwamu to stay away from the polling station, took his phone and camera briefly.

On 3 July 2023, Yusuf, the manager of Gateway Bus, assaulted journalist Gerald Niyirinda from Voice of Muhabura Radio and destroyed his recorder.<sup>140</sup> This occurred as Gerald was interviewing a passenger who was protesting being dropped off halfway their journey.

On 21 July 2023, unknown men from inside the opposition party offices assaulted and stole several mobile phones of seven reporters who were covering a press conference held by the chairman of Uganda's main opposition party, the Forum for Democratic Change (FDC) Wasswa Birigwa.<sup>141</sup> In a different incident, a police officer slapped reporter John Xerxes Ogulei from Teso Broadcasting Services while waiting to cover a meeting in Soroti, causing Ogulei's phone and camera stand to fall and break.<sup>142</sup> The officer accused Ogulei for tarnishing the government's image through his coverage.

On 10 July 2023, HRW, in a letter addressing issues concerning Total Energies oil project in Uganda, expressed grave concerns about the unjust treatment of activists who oppose the project and the forced eviction of individuals from their land without fair compensation.<sup>143</sup>

On 16 July 2023, security personnel in Uganda arrested Desire Nkurunziza, an environmental HRD, in response to his involvement in addressing deforestation concerns in the Bugoma Central Forest Reserve, which had been rented to Hoima Sugar Limited.<sup>144</sup> He was subjected to physical assault and falsely accused of engaging in illegal activities by the company's armed personnel. On 18 July 2023, despite fulfilling all court requirements, Nkurunziza's request for bail was denied.<sup>145</sup> On 24 July 2023, he was released on court bail, with the obligation to report back to the Chief Magistrates Court of Hoima on 31 August 2023, and again on 2 November 2023, without specific reasons.

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<sup>138</sup> KFM, "Judiciary driver who complained about low pay remanded", 22 May 2023, <https://www.kfm.co.ug/news/judiciary-driver-who-complained-about-low-pay-remanded.html>, Accessed on 2 October 2023.

<sup>139</sup> CPJ, "Ugandan journalists robbed, assaulted while covering election," 5 July 2023, <https://cpj.org/2023/07/ugandan-journalists-robbed-assaulted-while-covering-election/>, Accessed on 2 October 2023.

<sup>140</sup> HRNJ, "Gateway bus manager in Kisoro assaults a radio journalist," 3 July 2023, <https://hrnjuganda.org/?p=9757>, Accessed on 2 October 2023.

<sup>141</sup> CPJ, "At least 7 Ugandan journalists assaulted, robbed at news conferences," 31 July 2023, <https://cpj.org/2023/07/at-least-7-ugandan-journalists-assaulted-robbed-at-news-conferences/>, Accessed on 2 October 2023.

<sup>142</sup> Ibid

<sup>143</sup> Human Rights Watch, "Human Rights Watch calls for halt to 'disaster' TotalEnergies oil project in Uganda", 10 July 2023, <https://www.france24.com/en/africa/20230710-human-rights-watch-calls-for-halt-to-disaster-totalenergies-oil-project-in-uganda>, Accessed on 2 October 2023.

<sup>144</sup> Kazi Njema, "Kikuube Chairman arrested over Bugoma forest conflict," 17 July 2023, <https://kazi-njemanews.com/kikuube-chairman-arrested-over-bugoma-forest-conflict/>, Accessed on 2 October 2023.

<sup>145</sup> OMCT, 5 September 2023, "Judicial harassment of environmental and human rights activist Desire Nkurunziza," <https://www.omct.org/en/resources/urgent-interventions/uganda-judicial-harassment-of-environmental-and-human-rights-activist-desire-nkurunziza>, Accessed on 2 October 2023.

On 14 August 2023, Sarah Akello, an environmental defender from Tapac sub county, emphasised in a petition to Moroto district local government calling for action against widespread environmental degradation that their efforts to combat destructive mining activities, especially those carried out by Tororo Cement Factory Limited, have exposed them to threats.<sup>146</sup>

On 28 September 2023, a report by the Convening for Equality (CFE) coalition highlighted the impact of Uganda's AHA, enacted in May 2023, which prescribes the death penalty for certain same-sex acts. The report revealed private individuals as the main perpetrators of human rights abuses against sexual minorities this year. These abuses, including torture, rape, arrest, and eviction, show the consequences of AHA and the continued negative attitudes against these individuals. Researchers documented 306 rights violations based on sexual orientation and gender identity between 1 January and 31 August 2023, with state actors responsible for 25 cases. Additionally, 18 instances of forced anal examinations by the police were reported. Similarly, an article explained that SOGIE refugees face severe restrictions on their freedom of movement due to systemic discrimination.<sup>147</sup>

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146 URN, "Environmental Defenders Petition Moroto District for Conservation," 14 August 2023, <https://ugandaradionetwork.net/story/environmental-defenders-petition-moroto-district-for-conservation>, Accessed on 2 October 2023.

147 The New Humanitarian, Uganda's anti-gay law has turned camps into prisons for LGBTQ+ asylum seekers," <https://www.thenewhumanitarian.org/opinion/2023/09/27/uganda-anti-gay-lgbtq-refugee-camps-asylum-seeker><https://www.thenewhumanitarian.org/opinion/2023/09/27/uganda-anti-gay-lgbtq-refugee-camps-asylum-seeker>, Accessed on 2 October 2023.