



DEFENDDEFENDERS

East and Horn of Africa Human Rights Defenders Project

Overview of the Human Rights Situation in the East and Horn of Africa October 2018 – April 2019

Report submitted to the 64th Ordinary Session of the
African Commission on Human and Peoples' Rights (ACHPR)

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Introduction & Executive Summary

DefendDefenders (the East and Horn of Africa Human Rights Defenders Project) welcomes the opportunity offered by the 64th Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) to highlight some of the human rights issues in the East and Horn of Africa sub-region for the period of October 2018 to April 2019.

This submission was prepared with the assistance of reports and information sent to DefendDefenders, the secretariat of the East and Horn of Africa Human Rights Defenders Network (EHAHRD-Net), by our members and partners throughout the sub-region. Disregarding their obligations under the African Charter on Human and Peoples' Rights (the African Charter), over the past six months governments in the sub-region have sought to restrict legitimate expressions of civilian dissent like peaceful demonstrations, the free expression of human rights defenders (HRDs) and media, as well as targeted civil society organisations (CSOs) through various strategies of harassment and repression.

Djibouti and **Eritrea** continue to be ruled by some of the most repressive governments in the sub-region, with little to no independent HRDs operating freely in the country. Civil society activists, journalists and other HRDs continue to suffer attacks from both security and police forces, leading to arrests, arbitrary detentions, and torture.

Since **Ethiopia's** executive shakeup under the leadership of President Sahle Work-Zewde and Prime Minister Abiy Ahmed, the country has improved greatly. In just a few months, the country has lifted the State of Emergency, ordered the release of thousands of prisoners, allowed dissidents to return home, and unblocked hundreds of websites and TV channels. The reform has also allowed the reentry of international organisations into the country exuding the potential for a long term commitment to human rights ahead of a promised 2020 election.

The revolution in **Sudan** remains underway, as long standing president Omar Al-Bashir was ousted in April 2019, allowing for the potential of highly anticipated reform. However, with the military in power and the dissolution of the Constitution, among other impositions, the country remains in a state disarray, with protesters refusing to back down until a civilian council comes to power.

Tanzania has continued to aggressively crack down on civic spaces and circumscribe independent news sources, especially those that criticise the state and/or the government becoming increasingly antagonistic to international scrutiny.

As **Rwanda** continues to make strides towards rapid economic development, segments of society remain stagnant and others regressive, with little independent civil society active in the country. HRDs and critics of political bodies in **Burundi** continue to be tortured, detained, and even murdered. The two countries remain restrictive of freedom of speech, firmly controlling the domestic media and activities of international non governmental organisations (NGOs).

Conflict remains quotidian in **South Sudan** between government and armed groups. The Revitalised Peace Agreement has not brought an end to human rights violations, and soldiers continue to attack civilians on an ethnic basis, leading to continued internal displacement and sexual violence. The conflict continues to make it difficult for HRDs to successfully carry out their work as civic spaces fail to expand.

Freedom of expression in **Somalia** remains constrained as insecurity, imposed mainly by Al-Shabaab, continues to affect civilians in the country and **Somaliland**.

Despite **Kenya's** 2010 constitution which guarantees the right to peaceful assembly, expression and association, authorities continues to disregard the rights of HRDs and peaceful demonstrators.

Uganda's longtime President seems poised for another election win in 2021 after a controversial bill scrapped presidential age limits in 2018, dashing hopes for high-level change or an end to crackdowns on free expression and association.

Recommendations

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

- Call on member states to adhere to their commitments to protect, respect and fulfil the fundamental human rights and freedoms guaranteed by the African Charter on Human and Peoples Rights;
- Call on member states to adopt specific legislative measures to recognise the status of HRDs, accord them the necessary protection, and provide a conducive working environment as per resolution 376 (LX) 2017 adopted during the 60th ordinary session in Niamey, Niger;
- Call on member states to cease the harassment of HRDs including those working on sexual orientation and gender identity issues, and recognise that the rights in

- the African Charter on Human and Peoples' Rights are universal;
- Call on the Government on Burundi to implement all relevant resolutions, including ACHPR/Res. 396 (LXII) 2018, and continue to monitor and condemn human rights violations in Burundi, and engage in efforts to find a peaceful solution to the crisis in Burundi in all relevant fora;
 - Urge the Government of Sudan to authorise the African Commission to conduct a fact finding mission in the country as per 413(EXT.OS/XXV) 2019, to monitor and report on the human rights situation in the country;
 - Undertake a fact-finding mission to Tanzania to investigate and document human rights violations;
 - Support the Government of South Sudan to immediately establish and operationalise the Hybrid Court for South Sudan to insure transparent accountability for crimes committed during the conflict;
 - Call on States to abide by the Guidelines on Freedom of Association and Assembly adopted by the Commission during its 60th Ordinary Session, ensuring that they fulfil their obligations under the African Charter by fully protecting these rights; and
 - Encourage member States who have not done so to deposit the declaration under article 34(6) of the protocol of the African Court on Human and Peoples' Rights to allow individuals and NGOs to directly submit their cases to the court.

Burundi

Freedom of Association

On 26 November 2018, HRD Germain Rukuki's appeal was heard by the Bujumbura Court of Appeal, who afterwards adjourned the case to a later date for judgment. African Union observers were present and no security incidents were reported.¹ Four months later, Rukuki's judicial case file apparently went missing after the government divided the Bujumbura Court of Appeal into three separate appeal courts. Rukuki was sentenced to 32 years in prison on 26 April 2018,² on charges of participation in an insurrectionist movement, undermining state security, and rebellion, in a process fraught with irregularities that has been criticised by civil society organisations.³ The loss of his case file further violates Germain Rukuki's right to a fair trial, in addition to the multiple irregularities and undue delays that have characterised the legal proceedings since his arrest in July 2017.⁴

On 5 December 2018, the Burundian government ordered the United Nations Human Rights Council to shut its office in the country within two months, demonstrating increasing intolerance to international human right systems.⁵ On 28 February 2019, the UN Human Rights Office in Burundi was closed at the insistence of the government, who claimed that the country had made sufficient progress in putting in place national mechanisms for the protection of human rights, so the existence of the Office was no longer justified.⁶

¹ Protection International, 'Civil society organisations demand Germain Rukuki's Acquittal in Burundi,' 26 November 2018, <https://www.protectioninternational.org/en/csos-demand-germain-rukukis-acquittal-in-burundi>

² Civicus Monitor, 'Another activist silenced; Germain Rukuki,' 13 June 2018, <https://monitor.civicus.org/newsfeed/2018/06/13/another-activist-silenced-germain-rukuki-sentenced-32-years-prison/>

³ DefendDefenders, 'Burundi: 21 international and Burundian human rights organisations condemn new irregularities in the case of Germain Rukuki,' 27 March 2019, <https://www.defenddefenders.org/statement/burundi-21-international-and-burundian-human-rights-organisations-condemn-new-irregularities-in-the-case-of-germain-rukuki/>

⁴ DefendDefenders, 'Burundi: 21 international and Burundian human rights organisations condemn new irregularities in the case of Germain Rukuki,' 27 March 2019, <https://www.defenddefenders.org/statement/burundi-21-international-and-burundian-human-rights-organisations-condemn-new-irregularities-in-the-case-of-germain-rukuki/>

⁵ RFI, 'Burundi orders UN Human Rights Council to close office,' 6 December 2018, <http://en.rfi.fr/africa/20181206-burundi-orders-un-human-rights-council-close-office>

⁶ OHCHR, 'UN Human Rights Office in Burundi closes.' 5 March 2019, <https://www.ohchr.org/en/NewsEvents/Pages/DisplayNews.aspx?NewsID=24254&LangID=E>

Similarly, on 7 January 2019, following the expiration of the government's deadline ultimatum for NGOs to comply with new laws governing the sector, French NGO Handicap International announced it would cease its operations in Burundi.⁷ According to a press release issued by the organisation, it opposed regulations requiring it to record the ethnic composition of its staff and to communicate this information to authorities.⁸ In October 2018, the government suspended the activities of all active international NGOs in the country, demanding that the organisations undergo a new registration exercise, and that they adhere to controversial ethnic hiring quotas.⁹ In November 2018, the government lifted the suspension of 25 NGOs after they complied with the re-registration requirements.¹⁰

In positive developments, on 27 December 2018, a Burundian court acquitted¹¹ three HRDs who had each been handed 10 year jail sentences for undermining state security.¹² Emmanuel Nshimirimana, Aimé Constant Gatore, and Marius Nizigama, members of Parcem - one of the few remaining CSOs in the country, had been planning a human rights workshop when they were arrested in June 2017. The three were not released until 21 March 2019.

On 25 March 2019, the administrator of Nyabiraba commune of Bujumbura division issued a statement forbidding girls from going out past 18:00.¹³ This decision was taken a week

⁷ Iwacu, 'Beneficiaries in disarray after Handicap International closes Burundi program', 12 March 2019,

<http://www.iwacu-burundi.org/englishnews/beneficiaries-in-disarray-after-handicap-international-closes-burundi-program/>

⁸ Humanity & Inclusion, 'Humanity & Inclusion closes Burundi program after 26 years,' 7 January 2019, https://www.hi-us.org/humanity_inclusion_closes_burundi_program_26_years

⁹ Civicus Monitor, 'Government bans NGOs for 3 months amid continued crackdown in civil society,' 1 October 2018, <https://monitor.civicus.org/newsfeed/2019/01/10/government-bans-ngos-3-months-amid-continued-crackdown-civil-society/>

¹⁰ Xinhuanet, 'Burundi lifts suspension of 25 NGOs,' 6 November 2018, http://www.xinhuanet.com/english/2018-11/06/c_137584538.htm

¹¹ News 24, 'Burundi acquits rights activist sentenced to 10 year terms,' 28 December 2018, <https://www.news24.com/Africa/News/burundi-acquits-rights-activists-sentenced-to-10-year-terms-20181227>

¹² Civicus, 'Human Rights Defenders convicted as Burundi prepares for controversial referendum,' 12 March 2018 <https://monitor.civicus.org/newsfeed/2018/04/12/human-rights-defenders-convicted-burundi-prepares-controversial-referendum/>

¹³ IWACU, 'Measure forbidding girls from going out after 6pm being extended,' 29 March 2019, <http://www.iwacu-burundi.org/englishnews/measure-forbidding-girls-from-going-out-after-6-pm-being-extended/>

after the administrator of Giteranyi Commune in Muyinga Province took a similar decision. Sources say that these measures aim to fight pregnancies in schools.¹⁴

On 28 March 2019, ACAT-Burundi published findings of their research on the critical slowness and lack of willingness from the judiciary in the treatment of political prisoners, which is in violation of Article 38 of the Constitution.¹⁵ According to their investigation in four prisons of Mpimba (Bujumbura), Gitega, Rumonge, and Muramvya, 41 prisoners are acquitted but still in prison, 109 have benefited from the presidential pardon but still in prison, 52 prisoners have served their prison sentences without being freed, and 60 cases have not progressed.¹⁶

Freedom of Expression

In mid-December 2018, Justice Minister Laurentine Kanyana dismissed a BBC documentary as a 'fake report,' demanding that the broadcaster pull it down and pay damages to those it slandered.¹⁷ The documentary titled: 'Inside Burundi's Killing Machine' alleges the systematic killing of opposition members by the police and intelligence units in secret torture facilities.¹⁸ The Minister also said that the Burundian government intended to sue the BBC for what they considered fake investigative reporting.

Justice Minister Aimée Laurentine Kanyana announced, on 26 March 2019 in Bujumbura, that three girls who were detained for drawing on the President's face in their textbooks would be freed.¹⁹ The Justice Minister however added that they were mature enough to face justice as they were over 15 years.

¹⁴ IWACU, 'Measure forbidding girls from going out after 6pm being extended,' 29 March 2019, <http://www.iwacu-burundi.org/englishnews/measure-forbidding-girls-from-going-out-after-6-pm-being-extended/>

¹⁵ ACAT-Burundi, 'Declaration of the lengthened processing of judicial records on political prisoners,' 28 March 2019, <https://www.acatburundi.org/declaration-de-lacat-burundi-sur-la-lenteur-observee-dans-le-traitement-des-dossiers-judiciaires-des-prisonniers-politiques/>

¹⁶ ACAT-Burundi, 'Declaration of the lengthened processing of judicial records on political prisoners,' 28 March 2019, <https://www.acatburundi.org/declaration-de-lacat-burundi-sur-la-lenteur-observee-dans-le-traitement-des-dossiers-judiciaires-des-prisonniers-politiques/>

¹⁷ The East African, 'Burundi asks BBC to pull down fake reports on killings,' 15 December 2018, <https://www.theeastafrican.co.ke/news/ea/Burundi-asks-BBC-to-pull-down-fake-report-on-killings/4552908-4897088-8m4b2c/index.html>

¹⁸ BBC News Africa: 'Kamwe Kamwe: Inside Burundi's Killing Machine' 3 December 2018, <https://www.youtube.com/watch?v=WZPkRLkUiYo>

¹⁹ CNN, 'Burundi schoolgirls freed after being detained for doodling on President's photo,' 27 March 2019, <https://edition.cnn.com/2019/03/27/africa/burundi-schoolgirls-held-in-jail-intl/index.html>

On 29 March 2019, Burundi banned the BBC and indefinitely suspended Voice of America, moves that campaigners and the international broadcasters described as a blow to press freedom.²⁰ The National Communication Council (CNC), the country's media regulator, revoked the BBC's license and accused it of airing a documentary that it said was false and damaged the country's reputation. It extended an existing suspension on VOA, accusing it of employing a reporter who opposed the government.²¹

Freedom of Peaceful Assembly

Six National Congress for Liberty political party members were detained in Mugina Commune after holding a meeting on 14 February 2019.²² They were arrested following claims of gathering illegally despite the fact that the party was officially approved by the Ministry of Home Affairs on the same day.²³

Djibouti

Arbitrary and abusive arrests are still ongoing in Djibouti. As recently as 4 March 2019, two young men from the region of Kartileh were arbitrarily detained for 48 hours at the Nagad Administrative Detention Centre. No facts were presented for the reason of their arrests other than the mere false assumption that they were planning an upcoming protest against the anniversary of the RPP ruling party. They were later released on the basis of a lack of evidence.²⁴

Freedom of Association

Djibouti has received experts on the human rights situation in Somalia and Eritrea, but has never accepted any visit requests by other mandate holders concerning its own human

²⁰New Vision, 'Burundi bans BBC media clampdown,' 29 March 2019,

https://www.newvision.co.ug/new_vision/news/1497329/burundi-bans-bbc-media-clampdown

²¹Reporters without Borders, 'Burundi bans BBC, extends VOA suspension,' 30 March 2019,

<https://rsf.org/en/news/burundi-bans-bbc-extends-voa-suspension>

²²Iwacu, 'Mugina: Six CNL followers detained,' 2 February 2019, <http://www.iwacu-burundi.org/englishnews/mugina-six-cnl-followers-detained/>

²³Iwacu, 'Rwasa's new party approved,' 14 February 2019, <http://www.iwacu-burundi.org/englishnews/rwasas-new-party-approved/>

²⁴Iwacu, 'Bad times for opposition,' 8 April 2019, <http://www.iwacu-burundi.org/englishnews/bad-times-for-opposition/>

rights situation.²⁵ In an annual report from UN Secretary-General Antonio Guterres released²⁶ on 12 September 2018, Djibouti featured on a list of 38 countries the UN said carried out "shameful" practices including harsh reprisals and intimidation against people cooperating with it on human rights, as well as ill-treatment, detention, surveillance, and public stigmatisation of victims and HRDs.²⁷

Eritrea

In a further thawing of tensions in the Horn of Africa, on 12 September 2018, it was reported that Djibouti and Eritrea would formally normalise relations, which deteriorated and froze after a 2008 border skirmish.²⁸ While several States in the Horn of Africa called on the UN General Assembly in September to lift economic sanctions²⁹ against Eritrea, this regional rapprochement has yet to actually translate into the relaxing of Eritrea's egregious human rights policies,³⁰ including the arbitrary arrest³¹ and ill-treatment of political prisoners.³²

Eritrea has also failed to ensure investigation and accountability for the many missing journalists and political opponents over the past decade as some of these mystery cases date as far back as 2001 and the most recent dating as recently as 2018.³³ A total of 18

²⁵ OHCHR, 'Table of States not yet visited by any mandate holder,' 7 March 2019, <https://www.ohchr.org/EN/HRBodies/SP/Pages/Statesnotyetvisited.aspx>

²⁶ Aljazeera, 'UN denounces 'shameful' reprisals on activists in 38 countries,' 12 September 2018, <https://www.aljazeera.com/news/2018/09/denounces-shameful-reprisals-activists-38-countries-180912085911318.html>

²⁷ FIDH, 'Djibouti: Reprisals against human rights defender Kadar Abdi Ibrahim upon his return from an advocacy mission in Geneva,' 18 March 2018, <https://www.fidh.org/en/issues/human-rights-defenders/djibouti-reprisals-against-human-rights-defender-kadar-abdi-ibrahim>

²⁸ VOA, 'Through Regional Diplomacy, Eritrea Normalizes Ties with Djibouti,' 9 September 2018 <https://www.voanews.com/a/through-regional-diplomacy-eritrea-normalizes-ties-with-djibouti/4563681.html>

²⁹ Africa News, 'Horn of Africa Unites on Eritrea Sanctions lifting at Unga,' 1 October 2018, <http://www.africanews.com/2018/10/01/horn-of-africa-unites-on-eritrea-sanctions-lifting-at-unga/>

³⁰ Human Rights Concern Eritrea, 'Open letter to member states of the United Nations General Assembly,' 28 September 2018, <https://hrc-eritrea.org/open-letter-to-member-states-of-the-United-nations-general-assembly/>

³¹ BBC, 'Jailed without trace in Eritrea: 'I haven't seen my parents for 17 years,' 3 October 2018, <https://www.bbc.com/news/world-africa-45683700>

³² Human Rights Watch, 'Eritrea: Diplomacy Changes, but Political Prisoners Remain,' 8 October 2018, <https://www.hrw.org/news/2018/10/03/eritrea-diplomacy-changes-political-prisoners-remain>

³³ Africa News, 'Eritrea failing to account for missing journalists, politicians - UN,' 29 March 2019, <https://www.africanews.com/2019/03/29/eritrea-failing-to-account-for-missing-journalists-politicians-un/>

experts of the committee said they have received several allegations of extrajudicial executions, torture, disappearances and other grave violations.³⁴

Freedom of Association

In October 2018, The Eritrean Law Society secured the grant of Provisional Measures delivered by the African Commission on Human and Peoples' Rights for the release of former finance minister Berhane Abrehe Kidane. Mr. Kidane was unlawfully detained and subjected to incommunicado detention on 17 September 2018, few days after he published a two-volume book and released an audio-recorded message, critical of the President of Eritrea. The provision adapted measures that asked that the state of Eritrea end the incommunicado detention of Mr. Kidane while ensuring specific legal provisions including healthcare, safety and due process.³⁵ The request for Provisional Measures was communicated to the President of Eritrea in a letter dated 29 October 2018 and a response is yet to be received.

Ethiopia

As part of Ethiopia's ongoing reform process, spurred by Prime Minister Dr. Abiy Ahmed, several contentious laws previously used to silence civil society are currently being reviewed. In early February 2019, after consultations with civil society actors, the Charities and Societies Proclamation (2009)³⁶ was amended to allow for the re-entry of international organisations into the country. Among its many contentious provisions, the previous restrictions on funding for civil society organisations were lifted. The law formerly stipulated that organisations receiving more than 10 percent of their funding from international donors were considered foreign international organisations, and could therefore not undertake any human rights related work in the country.

In November 2018, several CSOs penned a joint letter asking the government to ensure that the draft Charities and Societies Proclamation complies with regional and

³⁴ Africa News, 'Eritrea failing to account for missing journalists, politicians - UN,' 29 March 2019, <https://www.africanews.com/2019/03/29/eritrea-failing-to-account-for-missing-journalists-politicians-un/>

³⁵ Eritrean Law Society, 'ELS Secures the Grant of Provisional Measures from the African Commission,' 2 November 2018, <http://erilaw.org/els-secures-the-grant-of-provisional-measures-from-the-african-commission/>

³⁶ Refworld, 'Ethiopia: Proclamation No. 621/2009 of 2009, Charities and Societies Proclamation,' 13 February 2009, <https://www.refworld.org/docid/4ba7a0cb2.html>

international human rights norms and standards relating to freedom of association.³⁷ Suggestions included ensuring that the majority of CSO Board members are sourced from civil society through a transparent appointment process, and ensuring that all foreign and domestic CSOs operating in Ethiopia, are able to choose the areas they will work in and permit them to engage in lobbying and advocacy initiatives.

In other positive developments, in mid-November 2018, the Prime Minister Abiy met members of 81 opposition parties to discuss reforming the electoral system, and promised fair and transparent multiparty elections in 2020.³⁸ He also promised to open the political arena currently dominated by his Ethiopian People's Revolutionary Democratic Front (EPRDF) coalition, the ruling party which has held power since 1991. Further, on 22 November 2018, it was reported that opposition leader Birtukan Mideksa, was named head of the National Electoral Board³⁹ as part of efforts to bring former rebels into the political mainstream. Birtukan, who went on self-imposed exile in the United States in 2010, returned to Ethiopia under an amnesty granted by Prime Minister Abiy. Birtukan was among opposition figures who were arrested in the violent aftermath of the 2005 general elections, after opposition groups challenged EPRDF victory.

Freedom of Association

On 20 October 2018, authorities released⁴⁰ Henok Aklilu, a prominent lawyer who was arrested on 17 October 2018 for allegedly advocating for increased autonomy for the capital, Addis Ababa.⁴¹ Henok, a lawyer who is renowned for representing people accused of terrorism related offences, was arrested in his office alongside his friend Michael Melak, with whom he intended to form an association of Addis-born Ethiopians.

³⁷ Association for Human Rights Ethiopia, 'Ethiopia: Address restrictions in draft CSO Proclamation and protect freedom of association,' 29 November 2018, <https://ahrethio.org/2018/11/29/ethiopia-address-restrictions-in-draft-cso-proclamation-and-protect-freedom-of-association/>

³⁸ Reuters, 'Ethiopia PM meets opposition parties, promises fair elections,' 27 November 2018, <https://www.reuters.com/article/us-ethiopia-politics/ethiopia-pm-meets-opposition-parties-promises-fair-elections-idUSKCN1NW0Y1>

³⁹ Aljazeera, 'Ethiopia opposition leader named election body chief,' 22 November 2018, <https://www.aljazeera.com/news/2018/11/ethiopia-opposition-leader-named-election-body-chief-181122102121402.html>

⁴⁰ Borkena, Ethiopian government released human rights defender Henok Aklilu,' 20 October 2018, <https://www.borkena.com/2018/10/20/ethiopian-government-released-human-rights-defender-henok-aklilu/>

⁴¹ Amnesty International, 'Ethiopia: Release of human rights defender welcome but end to arbitrary detentions must follow,' 18 October 2018, <https://www.amnesty.org/en/latest/news/2018/10/ethiopia-release-immediately-and-unconditionally-human-rights-defender-arrested-for-exercising-freedom-of-expression/>

In late January 2019, several HRDs, national, and international CSOs gathered⁴² in Addis Ababa for a workshop to discuss strategies to rebuild civil society ahead of the upcoming 2020 elections. Several organisations, such as the Association for Human Rights in Ethiopia, returned to the country after more than a decade in exile. This was the first such meeting since the reform process led to the opening up of civic space in 2018.

Freedom of Expression

In November 2018, the Attorney General's office said it was drafting a bill to curb the rising hate speech and irresponsible use of social media.⁴³ However, several CSOs, including Human Rights Watch, voiced concern⁴⁴ over the law, considering hate speech laws are often abused, and called attention to Ethiopia's record of vaguely-worded legislation to criminalise free expression.⁴⁵

According to the Committee to Protect Journalists' 2018 annual prison census,⁴⁶ Ethiopia had no incarcerated journalists as of 31 December 2018. The last time Ethiopia was recorded as having no journalists in prison was 2004.⁴⁷

Freedom of Peaceful Assembly

Various attacks based on ethnic rivalries are mushrooming across the country and are his biggest challenges to date. A week of violence erupted in Addis Ababa and its surrounding areas beginning on 12 September 2018 following disagreements between youth from the

⁴² DefendDefenders, 'Ethiopia: DefendDefenders meets stakeholders and HRDs in Addis Ababa,' 12 February 2019, <https://www.defenddefenders.org/2019/02/ethiopia-defenddefenders-meets-stakeholders-and-hrds-in-addis-ababa/>

⁴³ Africa News, 'Human Rights Watch Cautions Ethiopia on Hate Speech Law,' 4 December 2018 <http://www.africanews.com/2018/12/04/human-rights-watch-cautions-ethiopia-on-hate-speech-law/>

⁴⁴ Human Rights Watch, 'Tackling Hate Speech Ethiopia,' 3 December 2018 <https://www.hrw.org/news/2018/12/03/tackling-hate-speech-ethiopia>

⁴⁵ Africa News, 'Human Rights Watch Cautions Ethiopia on Hate Speech Law,' 4 December 2018 <http://www.africanews.com/2018/12/04/human-rights-watch-cautions-ethiopia-on-hate-speech-law/>

⁴⁶ Committee to Protect Journalists, '251 Journalists Imprisoned in 2018,' https://cpj.org/data/imprisoned/2018/?status=Imprisoned&start_year=2018&end_year=2018&group_by=location

⁴⁷ Quartz Africa, 'For the first time in decades, there are no Ethiopian journalists in prison,' 13 December 2018, <https://qz.com/africa/1494561/ethiopia-has-no-jailed-journalists-in-2018-the-first-since-2004/>

capital and its surrounding Oromia region.⁴⁸ On 15 September 2018, several people were killed in the Oromia region's towns of Burayu and Ashewa Meda which victims blamed on youths from the same region.⁴⁹

On 21 October 2018, nine people were killed by security forces during a demonstration in Alamata, Tigray Region. According to local sources, at least 50 people were beaten and injured from gunshots by security forces who intervened to disperse the protestors.⁵⁰

On 26-27 October 2018, security forces used force to disperse demonstrators in Afar Regional State, injuring many and arresting at least 50 people.⁵¹ Demonstrators were protesting against the local administration and demanding democratic reform and respect for human rights.

On 14 January 2019, people in Ethiopia's northeastern Afar region protested against ethnic violence⁵² between Afars and Issa Somalis which broke out in December 2018, and in which seven civilians have reportedly been killed.⁵³ The demonstrations, which included a blockade of the highway linking Ethiopia and Djibouti, were in protest against the ongoing violence and a government order to pull out local militias from the disputed areas and replace them with federal soldiers. The region's leadership and local elders later held discussions that resulted in a solution and the end of the blockade.⁵⁴

⁴⁸ BBC, 'Ethiopia detains 1,200 after deadly Addis Ababa clashes.' 25 September 2018, <https://www.bbc.com/news/world-africa-45638856>

⁴⁹ VOA News, 'Hundreds Arrested in Ethiopia After Violence Around Capital.' 24 September 2018 <https://www.voanews.com/a/hundreds-arrested-in-ethiopia-after-violence-around-capital/4584985.html>

⁵⁰ Association for Human Rights Ethiopia, 'Scores killed across Ethiopia in recent demonstration,' 2 November 2018, <https://ahrethio.org/2018/11/02/scores-killed-across-ethiopia-in-recent-demonstrations/>

⁵¹ Association for Human Rights Ethiopia, 'Scores killed across Ethiopia in recent demonstration,' 2 November 2018, <https://ahrethio.org/2018/11/02/scores-killed-across-ethiopia-in-recent-demonstrations/>

⁵² Reuters, 'Ethiopia protesters end blockade of main highway to sea,' 16 January 2019, <https://www.reuters.com/article/us-ethiopia-djibouti-protests/ethiopia-protesters-end-blockade-of-main-highway-to-sea-idUSKCN1P92RJ>

⁵³ International Crisis Group, 'Tracking Conflict Worldwide; Kenya,' January 2019, <https://www.crisisgroup.org/crisiswatch/print?page=6&location%5B0%5D=9&t=CrisisWatch+Database+Filter>

⁵⁴ Reuters, 'Ethiopia protesters end blockade of main highway to sea,' 16 January 2019, <https://www.reuters.com/article/us-ethiopia-djibouti-protests/ethiopia-protesters-end-blockade-of-main-highway-to-sea-idUSKCN1P92RJ>

Kenya

Freedom of Association

In early December 2018, DefendDefenders launched a report which examines the experiences of marginalised HRDs in Kenya. The report highlighted the challenges and vulnerabilities of women HRDs, activists working for the promotion of LGBT+ rights, and indigenous minority HRDs, specifically those in the northern Turkana region fighting for land rights amid a heavy presence of extractive industries and small arms proliferation.⁵⁵ During the same time, the National Coalition of Human rights defenders – Kenya also launched a report on the situation of Indigenous Women Human Rights Defenders- Kenya in the Embobut Forest, Elgeyo Marakwet county where concrete recommendations were made and how duty-bearers can engage with the women to ensure that their concerns are taken into account.⁵⁶

On 14 December 2019, embattled opposition figure Miguna Miguna won a court case in which he was officially recognised as a Kenyan citizen.⁵⁷ Miguna was seized in a dawn raid of his Nairobi home on 2 February 2018 and subsequently deported to Canada, where he holds dual citizenship. On 26 March 2018, Miguna attempted to regain entry into Kenya but was detained for more than 72 hours at the airport before allegedly being assaulted, drugged, and forcibly put on another flight out of the country. The High Court of Kenya eventually awarded him KSH 7 million (USD 70,000) as compensation for the violation of his rights during his deportation.

On 22 February 2019, the Constitutional Court was expected to rule on whether to decriminalise LGBT+ private, consensual, same-sex relations. The hearing was then postponed to May 24 due to the supposed busyness of some of the judges as mentioned by Judge Chaacha Mwita of the High Courts of Kenya.⁵⁸ #Repeal162 (referring to the relevant clause in the Penal Code) had been trending on Twitter in Kenya.⁵⁹

⁵⁵ DefendDefenders, 'Marginalized HRDs Final Report,' December 2018, https://www.defenddefenders.org/wp-content/uploads/2018/12/Marginalised-HRDs_FINAL-REPORT.pdf

⁵⁶ HRD Coalition, 'Race against extinction in the plight of sengwer indigenous women and hrds in embobut forest,' 3 December 2018, <https://hrdcoalition.org/race-against-extinction-the-plight-of-sengwer-indigenous-women-and-hrds-in-embobut-forest/>

⁵⁷ Daily Nation, ' Courts awards Miguna Sh7m over deportation, say he is Kenyan,' 14 December 2018, <https://www.nation.co.ke/news/Miguna-wins-Sh7m-in-deportation-saga/1056-4895582-sd|pkvz/index.html>

⁵⁸ News24, 'Kenya court postpones ruling on anti-gay laws to May 24,' 24 February 2019, <https://www.news24.com/Africa/News/kenya-court-postpones-ruling-on-anti-gay-laws-to-may-24-20190222>

⁵⁹ Twitter, '#Repeal162,' <https://twitter.com/hashtag/repeal162?lang=en>

A vote intended to guarantee Kenyan women more seats in Parliament fell through on 27 February 2019 because of the lack of a quorum.⁶⁰ The motion was "lost" after only 174 MPs turned up for the vote, short of the 233 required for any constitutional amendment to be voted upon.⁶¹ The bill provided for extra places for women MPs, in line with the 2010 constitution which states that "not more than two-thirds of the members of elective public bodies shall be of the same gender."⁶² This is the fourth time an attempt to address the gender imbalance in the Kenyan parliament has failed.⁶³

Freedom of Expression

On 15 January 2019, Somali extremist group Al Shabaab carried out an attack on the DusitD2 Complex in Nairobi,⁶⁴ killing 21 people and injuring hundreds of others. Graphic images of the attack were shared on social media and across international news outlets resulting in uproar from Kenyans and a public response⁶⁵ from President Uhuru Kenyatta. The New York Times was condemned for sharing images of dead victims from the attack, with critics arguing that photos of similar tragedies in the western world always adhere to ethical media standards, and entail consideration for grieving families. New York Times photographer Kimiko de Freytas-Tamura⁶⁶ received backlash from readers and the Media Council of Kenya,⁶⁷ demanding that she take down the photos and issue a public apology within 24 hours. While Kimiko, in conjunction with the newspaper, issued a statement in

⁶⁰ Daily Nation, 'Gender equity bill shelved over quorum hitch,' 27 February 2019, <https://mobile.nation.co.ke/news/Two-thirds-gender-bill-flops/1950946-5002100-orgigm/index.html>

⁶¹ BBC, 'Letter from Africa: Why Kenyan men don't want to share power with women,' <https://www.bbc.co.uk/news/world-africa-46507685>

⁶² Daily Nation, 'Parliament to vote on gender bill,' 28 November 2018, <https://www.nation.co.ke/news/Parliament-to-vote-on-gender-bill-today/1056-4871988-mp86hy/index.html>

⁶³ BBC, 'Letter from Africa: Why Kenyan men don't want to share power with women,' <https://www.bbc.co.uk/news/world-africa-46507685>

⁶⁴ Quartz Africa, 'An upscale Nairobi building complex has been attacked by terrorist group al-Shabaab,' 15 January 2019, <https://qz.com/africa/1524141/nairobi-hotel-attacked-by-terrorists-al-shabaab-in-kenya/>

⁶⁵ Twitter, 'State House Kenya,' 15 January 2019, <https://twitter.com/StateHouseKenya/status/1085190348823916545>

⁶⁶ New York Times, 'Kimiko de-freytas Tamura,' <https://www.nytimes.com/by/kimiko-de-freytas-tamura>

⁶⁷ Media Council Kenya, 'Response to New York Times,' 17 January 2019 <https://www.mediacouncil.or.ke/en/mck/images/2019/Retraction-and-Apology-over-Publication-of-Gory-Images-from-the-Dusit-Complex-Terror-Attack.pdf>

response⁶⁸ acknowledging that although the images were graphic, they were necessary to demonstrate the reality and intensity of the attack.

In January 2019, Olympic High School in Nairobi turned away a 15 year old student from registration because of her dreadlocks, which her father, Julius Wambua Mwendwa, argued are a form of her religious expression as they are Rastafarian.⁶⁹ On 16 January 2019, Mwendwa went to court to challenge the school's directive on the basis of religious discrimination. The courts however found that the student was sporting the hairstyle for fashion reasons following a lack of sufficient proof that it was an expression of religion.

In a related incident, on 24 January 2019, the Supreme Court, in a 4-1 majority decision, quashed a Court of Appeal decision that had found it discriminatory for church-sponsored schools to bar Muslim students from wearing the hijab and white trousers.⁷⁰ This now leaves school management with the prerogative to determine what students can or cannot wear as uniform, regardless of religious affiliation. The Court of Appeal had found that preventing Muslim girls from wearing the hijab and white trousers in church-sponsored schools violated the Constitution. However, the Supreme Court quashed the decision on account of a technicality and not on the constitutional and human rights issues of equality before the law. The Methodist church who had filed the initial case had appealed to the Supreme Court arguing that the Court of Appeal had technically misdirected itself in entertaining a counter petition by an interested party to the case contrary to the rules. The Supreme Court therefore did not pronounce itself on the substantive rights in question.

On 10 February 2019, Amnesty International Kenya reported the disappearance of woman HRD Caroline Mwatha,⁷¹ co-founder of the Dandora Community Social Justice Centre⁷² that works on public accountability and eradication of extrajudicial killings in Kenya. On the same day, the HRD supporter Billian Okoth Ojiwa went missing without a trace.⁷³ Two days

⁶⁸ New York Times, 'Why The Times Published a Disturbing Photo of Dead Bodies After an Attack in Nairobi,' 17 January 2019, <https://www.nytimes.com/2019/01/17/reader-center/nairobi-kenya-photo.html>

⁶⁹ Daily Nation, 'Lack of rules on religion in schools leads them to litigation,' <https://www.nation.co.ke/news/Lack-of-rules-on-religion-in-schools-exposes-them-to-litigation/1056-4945124-gc09xr/index.html>

⁷⁰ The Star, 'Demas Kiprono: Ramifications of hijab rulings,' 2 December 2018, https://www.the-star.co.ke/news/2019/02/12/demas-kiprono-ramifications-of-hijab-ruling_c1892716

⁷¹ Capital FM, 'Amnesty Kenya raises alarm over missing human rights defender,' 10 February 2019, <https://www.capitalfm.co.ke/news/2019/02/amnesty-kenya-raises-alarm-over-missing-human-rights-defender/>

⁷² Twitter, 'Dandora Community justice centre,' <https://twitter.com/dandorajustice?lang=en>

⁷³ Daily Nation, 'Where are Billian Ojiwa and Caroline Mwatha? Kenyans ask police,' 12 February 2019, <https://www.nation.co.ke/news/Billian-Ojiwa-and-Caroline-Mwatha-missing/1056-4977730-ugvh2s/index.html>

later, Mwatha was found dead. Police stated that she died of a botched abortion while the doctor stated that she died of diarrhoea. The activist's father stressed that his daughter was killed as a direct result of her human rights work.⁷⁴ The organisation demanded an independent autopsy and further investigation on how her phone called her father and husband two days after her death and who was in possession of it.⁷⁵

On 11 February 2019, Governor Muthomi Njuki of Tharaka-Nithi County was accused of misusing his right to freedom of expression by a group of Kenyan women claiming he had insulted women.⁷⁶ Protesters accused Njuki of demeaning women by referring to them as filthy and demanded that he withdraws and apologise or they will continue protesting.⁷⁷

Freedom of Peaceful Assembly

On 5 November 2018, students from Maseno University staged a demonstration to protest the harassment of students by police.⁷⁸ The demonstration was triggered by the detention of several students after they went to report an attack by thugs. According to the University's Communications Director, the students disagreed with the police officers at the station after which they were detained. During the protest which followed the detention, the students barricaded roads and lit bonfires. Later that day, a video and pictures circulated on social media showing protesters being beaten and mistreated by security officers.⁷⁹

On 3 December 2018, at least 20 students from the Technical University of Mombasa were arrested after they staged a demonstration to protest the introduction of new rules by the

⁷⁴ Citizen Digital, 'Carol Mwatha did not die from botched abortion: family,' 12 February 2019, <https://citizentv.co.ke/news/activist-carol-mwatha-did-not-die-from-a-botched-abortion-family-231218/?fbclid=IwAR0zxWgGJrL6rCCeVBh-gbJrQn5bCD1ifoZa2-F7a4Z2-8YTijiMhgEumgw>

⁷⁵ The Washington Post, 'What the unspeakable tragedy of Caroline Mwatha reveals about Kenya,' 13 February 2019, https://www.washingtonpost.com/opinions/2019/02/14/what-unspeakable-tragedy-caroline-mwatha-reveals-about-kenya/?noredirect=on&utm_term=.835fc1c0649b

⁷⁶ Nairobi News, 'Women dump inner wear outside Governor Njuki's over insult,' 11 February 2019, <https://nairobi.news.nation.co.ke/news/women-dump-inner-wear-outside-governor-njukis-over-insult/>

⁷⁷ Standard Media, 'Women dump underwear outside governor's office,' 11 February 2019 <https://www.standardmedia.co.ke/article/2001312739/women-dump-underwear-outside-governor-s-office>

⁷⁸ Nation, 'Maseno University students riot, block Kisumu-Busia road,' 4 November 2018, <https://www.nation.co.ke/counties/kisumu/Maseno-University-students-riot--block-Kisumu-Busia-road/1954182-4836738-3r20j pz/index.html>

⁷⁹ Nairobi News, 'Police condemned for brutality on varsity students,' 5 November 2018, <https://nairobi.news.nation.co.ke/news/police-condemned-for-brutality-on-varsity-students-video/>

University's administration.⁸⁰ During the protest, students damaged vehicles along the Nyali bridge, barricaded roads and threw stones at the police officers who had been deployed to control the situation. The police in turn fired in the air to disperse demonstrators.

On 12 December 2018, LGBT refugees in the Kakuma Camp were beaten with wooden sticks and iron bars while protesting outside the UNHCR office about rising homophobic attacks in recent months.⁸¹ About 20 people were injured during the demonstration after they were attacked by locals and fellow refugees. The UN has since confirmed that at-risk LGBT refugees were being moved to safe houses in Nairobi.

On 16 February 2019, police lobbed teargas canisters to disperse a crowd that had gathered for a rally called by former Lamu County governor Issa Timamy.⁸² Timamy had been on a week-long tour of Lamu County to thank his followers for their support during his election petition against the current governor, a battle he lost at the Supreme Court. According to sources, Timamy had been warned by the police not to proceed with the rally, with police setting up abrupt road blocks.

On 6 March 2019, thousands of passengers were stranded at Nairobi's Jomo Kenyatta International Airport as aviation workers went on strike.⁸³ The workers, under the Kenya Aviation Workers Union (KAWU) opposed the planned merger of the airport with Kenya Airways.⁸⁴ A few hours into the strike, it was reported that KAWU secretary-general Moses Ndiema was arrested over the ongoing strike, as six Kenya Airways and Kenya Airport Authority staff were injured as anti-riot broke up demonstrations.⁸⁵

⁸⁰ Daily Nation, '20 university students arrested during protest in Mombasa,' 3 December 2018, <https://www.nation.co.ke/counties/mombasa/Tum-varsity-students-arrested-Mombasa-protest/1954178-4879210-ny1ub4z/index.html>

⁸¹ Reuters, 'U.N. moves LGBT+ refugees to safe houses after Kenya's Kakuma camp attacks,' 13 December 2018, <https://www.reuters.com/article/kenya-lgbt-refugees/un-moves-lgbt-refugees-to-safe-houses-after-kenya-camp-attacks-idUSL3N1YH3GX>

⁸² Daily Nation, 'Issa Timamy protests police disruption of his Mpeketoni rally,' 17 February 2019, https://www.nation.co.ke/counties/lamu/Timamy-protests-police-disruption-of-his-Mpeketoni-rally/3444912-4985824-agwdwuz/index.html?fbclid=IwAR0Lml8rnW1XLtVKiqiI0F04bQ5NA3qn3T_yrg2xkryW-jctcN2CCTthKY

⁸³ Standard Media, 'Passengers stranded at JKIA as workers go on strike,' 6 March 2019, <https://www.standardmedia.co.ke/article/2001315408/developing-story-flights-at-jkia-grounded>

⁸⁴ The East African, 'Kenya Airways rescue plan faces headwind,' 3 March 2019, <https://www.theeastafrican.co.ke/business/Kenya-Airways-rescue-plan-faces-headwind/2560-5006594-7ms208/index.html>

⁸⁵ Twitter, '#JKIA,' 5 March 2019, <https://twitter.com/NationBreaking/status/1103180210034364417>

Rwanda

General Situation

Rwandans have been advised to desist travel to Uganda following safety concerns warned by the Minister of Foreign Affairs.⁸⁶ There have been over 40 cases of harassment and imprisonment with no consular access since January 2018. During this period, over 800 Rwandans have also been denied entry while others have allegedly been deported from Uganda. Rogers Donne Kayibanda,⁸⁷ a 43-year old Rwandan, was one victim of alleged illegal detention and repeated harassment of Rwandans who travel to or through Uganda.⁸⁸

Freedom of Association

Rwandan activist Diane Rwigara and her mother were released on bail on 5 October 2018.⁸⁹ Among the bail conditions, the Rwigaras were asked to seek permission to leave Kigali and also submit their travel documents to the authorities. On 6 December 2018, the High Court in Kigali acquitted Rwigara and her mother of charges of inciting insurrection and forgery.⁹⁰ The two had spent over a year in jail after Diane was barred from running⁹¹ in presidential elections against incumbent President Paul Kagame, on charges largely decried as politically-motivated.⁹² The country's chief prosecutor has said he will appeal the decision.⁹³

⁸⁶ New Times, 'Rwanda warns citizens against travel to Uganda,' 2 March 2019, <https://www.newtimes.co.rw/news/rwanda-warns-citizens-against-travel-uganda>

⁸⁷ Twitter, 'Rogers Donne Kayibanda kidnapped.' 13 January 2019, <https://twitter.com/onduhungirehe/status/1084421629986394112>

⁸⁸ New Times, 'Deported Rwandan recounts ordeal suffered in hands of Ugandan intelligence operatives,' 2 March 2019, <https://www.newtimes.co.rw/news/deported-rwandan-recounts-ordeal-suffered-hands-ugandan-intelligence-operatives>

⁸⁹ BBC, 'Diane Rwigara: Rwanda government critic acquitted,' 6 December 2018, <https://www.bbc.com/news/world-africa-46471808>

⁹⁰ The Guardian, 'Critic of Rwandan president cleared of insurrection and forgery,' 6 December 2018, <https://www.theguardian.com/world/2018/dec/06/critic-of-rwandan-president-cleared-of-insurrection-and-forgery>

⁹¹ Civicus Monitor, 'Opposition candidates face intimidation and disqualification on lead election,' 11 July 2018, <https://monitor.civicus.org/newsfeed/2017/07/11/opposition-candidates-face-intimidation-and-disqualification-lead-election/>

⁹² Amnesty International, 'Rwanda acquittal of Rwigaras should herald new era for freedom of expression,' 6 December 2018, <https://www.amnesty.org/en/latest/news/2018/12/rwanda-acquittal-of-rwigaras-should-herald-new-era-for-freedom-of-expression/>

⁹³ Daily Nation, 'Rwanda appeals verdict against Kagame critic Dianne Rwigara,' 12 December 2018, <https://www.nation.co.ke/news/africa/Rwanda-appeals-verdict-against-Kagame-critic/1066-4892364-92m1gjz/index.html>

On 7 October 2018, opposition party FDU-Inkingi's deputy leader Boniface Twagirimana, “disappeared” from Mpanga prison in southern Rwanda after supposedly jumping the fence with another inmate shortly after being transferred to a new prison.⁹⁴ Party members, however, cried foul, alleging that Twagirimana was abducted and driven away⁹⁵ in a state prison vehicle – his family has also expressed doubts over the official account of his disappearance.⁹⁶ Recently released party leader Victoire Ingabire was summoned for questioning by the Rwanda Investigations Bureau in connection to the disappearance.⁹⁷

On 7 December 2018, the African Court of Human and Peoples' Rights ordered the Rwandan government to pay Ingabire USD \$61,000 in compensatory damages for the suffering she endured in prison.⁹⁸ It ruled that Ingabire suffered material and moral injury as a result of rights violation. The court rejected her application to have her criminal record cleared and be refunded for expenses she incurred while in detention. Ingabire was released on 15 September 2018 after being sentenced to 15 years in prison in 2012, in a trial described as politically motivated by international civil society organisations.

Anselme Mutuyimana, assistant to opposition party leader Victoire Ingabire, was found dead in a forest in Northern Rwanda with signs of strangulation. Mutuyimana who had only been released from prison six months prior to his death is amongst a long line of murder victims, disappearances, politically motivated arrests, and unlawful detentions in Rwanda, especially of suspected government opponents, including those from the FDU-Inkingi.⁹⁹

⁹⁴ Human Rights Watch, 'Rwandan opposition leader disappeared,' 8 November 2018, <https://www.hrw.org/news/2018/11/08/one-month-rwandan-opposition-leader-disappeared>

⁹⁵ RFI, 'Disappearance of Boniface Twagirimana: "We ask for EU assistance,"' 28 October 2018, <http://www.rfi.fr/afrique/20181028-disparition-boniface-twagirimana-opposants-rwandais-manifestent-bruxelles>

⁹⁶ RFI, 'Rwanda: Boniface Twagirimana's wife does not believe in her escape,' 13 October 2018, <http://www.rfi.fr/afrique/20181013-rwanda-boniface-twagirimana-victoire-ingabire-numero-deux-parti-evasion-epouse>

⁹⁷ The East African, 'Detectives question Ingabire as opposition leader 'disappears,' 9 October 2018, <https://www.theeastafrican.co.ke/news/ea/Detectives-question-Ingabire-as-opposition-leader-escapes-jail/4552908-4798628-w4utol/index.html>

⁹⁸ The East African, 'Rwanda ordered to pay opposition leader Ingabire \$61,000,' 10 December 2018, <https://www.theeastafrican.co.ke/news/ea/Rwanda-ordered-to-pay-opposition-leader-Ingabire/4552908-4889456-9f0kvxz/index.html>

⁹⁹ Human Rights Watch, 'Another Mysterious Opposition Death in Rwanda; 12 March 2018, <https://www.hrw.org/news/2019/03/12/another-mysterious-opposition-death-rwanda>

In January 2019, an inquest¹⁰⁰ in South Africa was initiated to establish who assassinated Patrick Karegeya,¹⁰¹ a former spymaster turned critical opponent of President Kagame, in a Johannesburg hotel room in January 2014. His family has publically maintained that president Kagame was involved in the murder.

Freedom of Expression

On 21 November 2018, BBC journalist Phocas Ndayizera was arrested in Kigali by Rwandan security forces, who did not publicly disclose the arrest for a week.¹⁰² Ndayizera was accused of receiving explosives and plotting with terrorists, and faces 20 years in prison if found guilty.¹⁰³ In June 2015 the BBC Kinyarwanda radio service was suspended indefinitely following the broadcast of a documentary on the genocide, a topic which remains controversial for media to cover.¹⁰⁴

Freedom of Peaceful Assembly

Rwanda has yet to formally investigate the killing of Congolese refugees who protested cuts on subsistence allowance they had been receiving from UNHCR demanding to be repatriated to DRC or relocated to a new country.¹⁰⁵ While no official investigation has been published into the killing of protesters, 11 are dead and at least 63 refugees are facing charges in connection with the protests, ranging from 'participating in and organising illegal demonstrations' to 'spreading false information with intent to create a hostile international opinion against the Rwandan government'. They are also charged

¹⁰⁰ Daily Maverick, 'Murder of Rwandan dissident spymaster Karegeya to come to court at last,' 2 November 2018, <https://www.dailymaverick.co.za/article/2018-11-02-murder-of-rwandan-dissident-spy-master-karegeya-to-come-to-court-at-last/>

¹⁰¹ Human Rights Watch, 'Hope for Justice for Murdered Rwandan Critic,' 16 January 2019, <https://www.hrw.org/news/2019/01/16/hope-justice-murdered-rwandan-critic>

¹⁰² Committee to Protect Journalists, 'Phocas Ndayizeri,' 21 November 2018, <https://cpj.org/data/people/phocas-ndayizera/index.php>

¹⁰³ Daily Nation, 'Rwandan journalist investigated for terrorism,' 30 November 2018, <https://www.nation.co.ke/news/africa/Rwandan-journalist-held-for-terrorism/1066-4876016-15089j4z/index.html>

¹⁰⁴ DefendDefenders, 'Don't Shoot the Messenger! Journalists as human rights defenders in the East and Horn of Africa,' October 2017, <https://www.defenddefenders.org/wp-content/uploads/2017/11/DontShootTheMessenger.pdf>

¹⁰⁵ PML Daily, 'Rwanda on spot over killing and jailing refugees,' 21 February 2019, <http://www.pmldaily.com/news/2019/02/rwanda-on-spot-over-killing-jailing-refugees.html>

with 'violence against public authorities.'¹⁰⁶

Somalia (with Somaliland)

Freedom of Association

Mukhtar Robow, defected founder and commander of militant Islamist group Al-Shabab, was barred from running for public office in October 2018. Despite the federal government's intention to bar Robow from elections in the South West State, the electoral commission later granted him the permission he needed.¹⁰⁷ Despite this, on 13 December, Robow was arrested and detained.¹⁰⁸ Unconfirmed reports indicated that the arrest was made by Ethiopian security forces working with the African Union Mission in Somalia (AMISOM), in Baidoa and later transported to Mogadishu.¹⁰⁹ The arrest was based on suspicions that the former militant was involved in the smuggling of Islamic militants and weapons into Baidoa.¹¹⁰ Subsequently, on 19 December 2018, lawmakers in the South West State elected a new president. Mukhtar Robow's name was excluded from the ballot, despite protests in Baidoa.¹¹¹

Freedom of Expression

Media professionals in Somalia and Somaliland continue to face threats, intimidations, arbitrary arrests, and judicial persecutions as a result of their work - these attacks¹¹² are

¹⁰⁶ Human Rights Watch, 'Rwanda: A Year On, No Justice for Refugee Killings,' 23 February 2019, <https://www.hrw.org/news/2019/02/23/rwanda-year-no-justice-refugee-killings>

¹⁰⁷ BBC, 'Somalia violence: Deadly Baidoa clashes over Robow arrest,' 14 December 2018, <https://www.bbc.com/news/world-africa-46566484>

¹⁰⁸ Middle East Monitor, 'Somali minister resigns over violence in Baidoa,' 17 December 2018, <https://www.middleeastmonitor.com/20181217-somali-minister-resigns-over-violence-in-baidoa/>

¹⁰⁹ Mareeg, 'AU Chief in Somalia and Ethiopia asked to answer who carried out Al-shabaab founders detention,' 11 January 2019, <https://mareeg.com/au-chief-in-somalia-and-ethiopia-asked-to-answer-who-carried-out-al-shabaab-founders-detention/>

¹¹⁰ Voa News, 'Somali minister resigns over arrest of former Al-shabaab,' 15 August 2017, <https://www.voanews.com/a/somali-minister-resigns-over-arrest-of-former-al-shabab-leader/4703068.html>

¹¹¹ Voa News, 'Somali region gets new president after deadly election campaign,' 19 December 2018, <https://www.voanews.com/a/somali-region-gets-new-president-after-deadly-election-campaign/4707359.html>

¹¹² Nusoj, 'RECAP: A look back at Somali journalists struggling to survive media attacks,' 1 January 2019, <http://www.nusoj.org/recap-a-look-back-at-somali-journalists-struggling-to-survive-media-attacks/>

often perpetrated by both State¹¹³ and non-State actors. Somalia topped the Committee to Protect Journalists' 2018 Global Impunity Index for the fourth time in a row in 2018.¹¹⁴

On 4 December 2018, Ismael Sheikh Khalifa, journalist and chairman of Human Rights Journalists, an NGO in Somalia, suffered serious injuries after an explosive device which was planted in his vehicle exploded in Mogadishu's Waberi district.¹¹⁵

The National Union of Somali Journalists reported and condemned police brutality on 18 February that targeted two local journalists in Mogadishu.¹¹⁶ Warsame Sabriye and Abdullahi Dahir Abdi were allegedly handcuffed and beaten by security forces and ten more journalists were barred from reporting a news event.¹¹⁷

A Somali-born U.S citizen, Abdi Hassan, was arrested in the United States in connection with the kidnapping of a freelance journalist in Somalia.¹¹⁸ Although not disclosed, the victim is believed to be Michael Scott Moore, who was kidnapped on 12 January 2012, while working on a book about piracy, and held captive for almost three years, allegedly by Hassan and his co-conspirators, who demanded \$20 million for the ransom.¹¹⁹

On 10 February 2019, the privately-owned *Foore* newspaper, suspended publishing for a year in compliance with an order from a regional court in Somaliland. Editor-in-chief Mohamed Mohamud Yusuf received a three million Somaliland shilling fine (USD

¹¹³ International Anti-Corruption Conference, "The Biggest Threat to Press Freedom in Somalia is Not Al-Shabab – it's Farmajo's Regime" 21 February 2019, https://iaccseries.org/blog/press-freedom-in-somalia/?fbclid=IwAR2JsHX0nz0b2NzQJW3WIGz2N5K8385gSp74vNGjA36tjAl_rDiHbdln108

¹¹⁴ Committee to Protect Journalists, 'Impunity index; Getting Away With Murder Killed Justice,' October 2018, <https://cpj.org/reports/2018/10/impunity-index-getting-away-with-murder-killed-justice.php>

¹¹⁵ Goobjoog, 'A Somali journalist survives a car bomb explosion in Mogadishu,' 4 December 2018, <https://goobjoog.com/english/a-somali-journalist-injured-in-a-car-bomb-explosion/>

¹¹⁶ Goobjoog, 'NUSOJ Condemns brutal harassment of Somali journalists by gov't Soldiers,' 19 February 2019, <https://goobjoog.com/english/nusoj-condemns-brutal-harassment-of-somali-journalists-by-govt-soldiers/>

¹¹⁷ Mog Times, 'Press release: Condemns brutal harassment of two Somali journalists by government soldiers in Mogadishu,' 19 February 2019, <http://mogtimes.com/articles/27009/PRESS-RELEASE-NUSOJ-Condemns-Brutal-Harrasment-of-Two-Somali-Journalists-by-Government-Soldiers-in-Mogadishu>

¹¹⁸ Herald-Mail Media, Somali born U.S citizen arrested in Minnesota charged with taking journalist captive,' 21 February 2019, https://www.heraldmillmedia.com/news/nation/somali-born-us-citizen-arrested-in-minn-charged-with-taking/article_539d0355-021c-53a1-8ea9-80d4fdcf7d1.html

¹¹⁹ The Guardian, 'My 997 days held hostage by Somali pirates,' 2 June 2015, <https://www.theguardian.com/world/2015/jun/02/my-977-days-held-hostage-by-somali-pirates>

\$577.85), after being found guilty of publishing fake news and anti-government propaganda.¹²⁰

Somaliland poet Abdirahman Ibrahim Adan, was detained on 12 January 2018 at the Lake Assal Hotel, following a recital of a poem¹²¹ that highlighted several human rights concerns surrounding the treatment of detainees. On 18 February, the poet was charged with “insulting the police and the government.”¹²²

Freedom of Peaceful Assembly

On 13 December 2018, Mukhtar Robow’s arrest (see above) sparked protests in Baidoa, the South West State’s administrative headquarters, where at least 11 people including civilians and soldiers were killed.¹²³ Photos of the protests showed burnt tires and stones scattered on the roads. At least 200 civilians were arrested following the protests.¹²⁴

Separately, on 11 December 2018, security forces opened fire on peaceful protesters in Baidoa, who were demonstrating in support of the Lower House Speaker Mohamed Mursal who hails from the region, and who has been under immense pressure to stop the impeachment motion against President Mohamed Abdullahi.¹²⁵ Two demonstrators were seriously injured while police officers seized the cameras of journalists covering the demonstrations.¹²⁶

On the last week of February, women in Galkayo, in the semi-autonomous Puntland region of Somalia, demonstrated against the rape and murder of a 12-year-old girl, in what they said was a surge in rapes in the area. A video of the impassioned protest went

¹²⁰ Committee to Protect Journalists, ‘Somaliland court suspends newspaper for one year for publishing ‘fake news’,’ <https://cpj.org/2019/02/somaliland-court-suspends-newspaper-for-one-year-f.php>

¹²¹ Somaliland Standard, ‘Somaliland arrests poet Abdirahman Abees in relation to a poetry reading,’ 13 January 2019, <http://somalilandstandard.com/somaliland-arrests-poet-abdirahman-abees-in-relation-to-a-poetry-reading/>

¹²² Human Rights Watch, ‘Somaliland free poet detained because of critical poems,’ 20 February 2019, <https://www.hrw.org/news/2019/02/20/somaliland-free-poet-detained-critical-poems>

¹²³ BBC, ‘Somalia violence: Deadly Baidoa clashes over Robow arrest,’ 14 December 2018, <https://www.bbc.com/news/world-africa-46566484>

¹²⁴ VOA News, ‘Somali minister resigns over arrest of former Al-Shabaab leader,’ 15 August 2017, <https://www.voanews.com/a/somali-minister-resigns-over-arrest-of-former-al-shabab-leader/4703068.html>

¹²⁵ Goobjoog, ‘Two people injured in anti-Farmaajo protests in Baidoa,’ 11 December 2018 <https://goobjoog.com/english/two-people-injured-in-anti-farmaajo-protests-in-baidoa/>

¹²⁶ Mareeg, ‘Somali forces open fire on protesters in Baidoa,’ 11 January 2018, <https://mareeg.com/84543-2/>

viral. In the clip, two unidentified women appeal to the authorities and tribal leaders to find the perpetrators who violently raped and murdered the girl in February.¹²⁷

South Sudan

General Situation

On 12 September 2018, warring parties in South Sudan signed¹²⁸ the Revitalized Agreement on the Resolution of the Conflict in the Republic of South Sudan (R-ARCSS).¹²⁹ The agreement outlines,¹³⁰ among other measures, a permanent ceasefire, a special fund for reconstruction, and more importantly a path forward for the long-overdue operationalisation of the Hybrid Court for South Sudan. Despite the ceasefire civil society organisations have noted that violations continue to occur as the warring parties failed to observe the ceasefire across the country.¹³¹

A UN report released in late October 2018 documented targeted attacks against some 900 civilians, including the abduction of young women to be given as brides to soldiers.¹³² A similar report¹³³ released by Amnesty International in September accuses government soldiers of several crimes against humanity, including mass rape and torture of civilians since April 2018.

On 18 December 2018, a team from the independent Ceasefire Transitional Security Arrangements Monitoring and Verification Mechanism (CTSAMVM) was assaulted and

¹²⁷ Twitter, 'Galkayo girls raped and killed,' 25 February 2019, <https://twitter.com/ASalwe/status/1100101226606280704>

¹²⁸ Peace AU, 'Press Release: Chairperson Signature,' 13 September 2018, <http://www.peaceau.org/uploads/press-release-chairperson-signature-r-arcss.pdf>

¹²⁹ Intergovernmental Authority of Development, 'Revitalized Agreement on the resolution of conflict in the Republic of South Sudan,' 12 September 2018 <https://www.dropbox.com/s/6dn3477q3f5472d/R-ARCSS.2018-i.pdf?dl=0>

¹³⁰ Joint Monitoring and Evaluation Commission <https://www.jmecsouthsudan.com/index.php/arcss-2015>

¹³¹ Twitter, '#ExecuteRARCSSTimely,' 15 September 2018, <https://twitter.com/froncalgoshi36/status/1040928038433771521>

¹³² OHCHR, 'Violations and abuses against civilians in Gbudue and Tambura States (Western Equatoria),' 18 October 2018, <https://www.ohchr.org/Documents/Countries/SS/ReportWesternEquatoria17Oct2018.pdf>

¹³³ Amnesty. 'War crimes in Unity state of South Sudan,' September 2018, <https://www.amnesty.org/en/latest/news/2018/09/war-crimes-in-unity-state-south-sudan/>

detained by government security forces in Luri area.¹³⁴ At the time of the attack, the team was conducting duties under its mandate to monitor the ceasefire in support of the R-ARCSS.¹³⁵ The United Nations Mission in South Sudan¹³⁶ (UNMISS), United States, Norway, the United Kingdom, and the Intergovernmental Authority on Development (IGAD)¹³⁷ all condemned the attack and urged for immediate investigations in order that perpetrators are held to account.¹³⁸

There is growing international concern about fighting between rival armed groups which has forced thousands to flee, despite a peace agreement signed in December. Norway, the UK and the US, known as the Troika, have called on the government of South Sudan and the National Salvation Front to end the violence immediately around Yei and to respect last year's peace agreement.¹³⁹ The Troika also called on regional leaders to respect the UN arms embargo.

Sexual violence in South Sudan remains commonplace.¹⁴⁰ There have been countless documented cases of "brutal rapes including multiple gang rapes, sexual slavery, abductions, forced marriage, forced pregnancy, forced abortion, and mutilation of sexual organs, as well as killings."¹⁴¹ These incidents are not new to South Sudan where sexual

¹³⁴ Relief Web, 'UNMISS Condemns the Assault on a CTSAMVM Monitoring and Verification Team in the Luri Area,' 21 December 2018, <https://reliefweb.int/report/south-sudan/unmiss-condemns-assault-ctsamvm-monitoring-and-verification-team-luri-area>

¹³⁵ Intergovernmental Authority of Development, 'Revitalized Agreement on the resolution of conflict in the Republic of South Sudan,' 12 September 2018 <https://www.dropbox.com/s/6dn3477q3f5472d/R-ARCSS.2018-i.pdf?dl=0>

¹³⁶ Relief Web, 'UNMISS Condemns the Assault on a CTSAMVM Monitoring and Verification Team in the Luri Area,' <https://reliefweb.int/report/south-sudan/unmiss-condemns-assault-ctsamvm-monitoring-and-verification-team-luri-area>

¹³⁷ Intergovernmental Authority of Development, 'IGAD Council of ministers statement on violation of the Revitalized Agreement on the conflict resolution of conflict in the Republic of South Sudan R-ARCSS at Lure Training Center,' 18 December 2018, <https://igad.int/programs/115-south-sudan-office/2021-igad-council-of-ministers-statement-on-violation-of-the-revitalized-agreement-of-resolution-of-the-conflict-on-south-sudan-r-arcss-at-lure-training-center>

¹³⁸ Gov UK, 'South Sudan: Harassment of East African monitoring group,' 22 December 2018, <https://www.gov.uk/government/news/south-sudan-harassment-of-east-african-monitoring-group>

¹³⁹ Reuters, 'U.N. reports mass rape, killings, torture in South Sudan, seeks oil scrutiny,' 20 February 2019, <https://www.reuters.com/article/us-southsudan-un/un-reports-mass-rape-killings-torture-in-south-sudan-seeks-oil-scrutiny-idUSKCN1Q917Q>

¹⁴⁰ East African Monitor, 'Mothers in South Sudan are teaching their daughters how to survive sexual violence,' 26 March 2019, <https://eastafricamonitor.com/mothers-in-south-sudan-are-teaching-their-daughters-how-to-survive-sexual-violence/>

¹⁴¹ East African Monitor, 'Mothers in South Sudan are teaching their daughters how to survive sexual violence,' 26 March 2019, <https://eastafricamonitor.com/mothers-in-south-sudan-are-teaching-their-daughters-how-to-survive-sexual-violence/>

violence is a systematic and widespread characteristic of the conflict where rape and sexual violence are used as a tactic of warfare against women and girls.¹⁴²

A three-day peace conference that brought together representatives from Jonglei and Eastern Lakes States ended on 9 February 2019 with calls to end crimes along the River Nile. Twic South County commissioner, Daniel Deng, said the two neighbouring communities resolved to end hostilities over the Nile where conflicts often arise over fishing rights.¹⁴³ Parties agreed to control the flow of weapons and ensure that consent from relevant authorities is provided prior to crossing each other's waters.

119 children were released from an armed group on 11 February 2019 in Yambio where they were associated with the South Sudan National Liberation Movement.¹⁴⁴ There have been reintegration programs set up to assist children and their host families smoothly transition back into society. This release coincided with the International Day Against the Use of Child Soldiers.

On the second week of February, thousands of civilians fled¹⁴⁵ from Equatoria state, seeking safety in neighbouring Democratic Republic of the Congo (DRC). Over 8000 people have been internally displaced near the town of Yei following clashes that began on 19 January 2019 between government forces and the National Salvation Front rebel group.

On 20 February 2019, the UN's Commission on Human Rights in South Sudan expressed outrage over renewed fighting in the country which has forced thousands of people to flee their homes.¹⁴⁶ The commission stressed the need for a special court to be set up as well as a Commission for Truth, Reconciliation and Healing in order to end impunity and help build sustainable peace.

¹⁴² East African Monitor, 'Mothers in South Sudan are teaching their daughters how to survive sexual violence,' 26 March 2019, <https://eastafriamonitor.com/mothers-in-south-sudan-are-teaching-their-daughters-how-to-survive-sexual-violence/>

¹⁴³ Radio Tamazuj, 'Jonglei, Eastern Lakes authorities conclude peace conference,' 11 February 2019, <https://radiotamazuj.org/en/v1/news/article/jonglei-eastern-lakes-authorities-conclude-peace-conference>

¹⁴⁴ News 24, '119 child soldiers released to families in South Sudan,' 13 February 2019, <https://www.news24.com/Africa/News/119-child-soldiers-released-to-families-in-south-sudan-20190212>

¹⁴⁵ UN News, 'Thousands flee fresh violence in South Sudan, many 'suffering from trauma,' February 2019, <https://news.un.org/en/story/2019/02/1032541>

¹⁴⁶ UN News, 'South Sudan: 'Outraged' UN experts say ongoing widespread human rights violations may amount to war crimes,' 20 February 2019, <https://news.un.org/en/story/2019/02/1033181>

In March 2019, Amnesty International expressed concern at the rising use of the death penalty in South Sudan.¹⁴⁷ Most of those executed had been convicted of murder but Amnesty says at least three of the cases were shrouded in secrecy and relatives only learnt of the deaths after they had been executed. The group says South Sudanese authorities executed more people in 2018 than in any other year since independence in 2011.

South Sudan's government has allegedly allocated over half of the funds meant for the peace deal to the renovation of politicians' homes, according to an investigative report by The Guardian newspaper. The government had originally pledged more than \$1.4 million to the peace fund but only deposited \$400,000 into the account.¹⁴⁸

Freedom of Association

On 25 October 2018, the government announced that it would release five political prisoners.¹⁴⁹ While the R-ARCSS stipulates¹⁵⁰ the release of several key rebel leaders, none of the five appear to be high-ranking rebel officials. On 20 October 2018, the International Committee of the Red Cross (ICRC) facilitated the release of 24 people detained in relation to the conflict.¹⁵¹

Makeur Dhok, the ruling Sudan People's Liberation Movement Party's (SPLM) secretary general, was detained by national security in Rumbek town following a disagreement with General John Deng over administrative issues.¹⁵²

Investigations following the disappearance of two South Sudanese critics in Nairobi have been dropped by the Kenyan courts. In 2017, Dong Samuel Luak, a prominent South

¹⁴⁷ Amnesty International, 'South Sudan: Seven men including members of one family hanged amid spike in executions,' 1 March 2019,

<https://www.amnesty.org/en/latest/news/2019/03/south-sudan-seven-men-including-members-of-one-family-hanged-amid-spike-in-executions/>

¹⁴⁸ The Guardian, 'South Sudan peace deal funds spent on renovating political homes,' 13 February 2019, <https://www.theguardian.com/global-development/2019/feb/13/south-sudan-peace-deal-funds-spent-on-renovating-politicians-homes>

¹⁴⁹ Reuters, 'South Sudan frees five political detainees: intelligence agency,' 25 October 2018, <https://www.reuters.com/article/us-southsudan-unrest/south-sudan-frees-five-political-detainees-intelligence-agency-idUSKCN1MZZ1P>

¹⁵⁰ Human Rights Watch, 'South Sudan announces release prisoners of war and detainees,' 28 September 2018, <https://www.hrw.org/news/2018/09/28/south-sudan-announces-release-prisoners-war-and-detainees>

¹⁵¹ The East African, 'ICRC aids release of 24 South Sudan detainees,' 20 October 2018, <http://www.theeastafrican.co.ke/news/ea/ICRC-aids-release-of-24-South-Sudan-detainees/4552908-4814552-airstf/index.html>

¹⁵² Radio Tamazuj, 'National security detains SPLM official in Rumbek,' 11 February 2018, <https://radiotamazuj.org/en/news/article/national-security-detains-splm-official-in-rumbek>

Sudanese lawyer and human rights activist, and Aggrey Idri, a member of the political opposition were snatched off the streets of Nairobi. The men's disappearance is believed by their families to be the result of collusion between South Sudan and Kenya, but both governments have denied having custody of the men or knowledge of their whereabouts.

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Freedom of Expression

On 7 January 2019, the South Sudanese Media Authority ordered¹⁵⁴ the *Al Watan* Arabic-language newspaper to stop covering¹⁵⁵ the ongoing protests in neighbouring Sudan.¹⁵⁶ This restrictive move came after the Sudanese embassy in Juba lodged a complaint with the Media Authority, accusing the newspaper of supporting the protests in Sudan. Between 3-7 January, the *Al Watan* published three separate reports about the Sudan protests. The regulator ordered the paper to immediately desist from "writing anything on topics relating to the ongoing protests in Sudan, which is an internal political issue of a friendly neighbouring country."¹⁵⁷ In addition, the regulator also ordered the newspaper to publish an official apology to the Sudanese Embassy in Juba within 72 hours, an order which the outlet refused.

Sudan

On 19 November 2018, the European Council highlighted Sudan's lack of respect for civic freedoms,¹⁵⁸ and urged Sudanese authorities to uphold commitments to freedom of

¹⁵³ Human Rights Watch, 'Kenya-South Sudan investigate critics disappearance,' 12 February 2019, <https://www.hrw.org/news/2019/02/12/kenya-south-sudan-investigate-critics-disappearance>

¹⁵⁴ IFEX, 'Newspaper receives directive to stop reporting on protests in neighbouring Sudan,' 14 January 2019, https://www.ifex.org/south_sudan/2019/01/14/protests-sudan/

¹⁵⁵ Radio Tamazuj, 'South Sudan media regulators bars media from covering Sudan protests,' 8 January 2019, <https://radiotamazuj.org/en/v1/news/article/south-sudan-media-regulator-bars-media-from-covering-sudan-protests>

¹⁵⁶ Bloomberg, 'Students killed during Sudan bread protest lawmaker says,' 20 December 2018, <https://www.bloomberg.com/news/articles/2018-12-20/two-students-killed-during-sudan-bread-protests-lawmaker-says>

¹⁵⁷ MinBane: 'Letter of summon to Al-Watan Arabic Newspaper,' 7 January 2019, <https://minbane.wordpress.com/2019/01/07/https-wp-me-p1xtjg-8ep-2/>

¹⁵⁸ Council of the European Union, 'Sudan: Council adopts conclusions,' November 19 2018, <https://www.consilium.europa.eu/en/press/press-releases/2018/11/19/sudan-council-adopts-conclusions/#>

association, peaceful assembly, and expression.¹⁵⁹ In particular, the statement voiced concern over the shrinking space for civil society ahead of upcoming elections in 2020 the persecutions of HRDs, students, political activists, media professionals, as well as with the situation for women and girls."¹⁶⁰ The statement came just after the adoption of Sudan's new Media Charter on 1 November 2018.¹⁶¹ While the charter acknowledges the unrestricted right to the freedom of expression, local groups claim it is worthless¹⁶² if Sudanese authorities continue to persecute independent journalists and confiscate entire print runs of newspapers.¹⁶³ It is recognised that these aggressive tactics have led to a situation where self-censorship is rife among journalists in Sudan.

Sudan is currently witnessing the largest wave of protests against the economic policies and allegations of human rights violations by the government of President Omar al-Bashir since he came to power in 1989.¹⁶⁴ There have been more than 300 protests in 15 out of Sudan's 18 states since the protests began on 19 December 2018. The protests were sparked by high school students in Atbara City who were challenging the steep increase of the cost of bread and in a matter of a day, the government had shut down all access to social media platforms in an attempt to limit international attention to the crisis.¹⁶⁵

In response to persistent protests, on 22 February, President Bashir declared a year-long state of emergency that has given sweeping powers to the armed forces.¹⁶⁶ The legal framework for emergencies as set out in the Emergency and Protection of Public Safety Act of 1997, read together with the Emergency and Public Safety Bylaw of 1998, permits

¹⁵⁹ Council of the European Union, 'Sudan: Council adopts conclusions,' November 19 2018, <https://www.consilium.europa.eu/en/press/press-releases/2018/11/19/sudan-council-adopts-conclusions/#>

¹⁶⁰ OHCHR, 'Human Rights Council continues the general debate on the promotion and protection of all human rights,' 8 March 2019, <https://www.ohchr.org/SP/HRBodies/HRC/Pages/NewsDetail.aspx?NewsID=24292&LangID=S>

¹⁶¹ Sudan News Agency, 'Sudan Press Charter of Ethics,' 11 February 2019, <http://suna-sd.net/en/single?id=119257>

¹⁶² Dabanga, 'Sudan Journalists Network: 'Media Charter of Honour worthless unless NISS ceases press harassment,' 18 November 2018, <https://www.dabangasudan.org/en/all-news/article/sudan-journalists-network-media-charter-of-honour-worthless-unless-niss-ceases-press-harassment>

¹⁶³ Amnesty International, 'Sudan: Relentless harassment, intimidation and censorship of journalists must end,' 2 November 2018, <https://www.amnesty.org/en/latest/news/2018/11/sudan-relentless-harassment-intimidation-and-censorship-of-journalists-must-end/>

¹⁶⁴ Amnesty, 'Ten things you should know about the latest protests in Sudan,' 18 January 2019, <https://www.amnesty.org/en/latest/campaigns/2019/01/ten-things-you-should-know-about-the-latest-protests-in-sudan/>

¹⁶⁵ Amnesty, 'Ten things you should know about the latest protests in Sudan,' 18 January 2019, <https://www.amnesty.org/en/latest/campaigns/2019/01/ten-things-you-should-know-about-the-latest-protests-in-sudan/>

¹⁶⁶ France 24, ' <https://www.france24.com/en/20190222-sudan-president-bashir-state-emergency>

preventive arrest and detention on vague grounds. These include the belief of the authorities that the person in question has acted or may act in a way that “affects public security, or public safety, or ... participated in any crime related to the declaration..” The 1998 Bylaw provides neither time limits for this type of detention, nor judicial oversight, and therefore authorises prolonged if not indefinite detention. The broad powers given to the Executive under the 1997 Act and 1998 Bylaw have repeatedly given rise to concerns over arbitrary arrest and detention, ill-treatment and torture, and violations of the right to a fair trial, which are facilitated by the virtually complete absence of safeguards and judicial oversight. In emergency situations, there are no adequate safeguards against unjustified infringements on the peaceful exercise of rights to freedom of expression, assembly and association.

President Bashir also dissolved the federal and local governments and appointed a former Defence Minister Awad Ibnouf as a vice president, and replaced all state governors with military officials.¹⁶⁷ It is important to mention that Mr. Awad is one of people placed on the United States sanctions by former US President George W. Bush’s administration in May 2007 for his alleged role in the perpetuation of war crimes in Darfur. The state of emergency was approved by the Parliament but reduced to six months on 11 March.¹⁶⁸ Legal experts assert that the state of emergency violates the Constitution.¹⁶⁹

A Sudanese news source reported on 21 March 2019 that al-Bashir intends to attend the League of Arab States summit, which will be held in Tunisia, a member of the International Criminal Court (ICC), on 31 March 2019. Al-Bashir is sought on two ICC warrants for alleged genocide, war crimes, and crimes against humanity committed in Darfur, Sudan.¹⁷⁰ The Human Rights Watch has asked that ICC members put pressure on Tunisia to exercise compliance with the court’s rules.

After three decades in charge, Sudanese president Omar al-Bashir was forced out of office on 11 April after months of unrelenting protests. The move was orchestrated by the military. Reports indicate that the former president was detained and held under house

¹⁶⁷Dabanga, ‘State of Emergency declared in Sudan – President Al Bashir dissolves govt,’ 23 February 2019, <https://www.dabangasudan.org/en/all-news/article/state-of-emergency-declared-in-sudan-president-al-bashir-dissolves-govt>

¹⁶⁸Middle East Eye, ‘Sudan’s parliament approves and cuts state of emergency in face of protests,’ 11 March 2019, <https://www.middleeasteye.net/news/sudans-parliament-approves-and-cuts-state-emergency-face-protests>

¹⁶⁹Dabanga, ‘National Front: State of Emergency in violation of Sudan Constitution,’ 28 February 2019, <https://www.dabangasudan.org/en/all-news/article/national-front-state-of-emergency-in-violation-of-sudan-constitution>

¹⁷⁰ Human Rights Watch, ‘Tunisia: Bar or arrest Sudan’s al-Bashir,’ 26 March 2019, <https://www.hrw.org/news/2019/03/26/tunisia-bar-or-arrest-sudans-al-bashir>

arrest while the military announced a raft of measures to rein in protesters.¹⁷¹ On the same day, shortly after Bashir was ousted, a military council dissolved the government, suspended the country's constitution and declared a three month state of emergency. The military said it will remain in control for at least two years to oversee a "transition of power," leading to dismay from protesters and outside observers that elections will not be held anytime soon.¹⁷²

Freedom of Association

Civil society activists have been arrested in the sweeping mass arrests after the protests. On 3 January 2019, local sources¹⁷³ alleged that members of the National Intelligence and Security Service (NISS) raided the headquarters of the National Civic Forum in Khartoum and arrested its director Dr Hasan Abdelati, Ambassador Ibrahim Taha, and Professor Montasir El Tayeb who is a professor of genetics at the University of Khartoum.¹⁷⁴ At least 30 human rights defenders were detained incommunicado without charge¹⁷⁵, some have since been released after spending more than 2 months in custody¹⁷⁶.

Freedom of Expression

Sudan's new media charter also imposes regulations on news outlets. In particular, the

¹⁷¹ Africa News, 'Sudan protest hub: Bashir ousted, military outlines next steps,' 11 April 2019, <https://www.africanews.com/2019/04/11/sudan-protest-hub-africanews-updates/>

¹⁷² CNN, 'Joy turns to fear in Sudan as army takes control after ousting Bashir,' 12 April 2019, <https://edition.cnn.com/2019/04/12/africa/sudan-army-bashir-intl/index.html>

¹⁷³ Dabanga, 'Arrests of journalists covering Sudan protests continue,' 4 January 2019, <https://www.dabangasudan.org/en/all-news/article/arrests-of-journalists-covering-sudan-protests-continue>

¹⁷⁴ Arab Organization for Human Rights, 'ANND and AOHR condemn Sudanese Authorities aggressive reaction to the protests,' 4 January 2019, <http://aohr.net/en/2019/01/04/the-arab-ngo-network-for-development-annd-and-the-arab-organization-for-human-rights-aohr-condemns-sudanese-authorities-aggressive-reaction-to-the-protests-against-dire-economic-and-social-con/>

¹⁷⁵ ACJPS, OMCT and FIDH, "SUDAN: 'Serious concerns after the arrest of 30 human rights defenders in violent crackdown against peaceful protests' 12 February 2019. <http://www.acjps.org/sudan-serious-concerns-after-the-arrest-of-30-human-rights-defenders-in-violent-crackdown-against-peaceful-protests/>

¹⁷⁶ ACJPS, 'Sudan Protests: 51 detainees released, hundreds remain in custody as President Bashir declares a national state of emergency', 5 March 2019, <http://www.acjps.org/sudan-protests-niss-releases-51-detainees-hundreds-remain-in-custody-as-president-bashir-declares-a-national-state-of-emergency/>

charter stipulates¹⁷⁷ that no material or news about the Sudanese regular forces¹⁷⁸ may be published without authorisation by a government spokesperson. Unsurprisingly, local civil society groups have voiced opposition to the rules. A similar charter was implemented in 2009,¹⁷⁹ which Sudanese authorities used as a pretext to interfere with and censor print based media.¹⁸⁰

Amid, the restrictions, Sudanese journalists have also received recognition for their work. On 21 November 2018, the Committee to Protect Journalists' annual International Press Freedom Award¹⁸¹ was presented to Amal Habbani, who has suffered numerous threats and attacks.¹⁸² As a freelance journalist and contributor to the Sudanese news outlet *A/-Taghyeer*, Habbani has been repeatedly harassed and detained by Sudanese authorities for her work.¹⁸³ Despite the highly challenging environment, Habbani fearlessly continued her work as an investigative journalist amid threats of harassment, detention and even violence. Upon receiving the award, Habbani stated that she hoped to shine a spotlight on Sudan's treatment of independent media groups and journalists.

The ongoing nationwide protests have also seen the Sudanese authorities take systematic measures to silence media outlets. Sudanese authorities, especially the NISS, are alleged to have done everything possible to prevent journalists from covering the protests.¹⁸⁴ In particular, journalists have been subjected to arbitrary arrests and attacks and the National Industrial Security System especially has a well-documented track record of coercing and harassing independent outlets and journalists.¹⁸⁵

¹⁷⁷ Sudan News Agency, 'Sudan Press Charter of Ethics,' 11 February 2019, <http://suna-sd.net/en/single?id=119257>

¹⁷⁸ Dabanga, 'Media Charter 'no solution to problems of Sudan press,' 6 November 2018, <https://www.dabangasudan.org/en/all-news/article/media-charter-no-solution-to-problems-of-sudan-press>

¹⁷⁹ All Africa, 'Sudan: Media Charter 'No Solution to Problems of Sudan Press' 6 November 2018, <https://allafrica.com/stories/201811070604.html>

¹⁸⁰ Dabanga, 'Media Charter 'no solution to problems of Sudan press,' 6 November 2018, <https://www.dabangasudan.org/en/all-news/article/media-charter-no-solution-to-problems-of-sudan-press>

¹⁸¹ Committee to Protect Journalists, 'CPJ's 2019 International Press Freedom Awards,' 21 November 2019, <https://cpj.org/awards/>

¹⁸² Raseef 22, '15 Detentions Later, Sudanese Activist Amal Habbani Is More Tenacious Than Ever,' 15 March 2018, <https://raseef22.com/en/politics/2018/03/15/15-detentions-later-sudanese-activist-amal-habbani-tenacious-ever/>

¹⁸³ Committee to Protect Journalists, 'Journalist fined after reporting on trial.' 10 July 2017 <https://cpj.org/2017/07/sudanese-journalist-fined-after-reporting-on-trial.php>

¹⁸⁴ Reporters Without Borders, 'RSF decries alarming new crackdown on Sudan's media,' 28 December 2018, <https://rsf.org/en/news/rsf-decries-alarming-new-crackdown-sudans-media>

¹⁸⁵ Sudan Tribune, 'Sudanese security confiscates 3 newspapers, bans TV show,' 1 September 2018, <http://www.sudantribune.com/spip.php?article66153>

According to the Reporters without Borders (RSF), since the protests began on 19 December 2018, more than 90 press freedom violations have been registered by the organisation. These include 62 arrests and 21 seizures of newspapers by the NISS.¹⁸⁶

On 15 January 2019 a total of 28 journalists were reportedly arrested while taking part in a peaceful sit-in outside the NISS' Khartoum headquarters to protest the *Al-Jareeda's* paper's almost daily confiscation in recent weeks.¹⁸⁷ On 14 and 17 January 2019, 5 journalists were detained incommunicado and their locations remain unknown.¹⁸⁸ The lack of access to lawyers and family members to the detainees, together with the well-documented use by the NISS of torture and other forms of ill-treatment against detainees, particularly whilst held in unknown locations, gives rise to serious concerns for their safety¹⁸⁹. Incommunicado detention significantly enhances vulnerability to torture and other ill-treatment.

Confiscation of newspapers is regularly used to censor independent outlets in Sudan. Censorship is often ramped up around key events with post-print censorship, whereby entire print-runs of daily editions are confiscated prior to morning distribution, at great cost to newspapers, which along with other forms of harassment and intimidation enforces self-censorship as editors are unable to afford to publish opinions that might result in the print run being confiscated.

During these protests, a similar campaign was launched as the NISS imposed a "strict prior-publication censorship" mainly targeting daily newspapers *El Tayyar* and *Al-Jareeda*.¹⁹⁰ Censorship followed instructions by NISS to chief editors not to report on the protests. Since the unrest began in December 2018, *Al-Jareeda* has been confiscated 11

¹⁸⁶ Reporters Without Borders, 'Sudan's NISS steps up harassment of media again,' 18 January 2019, <https://rsf.org/en/news/sudans-niss-steps-harassment-media-again>

¹⁸⁷ AA, '28 local journalists arrested in Khartoum: Watchdog,' 14 January 2019, <https://www.aa.com.tr/en/middle-east/28-local-journalists-arrested-in-khartoum-watchdog/1364480>

¹⁸⁸ ACJPS, 'Incommunicado detentions and increase in media gags amidst heavy crackdown on anti-government protests in Sudan', 24 January 2019, <http://www.acjps.org/incommunicado-detentions-and-increase-in-media-gags-amidst-heavy-crackdown-on-anti-government-protests-in-sudan/>

¹⁸⁹ ACJPS, 'Sudan Protests: Urgent call for investigations into the custodial death of three University students and alleged torture of detainees by NISS' 13 March 2019, <http://www.acjps.org/sudan-protests-urgent-call-for-investigations-into-the-custodial-death-of-three-university-students-and-alleged-torture-of-detainees-by-niss/>

¹⁹⁰ Dabanga, 'Sudan press council files complaint against tv channel for covering protests,' 10 January 2019, <https://www.dabangasudan.org/en/all-news/article/sudan-press-council-files-complaint-against-tv-channel-for-covering-protests>

times by the NISS.¹⁹¹ Moreover, the government-controlled Press and Publications Council filed a complaint¹⁹² against *Al Arabiya* TV office in Sudan and its correspondent in Khartoum under article 66 of the Criminal Code, concerning the publication of false news, which carries a penalty of six months imprisonment or a fine or both.¹⁹³ On 20 December 2018, NISS without giving reasons imposed a pre-publication censorship on Akhbar Al-Watan newspaper for 11 weeks until 11 March 2019. Al Maidan newspaper was denied publication from 11 January to 11 March 2019 whilst Albaath newspaper, which is affiliated with the Arabic Baath party was denied publication from last week of December 2018 to 17 March 2019. Algareeda, an independent newspaper, was denied publication for 76 days from 20 December 2018¹⁹⁴.

Osman Mirghani, Chief Editor of the Altyaar, an independent newspaper, was freed on 29 April 2019 after a month in detention for speaking out against President Omar al-Bashir's state of emergency law.¹⁹⁵

Freedom of Peaceful Assembly

Since 19 December 2018, tens of thousands of Sudanese have participated in protests against the government throughout Sudan. At least 57 peaceful protesters, including children, have been killed¹⁹⁶ and dozens injured as a result of excessive use of force by state security forces in dispersing the protests.¹⁹⁷ Sudanese security forces, including the NISS, Anti-riot police and the military have used live ammunition, tear gas and rubber

¹⁹¹ Reporters Without Borders, 'Sudan's NISS steps up harassment of media again,' 15 January 2019, <https://rsf.org/en/news/sudans-niss-steps-harassment-media-again>

¹⁹² Dabanga, 'Sudan Press Council files complaint against TV channel for covering protests,' 10 January 2019, <https://www.dabangasudan.org/en/all-news/article/sudan-press-council-files-complaint-against-tv-channel-for-covering-protests>

¹⁹³ European Country of Origin Information Network, 'The Penal Code 1991,' https://www.ecoi.net/en/file/local/1219135/1329_1202725629_sb106-sud-criminalact1991.pdf

¹⁹⁴ ACJPS, 'Sudan Protests: NISS introduces a new tactic targeting chief-editors after lifting censorship against four newspapers,' 4 April 2019, <http://www.acjps.org/sudan-protests-niss-introduces-a-new-tactic-targeting-chief-editors-after-lifting-censorship-against-four-newspapers/>

¹⁹⁵ Alaraby, 'Sudan frees detained newspaper editor amid protests,' 2 April 2019, <https://www.alaraby.co.uk/english/news/2019/4/2/sudan-frees-detained-newspaper-editor-amid-protests>

¹⁹⁶ Sudan doctors Syndicate, 'New trends of violence and brutality against civil protestors in Sudan', 8 February 2019, <http://www.acjps.org/new-trends-of-violence-and-brutality-against-civil-protestors-in-sudan/>

¹⁹⁷ RFI, '40 killed in Sudan protests as security forces use live rounds,' 2 January 2019, <http://en.rfi.fr/africa/20190102-40-killed-sudan-protests-security-forces-use-live-rounds>

bullets to clamp down on a large-scale anti-government demonstrations.¹⁹⁸ Different types of tear gas bombs are being used, some of them are explosive and cause deep burns and tissue damage, this has led to two university students losing their hands when they attempted to throw fired canisters away from protestors¹⁹⁹. Injuries resulting from tear gas bomb/missile include; loss of an eye (three cases), rib fractures (four cases), skull fractures (three cases), various abdominal injuries leading to internal bleeding, in addition to three cases of fractured legs.²⁰⁰ Sudanese authorities have also responded by orchestrating mass arrests. Authorities confirmed that at least 816 people had been arrested as of 6 January 2019 in connection with the demonstrations.²⁰¹ The crackdown has seen security forces arresting journalists, students, human rights defenders and doctors among others. At least 116 opposition leaders were detained incommunicado with charge across various prisons in Sudan.²⁰²

In March 2019, NISS released 54 peaceful protesters, including 36 women released on 8 March 2019 following an order by President Bashir to the Director of NISS²⁰³. The 54 spent more than 2 months in NISS custody with charge. There are serious concerns for the physical and psychological wellbeing of hundreds of peaceful protesters who still remain in custody without charge or access to courts of law, many are detained through the use of emergency laws, which permit prolonged, if not indefinite, detention through arbitrary preventative arrest. Those detainees face inhumane and degrading treatment and torture,

¹⁹⁸ Human Rights Watch, 'A bloody day of protests in Sudan,' 10 January 2019, <https://www.hrw.org/news/2019/01/10/bloody-day-protest-sudan>

¹⁹⁹ Sudan doctors Syndicate, 'New trends of violence and brutality against civil protestors in Sudan', 8 February 2019, <http://www.acjps.org/new-trends-of-violence-and-brutality-against-civil-protestors-in-sudan/>

²⁰⁰ Sudan doctors syndicate, 'New trends of violence and brutality against civil protestors in Sudan', 8 February 2019, <http://www.acjps.org/new-trends-of-violence-and-brutality-against-civil-protestors-in-sudan/>

²⁰¹ Aljazeera, 'More than 800 detained in ongoing Sudan protests: Minister,' 8 January 2019, <https://www.aljazeera.com/news/2019/01/800-detained-ongoing-sudan-protests-minister-190107161145823.html>

²⁰² ACJPS, 'Sudan: 116 Political Activists detained incommunicado without charge amidst violent crackdown on the anti -government peaceful protests since December 2018', 19 February 2019, <http://www.acjps.org/sudan-116-political-activists-detained-incommunicado-without-charge-amidst-violent-crackdown-on-the-anti-government-peaceful-protests-since-december-2018/>

²⁰³ ACJPS, 'Sudan: NISS releases fifty-four detainees as seventeen peaceful protesters join hundreds who remain in detention' 19 March 2019, <http://www.acjps.org/sudan-niss-releases-fifty-four-detainees-as-seventeen-peaceful-protesters-join-hundreds-who-remain-in-detention/>

both of which have been widely reported by organisations, including in the context of the current protests²⁰⁴.

Images and videos were circulated online providing evidence of state forces restricting basic peaceful assembly rights and use of violence against protesters. Security agencies have used the most inconceivably barbaric tactics including running over the bodies of protesters while chasing them by military pickup trucks. Sudan Doctors Syndicate confirmed at least three cases of such kind, with one reported death and two injuries of protesters²⁰⁵. Doctors have also provided testimonial evidence of treating protesters suffering from injuries consistent with the use of live ammunition and allegations of protesters being directly targeted, stating many suffered of gunshots often to the head or upper part of the body.²⁰⁶

Security forces have also attacked hospitals and medical staff. According to reports, injured protesters seeking treatment after the protests were followed and attacked by security forces in hospitals.²⁰⁷ On 9 January 2019, Sudanese security forces fired tear gas and live ammunition inside the premises of the Omdurman Hospital.²⁰⁸ Doctors were also beaten in the ensuing encounter.²⁰⁹ Reports also suggest that on 13 January 2019 police fired tear gas inside Bahri Teaching Hospital and Haj Al-Safi Hospital in Khartoum North area where a large protest was organised by opposition groups.²¹⁰ According a report

²⁰⁴ ACJPS, 'Sudan Protests: Urgent call for investigations into the custodial death of three University students and alleged torture of detainees by NISS' 13 March 2019 <http://www.acjps.org/sudan-protests-urgent-call-for-investigations-into-the-custodial-death-of-three-university-students-and-alleged-torture-of-detainees-by-niss/>

²⁰⁵ Sudan doctors Syndicate, 'New trends of violence and brutality against civil protesters in Sudan', 8 February 2019, <http://www.acjps.org/new-trends-of-violence-and-brutality-against-civil-protestors-in-sudan/>

²⁰⁶ Channel 4 News, 'Sudan's opposition calls for more protests against Omar al-Bashir,' 3 January 2019, <https://www.channel4.com/news/sudans-opposition-calls-for-more-protests-against-omar-al-bashir>

²⁰⁷ Amnesty International, 'Sudan: Security officers pursue injured protesters into hospital,' 10 January 2019 <https://www.amnesty.org/en/latest/news/2019/01/sudan-security-officers-pursue-injured-protestors-into-hospital/>

²⁰⁸ Amnesty International, 'Sudan: Security officers pursue injured protesters into hospital,' 10 January 2019 <https://www.amnesty.org/en/latest/news/2019/01/sudan-security-officers-pursue-injured-protestors-into-hospital/>

²⁰⁹ Sudan Tribune, 'Sudan doctors call for international condemnation of violence against medical facilities,' 10 January 2019, <http://sudantribune.com/spip.php?article66892>

²¹⁰ Sudan Tribune, 'Sudan Unrest: security apparatus repeats attacks on hospitals, arrests doctors,' 13 January 2019, http://www.sudantribune.com/spip.php?iframe&page=imprimable&id_article=66913

published by Sudanese doctor's syndicate, over 28 doctors were detained in Khartoum alone for either being on strike or for providing medical aid to the protestors in the streets. One doctor was shot dead by the security forces for providing emergency care for severely wounded protestors in the field²¹¹. At least 5 female doctors were detained incommunicado without charge at Omdurman women's prison in inhumane conditions for more than 2 months for suspected involvement in the protests.²¹²

Additionally, NISS has targeted university students by carrying out raids and arrests in student's residences and university campuses. At least three university students died in December 2018 as a result of torture they were allegedly subjected to while in NISS custody.²¹³

Since 30 December 2018, 30 Darfuri university students have been detained incommunicado without charge by the NISS in Khartoum. The students were arrested after a house raid by NISS in Sennar and transferred to an unknown location in Khartoum. On the same day, the Director of the NISS held a press conference stating that the detained students were members of an armed Darfuri movement (SLA/Abdelwahid) that had received training from Mossaad, the Israeli intelligence agency, and that they had been sent to infiltrate the protests. Videos broadcasted on Sudan TV and other government affiliated television channels showed the detained students confessing to instigating the demonstrations with clear signs of beatings and fatigue.²¹⁴ Their incommunicado detention and allegations against them significantly enhances vulnerability to torture and other ill-treatment.

²¹¹ Sudan doctors Syndicate, 'New trends of violence and brutality against civil protestors in Sudan', 8 February 2019, <http://www.acjps.org/new-trends-of-violence-and-brutality-against-civil-protestors-in-sudan/>

²¹² ACJPS, '30 women detained in inhumane conditions following suspected involvement in protests', 20 February 2019, <http://www.acjps.org/sudan-30-women-detained-in-inhumane-conditions-following-involvement-in-protests/>

²¹³ ACJPS, 'Sudan Protests: Urgent call for investigations into the custodial death of three University students and alleged torture of detainees by NISS' 13 March 2019, <http://www.acjps.org/sudan-protests-urgent-call-for-investigations-into-the-custodial-death-of-three-university-students-and-alleged-torture-of-detainees-by-niss/>

²¹⁴ ACJPS, 'Sudan Protests: Urgent call for investigations into the custodial death of three University students and alleged torture of detainees by NISS' 13 March 2019 <http://www.acjps.org/sudan-protests-urgent-call-for-investigations-into-the-custodial-death-of-three-university-students-and-alleged-torture-of-detainees-by-niss/>

On 7 March 2019, security forces used tear gas to disperse hundreds of students protesting at the National University campus in Khartoum.²¹⁵

The emergency courts and prosecution offices established under the emergency decrees announced by President Bashir in February 2019 have continued to violate the right to a fair trial, which is guaranteed under the Sudanese constitution, regional and international treaties ratified by Sudan. Peaceful protesters have been unfairly subjected to harsh sentences. Some of these sentences have since been quashed by the appeal courts. In March 2019, the appeal court overturned a decision of the El Imtidad emergency court sentencing 9 female peaceful protesters to flogging and jail term.

Women have played a prominent role at the protests, calling for freedom, change and claiming space to assert their rights defying serious threats, violence.²¹⁶ They are resisting an increasingly hostile patriarchal environment, institutionalised gender discrimination and harassment by authorities that women human rights defenders (WHRD) have been increasingly subjected under the current regime.²¹⁷ In response, security forces have targeted WHRD using different repressive tactics including arbitrary arrests, detention without access to family and lawyers, intimidation and physical abuse, or the use of family members to pressure the activists to reveal information.²¹⁸ Activists released from detention have testified²¹⁹ to the abuse, various forms of torture and inhumane and degrading treatment, including threats of rape and sexual harassment, as well as being beaten in detention by a "special female unit" that seemed specially designated to abuse detained women activists, including subjecting women to body cavity search that can

²¹⁵ Dabang, 'Tear gas attack on students in university, Khartoum,' 8 March 2019, <https://www.dabangasudan.org/en/all-news/article/tear-gas-attack-on-students-in-university-khartoum>

²¹⁶ Twitter, 'Young women demanding an end to the Al-Bashir Presidency as another day of protests gets underway in Sudan,' 12 March 2019, <https://twitter.com/samirasawlani/status/1105407502001364992>

²¹⁷ FIDH, 'Sudan: A shrinking environment for Women Human Rights Defenders,' 30 August 2018, <https://www.fidh.org/en/issues/human-rights-defenders/sudan-a-shrinking-environment-for-women-human-rights-defenders>

²¹⁸ FIDH, 'Sudan: 30 women detained in inhumane conditions following involvement in protests,' 21 February 2019, <https://www.fidh.org/en/region/Africa/sudan/sudan-30-women-detained-in-inhumane-conditions-following-involvement>

²¹⁹ YouTube, 'The women on the frontline of the protests in Sudan,' 1 February 2019, <https://youtu.be/2G9IYXIAT1g>

amount to sexual violence.²²⁰ Since the start of the demonstrations,²²¹ at least 100 WHRDs, including journalists, have been subjected to arbitrary detention, according to the Regional Coalition for Women Human Rights Defenders in the Middle East and North Africa (WHRD-MENA).²²²

Sudanese officials and leaders of the ruling National Congress Party have issued numerous statements threatening peaceful protesters. Sudan's President Omar al Bashir has stated "the objective is not to kill protesters, but to safeguard the security and stability of citizens."²²³ However on 8 January 2019 former Vice President Ali Osman Taha, and current member of the leading bureau of the ruling NCP, warned opponents of the government that militia "brigades" would defend the regime."²²⁴ On 10 January the former Speaker of the Parliament Al-Fatih Izzeldeen threatened those who protest saying "we will cut their heads off."²²⁵

However, in a joint statement, the Troika - comprising of the US, Britain and Norway - and Canada, stated they were "appalled by reports of deaths and serious injury" of protesters, calling on the Government of Sudan to ensure a "fully transparent and independent investigation."²²⁶

Tanzania

Freedom of Association

²²⁰ Twitter, 'Injuries imposed on Human Rights Defender at the hands of security forces,' 21 January 2019 <https://twitter.com/whrdmena/status/1087428898365808640>

²²¹ Civicus Monitor, 'Widespread protests in Sudan see excessive force and systematic repression of civic freedoms,' 17 January 2019 <https://monitor.civicus.org/newsfeed/2019/01/17/Widespread-protests-excessive-force-systematic-repression/>

²²² WHRDMENA, 'Petition: Free ALL women human rights defenders detained in Sudan,' March 2019, <https://whrdmena.org/2019/02/26/petition-free-all-women-human-rights-defenders-detained-in-sudan/?lang=en>

²²³ CNN, Sudan protests: President 'completely satisfied' with police despite brutality claims' 30 December 2019', <https://edition.cnn.com/2018/12/30/africa/sudan-protests-president-praises-police-intl/index.html>

²²⁴ HRW, 'A Bloody Day of Protest in Sudan' 10 January 2019, <https://www.hrw.org/news/2019/01/10/bloody-day-protest-sudan>

²²⁵ Sudan Akhbar 11, January 2019, <https://www.sudanakhbar.com/424245>

²²⁶ US Embassy in Sudan, Statement by the Troika on the response to continuing protests in Sudan' <https://sd.usembassy.gov/statement-by-the-troika-on-the-response-to-continuing-protests-in-sudan/>

Ms. Ingrid De Draeve and Clinton Mshao were arrested in Loliondo in September 2018. The two were arrested while the former was attending the marriage ceremony of Clinton Mshao. They were taken to Arusha Central Police for further investigation. Police mistakenly arrested Ingrid who was mistaken for a Swedish blogger, Suzan Nodrud, who has written extensively on the issues facing the Maasai in the region. Later on when she was taken fingerprints it was determined that she was not Suzan and then was released after staying in police custody for approximately 5 days.²²⁷

On 29 October 2018, Dar es Salaam's Regional Commissioner, Paul Makonda, announced plans to form a government taskforce to hunt down people believed to be lesbian, gay, bisexual, transgender or intersex (LGBTI), due to begin its "work" on 5 November.²²⁸ On 4 November, the Government of Tanzania, through its Ministry of Foreign Affairs, distanced itself from Makonda's remarks terming them "personal opinion."²²⁹

Two Pastoralist Land Rights Defenders were arrested in December 2018. Supuk Ole Maoi and Clinton Mshao were arrested by police in Loliondo and stayed under police custody for one week before they were released on bail. Despite the reason for their arrest being unexplained, analysts believed that their arrest was highly likely connected to their human rights work as they have been working tirelessly in defending land rights in Loliondo.²³⁰ Supuk and Clinton Mshao Kairungi had in 2016 been arrested and charged with espionage contrary to the National Security, 1967. Their case was successfully litigated by an advocate hired by THRDC and won against the government after the prosecution side failed to prove their case beyond reasonable doubt.²³¹

Freedom of Expression

²²⁷ The Report on the Situation of Human Rights Defenders and Civic Space in Tanzania,' 2018
<https://www.thrdc.or.tz/>

²²⁸ Amnesty, '10 Men arrested in Zanzibar for being gay,' 6 November 2018,
<https://www.amnesty.org/en/latest/news/2018/11/tanzania-10-men-arrested-in-zanzibar-for-being-gay/>

²²⁹ Amnesty, '10 Men arrested in Zanzibar for being gay,' 6 November 2018,
<https://www.amnesty.org/en/latest/news/2018/11/tanzania-10-men-arrested-in-zanzibar-for-being-gay/>

²³⁰ Tanzania Human Rights Defenders Coalition, 'Report on the situation of human rights defenders in Tanzania,' 2016
https://www.academia.edu/35867990/REPORT_ON_THE_SITUATION_OF_HUMAN_RIGHTS_DEFENDERS_IN_TANZANIA-2016

²³¹ Facebook, 'Tengeneza jimbo la ngorongoro,' July 2016,
https://m.facebook.com/groups/189241674451156?bac=MTQ2OTQxOTY0NToxMTg2MDAyODA0Nzc1MDMzOjExODYwMDI4MDQ3NzUwMzMzMDo3Og%3D%3D&multi_permalink&rdc=1&rdc

In September, lawmakers passed amendments to the Statistics Act that would impose fines, at least three years jail time, or both, on anyone who questioned the accuracy of official figures. The attorney general said the changes were needed to enforce standards. The World Bank said it was deeply concerned about new Tanzanian legislation which would punish anyone who questions official statistics, saying the law would undermine the production of useful and high quality data.²³²

In October 2018, the Ministry of Health, Community Development, Gender Elderly and Children gazetted NGOs Act (Amendment) Regulations. The Regulations seek to improve financial transparency and accountability. According to the Regulations NGOs are required to inter alia publish information about the sources of fund or resources obtained; expenditure of the fund or resources obtained; purpose of fund or resources obtained; and Activities to be carried from fund or resources. In case the NGO raises more than 20 Million Tshs, the NGOs will be required to release biannual information about the raised funds and expenditure. This information is required to be published in a well circulated newspaper or any other media which is easily accessed by the beneficiaries of the project.²³³

On 2 October, three journalists were arrested by police officers in Umba Village in Kalambo District, Rukwa Region. Mr. Mussa Mwangoka of Mwananchi newspaper, Mr. Gulan Adolf of Nipashe newspaper and Mr. Sammy Kisika of Azam TV were arrested as they were covering a story about a land dispute between residents of the village and the Tanzania Forest Services (TFS). The dispute had been raging for a while with no solution in sight. This, understandably, attracted journalists' attention. As the three journalists were covering the story, police officers showed up and arrested them. They were not only threatened, but also denied information.²³⁴

On 31 October 2018, Zitto Kabwe, a leader of the Alliance for Change and Transparency opposition movement in Tanzania, was detained for questioning following a press conference in which he accused the police of killing dozens of residents of Kigoma, where he is a legislator, during an operation to address illegal grazing.²³⁵

²³²Reuters, 'Tanzania law punishing critics of statistics 'deeply concerning': World Bank,' 3 October 2018, <https://www.reuters.com/article/us-tanzania-worldbank/tanzania-law-punishing-critics-of-statistics-deeply-concerning-world-bank-idUSKCN1MD17P>

²³³Daily News, 'NGO act changes finalized,' 24 October 2018
<https://www.dailynews.co.tz/news/2018-10-245bd049495cc07.aspx>

²³⁴The Report on the Situation of Human Rights Defenders and Civic Space in Tanzania,' 2018,
<https://www.thrdc.or.tz/>

²³⁵Aljazeera, 'Freedom of Expression in Tanzania is slowly being eroded,' 4 November 2019,
<https://www.aljazeera.com/indepth/opinion/freedom-expression-tanzania-slowly-eroded-181104131453497.html>

On the second week of November 2018, at least 10 men were arrested for allegedly conducting a same-sex marriage ceremony on the island of Zanzibar.²³⁶

On 18 November, the Committee to Protect Journalists welcomed the release of Angela Quintal, CPJ's Africa program coordinator, and Muthoki Mumo, CPJ's sub-Saharan Africa representative, from detention in Tanzania who had travelled to the country to understand the challenges facing the Tanzanian press and to inform the global public.²³⁷ CPJ called for Tanzanian authorities to halt their ongoing crackdown against a free press.²³⁸

The crackdown on press freedom continues as the Tanzanian government suspended the newspaper 'The Citizen' on 26 February 2019 arguing that it spreads false news – a decision questioned by several diplomats in Tanzania.²³⁹

In January 2019 the Parliament of Tanzania enacted a new Political Parties (Amendment) Act which inter alia grants unlimited powers to the Registrar of Political Parties in the Country. These powers include the power to deregister any political party, to expel an individual members of the party from membership and even to decide eligibility of contestants in the Party. While exercising these powers, the laws gives him immunity from prosecution.²⁴⁰

On 17 March 2019, Dar es Salaam's Regional Commissioner led a raid on Clouds Media Group, allegedly for their decision not to broadcast a video aimed at undermining a popular local pastor.²⁴¹

Through his letter dated 25 March 2019, the Registrar of Political Parties Threatened to deregister one of the opposition Parties named Alliance for Change and Transparency

²³⁶ News 24, 'At least 10 men arrested in Zanzibar for alleged same-sex wedding,' 8 November 2018, <https://www.news24.com/Africa/News/at-least-10-men-arrested-in-zanzibar-for-same-sex-wedding-report-20181108>

²³⁷ CPJ, 'CPJ staffers released in Tanzania,' 18 November 2018, <https://cpj.org/2018/11/detained-cpj-staffers-released-in-tanzania.php>

²³⁸ CPJ, 'East African court rules that Tanzanian Media Service Act violates press freedom,' 28 March 2019, <https://cpj.org/2019/03/east-african-court-rules-that-tanzanias-media-serv.php>

²³⁹ The East African, 'Tanzania suspends newspaper over story on falling shilling,' 27 February 2019, <https://www.theeastafrican.co.ke/news/ea/Tanzania-suspends-newspaper-over-story-on-falling-shilling/4552908-5002264-r1s0fdz/index.html>

²⁴⁰ The Citizen, 'New bill gives registrar of political parties more powers,' 12 January 2019, <https://www.thecitizen.co.tz/News/New-Bill-gives-Registrar-of-Political-Parties-more-powers-/1840340-4932392-83g19l/index.html>

²⁴¹ Amnesty International, 'Tanzania report 2017.2018,' <https://www.amnesty.org/en/countries/africa/tanzania/report-tanzania/>

(ACT Wazalendo). The Registrar gave a 14 days ultimatum for an defense explanation as to why the parties should not be deregistered.²⁴²

On 28 March 2019, CPJ welcomed a ruling by the East African Court of Justice (EACJ) that multiple sections of Tanzania's Media Services Act restrict press freedom and freedom of expression. CPJ also called on the Tanzanian government to repeal the act.²⁴³

Uganda

Freedom of Association

In mid-December 2018, representatives from CSOs met with the Internal Affairs Minister Jeje Odongo in Kampala, to discuss the delayed conclusion of investigations into the systematic office break-ins of NGOs.²⁴⁴ The representatives tasked the minister to explain the lack of accountability for the office raids. According to the minister, the police continue with the investigations and will make their findings public once the inquiries are concluded.²⁴⁵

On 31 December 2018, offices of an LGBT+ led Organisation Queer Youth Uganda in Munyonyo suffered an attempted office break-in. Although the assailants remain unknown, this is the second attempt at the institution largely targeted because of the nature of work it undertakes on awareness on LGBT+ rights. It brings the toll to 34 organisations of CSOs that have been broken into. On 7 December, the National Coalition of Human Rights Defenders Uganda issued a report findings on continued office break-ins in Uganda²⁴⁶.

²⁴²The Citizen, 'ACT-Wazalendo threatened with deregistration 'for breaking the law,' 26 March 2019, <https://www.thecitizen.co.tz/News/1840340-5042198-by3brk/index.html>

²⁴³CPJ, 'East African court rules that Tanzania's Media Services Act violates press freedom,' 28 March 2019, <https://cpj.org/2019/03/east-african-court-rules-that-tanzanias-media-serv.php>

²⁴⁴ New Vision, 'CSOS task minister on NGOs office break-ins report,' 15 December 2018, https://www.newvision.co.ug/new_vision/news/1491307/csos-task-minister-ngos-office-break-ins-report

²⁴⁵ New Vision, 'CSOS task minister on NGOs office break-ins report,' 15 December 2018, https://www.newvision.co.ug/new_vision/news/1491307/csos-task-minister-ngos-office-break-ins-report

²⁴⁶Nile Post, 'Report cites lax security, invisible hand, for break-ins of NGO offices,' 9 December 2018, <https://nilepost.co.ug/2018/12/09/report-cites-lax-security-invisible-hand-for-break-ins-of-ngo-offices/>

Uganda's ruling NRM party endorsed President Yoweri Museveni as its candidate for the 2021 elections, meaning the 74-year-old leader, who came to power in 1986, will be running for a sixth term. His candidacy comes after the signing of a highly controversial bill in January 2018 that scrapped the presidential age limit.²⁴⁷ Uganda's Supreme Court began hearing a petition in January to challenge this decision. Around the same time, President Museveni promoted his son to the rank of lieutenant general - the second highest position in the army.²⁴⁸

On 21 March 2019, Muslim lawyers under the umbrella body Ugandan Muslim Lawyers Association (UMLAS) decried what they describe as increased attacks against suspects, especially Muslims, at the hands of security forces.²⁴⁹ UMLAS' statement was made at a time when the last group of Kaweesi murder suspects were set to be released temporarily after securing bail.²⁵⁰ Lawyers disclosed information on security agencies' alleged plan to re-arrest suspects after release.²⁵¹

Freedom of Expression

On 2 November 2018, Makerere University researcher Dr. Stella Nyanzi was arrested on allegations that she insulted President Museveni and his deceased mother, on her Facebook social media account on 16 September 2018.²⁵² She was remanded at Luzira maximum security prison. The Superintendent of Police Vincent Ssekatte said she committed the offence of cyber harassment and offensive communication. According to Section 25 of the Computer Misuse Act (2011) on offensive communication, "any person who willfully and repeatedly uses electronic communication to disturb or attempts to disturb the peace, quiet or right of privacy of any person with no purpose of legitimate

²⁴⁷ Civicus Monitor, 'Museveni signs controversial bill as crackdown on civil space continues,' 23 January 2018, <https://monitor.civicus.org/newsfeed/2018/01/23/museveni-signs-controversial-bill-crackdown-civic-space-continues/>

²⁴⁸ The East African, 'Museveni promotes son, more than 2000 army officers,' 8 February 2019, <https://www.theeastafrican.co.ke/news/ea/Museveni-promotes-son-more-than-2000-army-officers/4552908-4973218-ht99m1/index.html>

²⁴⁹ New Vision, 'Muslim lawyers decry torture suspects,' 25 March 2019, https://www.newvision.co.ug/new_vision/news/1496737/muslim-lawyers-decry-torture-suspects

²⁵⁰ New Vision, 'Kaweesi murder suspects out on bail,' 19 March 2019, https://www.newvision.co.ug/new_vision/news/1496558/kaweesi-murder-suspects-bail

²⁵¹ New Vision, 'Muslim lawyers decry torture suspects,' 25 March 2019, https://www.newvision.co.ug/new_vision/news/1496737/muslim-lawyers-decry-torture-suspects

²⁵² Daily Monitor, 'Stella Nyanzi arrested for insulting Museveni's mother,' 2 November 2018, <https://www.monitor.co.ug/News/National/Stella-Nyanzi-arrested-insulting-Museveni-mother/688334-4833874-2ukcn6z/index.html>

communication whether or not a conversation ensues commits a misdemeanor and is liable on conviction to a fine not exceeding twenty-four currency points or imprisonment not exceeding one year, or both.”²⁵³

On 17 November 2018, Unity FM radio station in Lira was shut down and six of its journalists arrested on the orders of the Resident District Commissioner, Milton Odong, for allegedly inciting violence.²⁵⁴ Although the six journalists were released on 19 November 2018, they were re-arrested the following day at Lira Central Police Station when they reported to the station to renew their police bond.²⁵⁵ The station was closed on allegations of inciting violence after they aired live coverage of protests during the funeral of a child. The station’s director however described the attack as politically motivated because of the radio’s persistent call for accountability by the district leaders for funds received from the government to enable service delivery.²⁵⁶

On 6 February 2019, the Speaker of the Parliament of Uganda Hon Rebecca Kadaga wrote²⁵⁷ to Uganda Communications Commission instructing UCC to immediately suspend the monitor website citing publication of fake news. The monitor website had earlier carried a story where a witch doctor had issued a notice to sue the Speaker for alleged failure to remit payment. It was seen as an attempt to gag the press using her office.

On 7 February, 2019, five people including investigative journalists from the BBC and NBS TV were arrested citing a story they were running on the illegal siphoning of drugs from government stores.²⁵⁸

On 19 February, 2019, the weekly newspaper Observer²⁵⁹ was closed citing continued non-remittance of taxes to the Uganda Revenue Authority. However unconfirmed reports point

²⁵³ Uganda Legal Information Institute, ‘Computer Misuse Act, 2011, 2010,’ 1 November 2010, <https://ulii.org/ug/legislation/act/2015/2-6>

²⁵⁴ Human Rights Network for Journalists, ‘Unity radio in Northern Uganda remains closed, as police charges journalists,’ 21 November 2018, <https://hrnjuganda.org/?p=4856>

²⁵⁵ TND News UG, “Orders from above” – Lira journalists re-arrested after being “set free” November 2018, <http://tndnewsug.com/orders-from-above-lira-journalists-rearrested-after-being-set-free/>

²⁵⁶ The Monitor, ‘Gunfire rocks Gulu town as police and army battle protestors,’ 19 November 2018, <https://www.monitor.co.ug/News/National/Gunfire-rocks-Gulu-town-police-army-battle-protestors/688334-4858692-h0fnlx/index.html>

²⁵⁷ Independent, ‘Media experts: Kadaga using UCC to gag press,’ 7 February 2019, <https://www.independent.co.ug/media-experts-kadaga-using-ucc-to-gag-press/>

²⁵⁸ The East African, ‘Uganda police arrest BBC investigative journalists,’ 7 February 2019, <https://www.theeastafrican.co.ke/news/ea/Uganda-police-arrest-BBC-investigative-journalists/4552908-4971258-mkxo5wz/index.html>

²⁵⁹ Daily Monitor, ‘URA closes Observer newspaper over Shs2.9b tax,’ 20 February 2019, <https://www.monitor.co.ug/News/National/-URA-closes-Observer-newspaper-Shs2-9b-tax/688334-4991694-11ahwef/index.html>

to alleged witch hunt from a government official in the ministry of health following a planned publication on the Rot in the health sector. It however follows that the same newspaper has been broken into twice.²⁶⁰

On 18 March 2019, two activists from the Opposition Forum for Democratic Change (FDC) party assaulted journalists who had gone to cover the party's weekly press conference in Kampala.²⁶¹ They reportedly locked several journalists inside the conference room after realising that Ibrahim Ssemujju Nganda, the party spokesman, who was slated to address the journalists would not show up.²⁶²

Freedom of Peaceful Assembly

On 15 December 2018, police in Jinja blocked Member of Parliament Robert Kyagulanyi, popularly known as Bobi Wine, from holding a scheduled concert and fired tear gas to disperse his supporters and fans.²⁶³ Police proceeded to raid a hotel where Kyagulanyi was staying in an attempt to arrest him. However, he eluded them and managed to flee to Kampala.²⁶⁴ The police had earlier on tasked the event organisers to remove Bobi Wine from the list of artists before they could approve the event. Although posters announcing the event had Bobi Wine's name and portrait, he did not appear on the final list of artists "approved" by the police. Bobi Wine, a fierce critic of President Yoweri Museveni's leadership, is currently battling treason charges.²⁶⁵

²⁶⁰Observer, 'The Observer offices broken into again,' 1 April 2019,

<https://observer.ug/news/headlines/52079-the-observer-offices-broken-into-again>

²⁶¹ Daily Monitor, 'FDC activists assault journalists at party headquarters,' 18 March 2019,

<https://www.monitor.co.ug/News/National/FDC-activists-assault-journalists-headquarters-Nganda-Kaija/688334-5030576-f0gaaz/index.html>

²⁶² Daily Monitor, 'FDC activists assault journalists at party headquarters,' 18 March 2019,

<https://www.monitor.co.ug/News/National/FDC-activists-assault-journalists-headquarters-Nganda-Kaija/688334-5030576-f0gaaz/index.html>

²⁶³ NTV, 'Police blocks Bobi Wine's performance, uses tear gas to disperse his supporters,' 16

December 2018, <http://www.ntv.co.ug/news/national/Police-blocks-Bobi-Wine-s-performance/4522324-4897692-n2u3xjz/index.html>

²⁶⁴ The Observer, 'Bobi Wine beats Jinja security, returns to Kampala,' 16 December 2018,

<https://observer.ug/news/headlines/59468-bobi-wine-beats-jinja-security-returns-to-kampala>

²⁶⁵ The Observer, 'Bobi Wine re-arrested, charged with treason,' 23 August 2018,

<https://observer.ug/news/headlines/58504-state-drops-charges-against-bobi-wine.html>

On 17 November 2018, police fired sporadic gunshots at protesters in Lira town after the funeral of a child in Kole District turned violent.²⁶⁶ The child was reportedly killed by two foreign nationals on 9 November.²⁶⁷ The chaos ensued after Lira town's district chairman attempted to make a speech at the funeral, but was booed and blocked from speaking by the mourners. Police engaged in running battles with mourners. The incident spread to a neighbouring town when children started attacking foreign nationals doing business in the Lango principle trade centre.²⁶⁸

On 19 November 2018, police and UPDF soldiers violently dispersed a protest by businessmen and local politicians against electricity blackouts within Gulu Municipality.²⁶⁹ They argued that the continuous power outage was affecting their businesses. Several shops and businesses closed as the police engaged in running battles with the protestors using teargas and live bullets. An unverified number of protesters were also arrested.

On 14 January 2019, 50 Youthful NRM activists²⁷⁰ were brutally arrested as they attempted to demonstrate at Parliament of Uganda challenging the debate on rule of law, governance in the UK Parliament and held at Kampala Central Police station. The activists were attempting to walk peacefully to Parliament to hand a petition to the speaker.

On 20 February 2019, the Uganda Police Force blocked an opposition party reunion²⁷¹ as a party of prepared activities to challenge the incumbent in the forthcoming general election. Despite having served the required notice under the Public Order Management Act, the Police went ahead and stopped the assembly and arrested leading opposition figures. This is testimony of continued misuse/misapplication of the POMA to crack down on voices of dissent.

²⁶⁶ Daily Monitor, 'Police fire bullets disperse rowdy mourners in Lira town,' 17 November 2018, <https://www.monitor.co.ug/News/National/-Police-fire-bullets-disperse-rowdy-mourners-Lira/688334-4856266-d3bkqo/index.html>

²⁶⁷ The Observer, 'Army takes over security in Lira town,' 18 November 2018, <https://observer.ug/news/headlines/59215-army-takes-over-security-in-lira-town>

²⁶⁸ The Observer, 'Army takes over security in Lira town,' 18 November 2018, <https://observer.ug/news/headlines/59215-army-takes-over-security-in-lira-town>

²⁶⁹ The Monitor, 'Gunfire rocks Gulu town as police and army battle protestors,' 19 November 2018, <https://www.monitor.co.ug/News/National/Gunfire-rocks-Gulu-town-police-army-battle-protestors/688334-4858692-h0fnlx/index.html>

²⁷⁰ Daily Monitor, 'Police arrest over 50 NRM activists protesting UK's interference in Ugandan politics,' 14 February 2019, <https://www.monitor.co.ug/News/National/50-NRM-activists-arrested-Parliament-over-petition-UK/688334-4934472-360hrv/index.html>

²⁷¹ Independent, 'Police block Jinja DP reunion meeting,' 20 February 2019, <https://www.independent.co.ug/police-block-jinja-dp-reunion-meeting/>