



**ARTICLE 19-GLOBAL CAMPAIGN FOR FREE EXPRESSION
OBSERVER STATUS NO. 66**

**Oral Statement at the 71st Session of the African Commission on Human and Peoples' Rights (ACHPR)
on the situation of Freedom of Expression, Access to Information, and Assembly in Eastern Africa**

Article 19 Eastern Africa welcomes the opportunity to address the Commission on the situation of freedom of expression, access to information, and freedom of assembly in Eastern Africa.

We welcome positive developments in various States that further the realization of the freedoms of expression, information, and assembly such as:

1. The process of drafting a new media policy which has commenced in Kenya. We hope this will expand the space for media and freedom of expression in the country.
2. The seemingly improved space for expression and dissent in Tanzania as evidenced by the [release](#) of Freeman Mbowe, an opposition leader in Tanzania, after more than eight months in custody on charges believed to be politically motivated.
3. As well as, the increased relaxation of restrictions on media in Tanzania evidenced by the lifting of the [ban](#) on four newspapers, *Mseto*, *Mawio*, *Mwanahalisi*, and *Tanzania Daima*.

Freedom of Expression and Information,

Despite these developments, we remain concerned about the rise in the attacks on media and violations of press freedom in the Eastern Africa region. This comes even as governments pledge to protect freedom of expression and media. For instance, [nine journalists of Alternative Digtalk](#), an online television network in Uganda, were arrested on 18 March on what we believe are trumped-up charges. In Somaliland, 15 reporters were [detained on Wednesday](#), 13 April, while covering a shooting incident at the Hargeisa central prison. In addition, according to monitoring data by ARTICLE 19, 42 Kenyan journalists have been attacked in the line of duty this year. We have received reports of politicians and their allies using harassment, intimidation and even violence toward journalists and media houses. Despite receiving formal complaints from journalists, the police have also rarely investigated the reports or prosecuted the perpetrators of the injustice towards journalists.

ARTICLE 19 has also been monitoring, researching, and documenting incidences of attacks against journalists in the context of the COVID-19 pandemic. [The trends](#) point out to an increase in the incidence of violations against media workers and journalists in Kenya, Uganda, and Tanzania.

We remain concerned with the use of internet shutdowns as a tool to restrict free expression in several African States. For instance, on 17 November 2021, the Sudan Military [imposed](#) a total shutdown of phone and mobile communications, effectively causing a communication blackout. On 25 December, the Internet was disrupted ahead of a planned protest in Khartoum.

We are also concerned with the arrests of bloggers, journalists, and other internet users such as the case of Dieudonne Niyonsenga, who runs an online tv channel highlighting human rights abuses in [Rwanda](#).

We therefore recommend the Commission urges:

1. States to take measures to ensure accountability for violations against journalists and human rights defenders, as well as to ensure access to justice, in line with regional and international human rights laws and standards, including the Declaration of Principles on Freedom of Expression and Access to Information in Africa, 2019.
2. States to take measures to address concerns on the increased unjustifiable, and disproportionate limitation on the freedom of expression and information through retrogressive legislative measures and/or State agencies' action.

We also call on the Commission:

1. To take steps to address the growing trend of internet shutdowns and the blackout of social media platforms in the region, which unjustifiably limits the freedom of expression and information.

Freedom of Assembly,

We are concerned with the increased restriction on freedom of peaceful assembly in the region. The exercise of the right has seen protestors subjected to police harassment and violence, arbitrary arrests, criminally motivated charges, and even convictions.

In Kenya, six protestors who were arrested in August 2020 while they were allegedly engaging in a protest over the alleged misappropriation of COVID-19 response funds were, on 21 February 2022, sentenced to [six months' probation](#) after a magistrates' Court found them guilty of contravening the COVID-19 response restriction measures relating to public gatherings and physical distance. We have also documented at least three incidents between [February](#) and [April 2022](#), where 15 protestors were arrested in Nairobi while conducting peaceful protests.

In Sudan, protests against military rule have been characterized by violent assaults. Reports indicate that up to 87 protestors had been killed as of 22 March, many injured, and hundreds [arrested](#).

We therefore recommend:

1. That the Commission urges States to respect and implement Article 11 of the African Charter, the African Commission Guidelines on the Freedom of Association and Assembly in Africa, and the Guidelines on Policing Assemblies in Africa.

We also call on the Commission:

2. To take steps to enhance follow-up on recommendations and concluding observations to States and enhance States' accountability for human rights violations.

Thank you.

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