

ARTICLE 19



## Eastern Africa Annual Report 2021

Defending Freedom of Expression and  
Information in Eastern Africa

# Defending Freedom of Expression and Information around the World

## Acknowledgements

ARTICLE 19 Eastern Africa is very grateful to all persons who contributed to the production of this report.

We would like to express our deep appreciation to individuals, groups of people, and institutions who participated in the research and shared information, including universities, media houses, journalists, and media associations.

ARTICLE 19 Eastern Africa would like to thank the staff and Mugambi Kiai (Regional Director) for their comments on the initial drafts, and also ARTICLE 19's International Office for reviewing and giving comments on the final report.

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ARTICLE 19 Eastern Africa would appreciate receiving a copy of any materials in which information from this report is used.

Cover image: Young Nigerians protesting against bad governance and policy brutality, Lekki, Lagos, October 2020. (Photo: Alucardion/Shutterstock)

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# From the Regional Director

Mugambi Kiai

In 2021, largely due to the Covid-19 pandemic, citizens, scholars, vloggers, bloggers, social media activists, and independent journalists became alternative sources of credible, useful information, often via WhatsApp, YouTube, Instagram, Facebook, Twitter, and blogs.

This presented opportunities to expand freedom of expression online and hear from a wider range of voices, many of whom are fighting impunity and corruption, exposing injustice against the poor and marginalised, and promoting deeper citizen engagement. Yet governments and social media companies limited these online tools for civic mobilisation through [legislation, disinformation and censorship campaigns, internet shutdowns](#), new [tax regimes](#), and [content and revenue-generation restrictions](#) – and government critics were particular targets.

In **Tanzania**, [Vitali Maembe](#) and [Opptertus Fwema](#) were arrested for using music and art to criticise the Government, and [journalists and opposition leaders in Rwanda were arrested](#) for using social media to do the same. Freeman Mbowe – Chairman of the Democracy and Progress Party (*Chama cha Demokrasia na Maendeleo*) (CHADEMA) – together with [ten party members were arrested in Mwanza](#) for violating a ban on ‘unnecessary gathering’ to curb the spread of Covid-19.

Meanwhile, the **Kenyan** Government published the Computer Misuse and Cybercrimes (Amendment) Bill, which expands the mandate of the National Computer Cybercrimes Committee, allowing it to decide which websites should and should not be accessible and imposing an outright ban on pornography. Kenya also continued to ignore calls to enact the regulations required to operationalise the Access to Information Act.

In **Sudan**, the military, led by General Abdel Fattah al-Burhan, seized power and dissolved the civilian Government on 25 October 2021. Citizens who took to the streets to [protest were met with violence](#) from security forces, leading to injuries, deaths, and the arrest of pro-government supporters. On 26 October, internet outages also took place. By November 2021, those arrested included journalists, lawyers, civil society activists, politicians, and human rights defenders.

ARTICLE 19 Eastern Africa responded to these violations by publishing statements restating global norms and standards, and by using the courts to challenge restrictive laws that negatively impact freedom of expression – both online and offline – and the safety of journalists in the region. We also reported cases of attacks against journalists and violations of freedom of expression to the Special Rapporteur on the Freedom of Expression and Access to Information in Africa, and supported some journalists through legal support and relocation.

And despite the challenges, we also celebrated some successes in 2021. Rwanda adopted some of the recommendations from its Universal Periodic Review, which was a big win for freedom of expression and information.

While there has been some progress in the region, it is our hope that more countries will implement laws on freedom of expression and access to information, allowing journalists and human rights defenders to work freely without facing threats, intimidation, or arrests.



# From the Chair of the Board

Patricia Munabi

Restrictions on media freedom in Eastern Africa grew in 2021. In **Tanzania**, the Government suspended the newspaper *Raia Mwema* for a month for publishing an allegedly false story about a gunman who killed four people – and who was a member of the ruling Chama Cha Mapinduzi (CCM) party. The Government also suspended *Uhuru* newspaper for 14 days for allegedly publishing false information about President Suluhu Hassan.

In **Uganda**, ARTICLE 19 Eastern Africa continued to document violence against journalists in their line of duty, including physical violence and damage to property (such as cameras). For example, the Ugandan military police chased and attacked five journalists who were reporting on the handover of a petition deploring human rights violations. In **Kenya**, on World Press Freedom Day 2021 alone, nine journalists were beaten and injured.

Surveillance posed a further threat to the region in 2021. In **Rwanda**, for example, it was revealed that authorities may have used NSO Group's Pegasus spyware to target more than 3,500 individuals, including journalists and politicians.

ARTICLE 19 Eastern Africa rose to these challenges in various ways in 2021. We built journalists' capacity on physical and digital self-protection, access to information, and reporting on elections and gender issues. We facilitated the creation of networks of women journalists and human rights defenders to help them navigate restrictions, threats, and challenges in the region. And we laid the foundation for women from civil society to engage in advocacy with the UN on freedom of association, assembly, and expression.

Going forward, we hope to revive the #FreetoProtest campaign in Eastern Africa, increase our reach in the region, and enhance our fundraising efforts so that people across the region can realise the power of their voices.

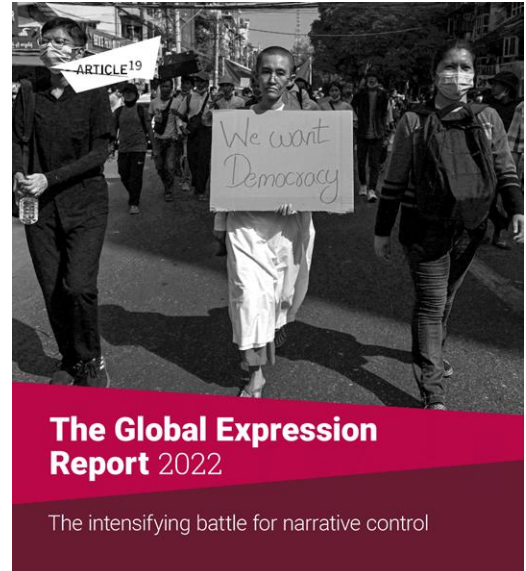
# Global Expression Report 2022

## Hindsight on Eastern Africa

ARTICLE 19's *Global Expression Report* is an annual look at the rights to free expression and information across the world. The GxR metric tracks freedom of expression across 161 countries via 25 indicators to create a score between 0 and 100 for every country. That score places it in an expression category.

*The Global Expression Report 2022* found that no country in Eastern Africa is categorised as **Open**.

See the full [The Global Expression Report 2022](#) for more information.



### The Global Expression Report 2022

The intensifying battle for narrative control

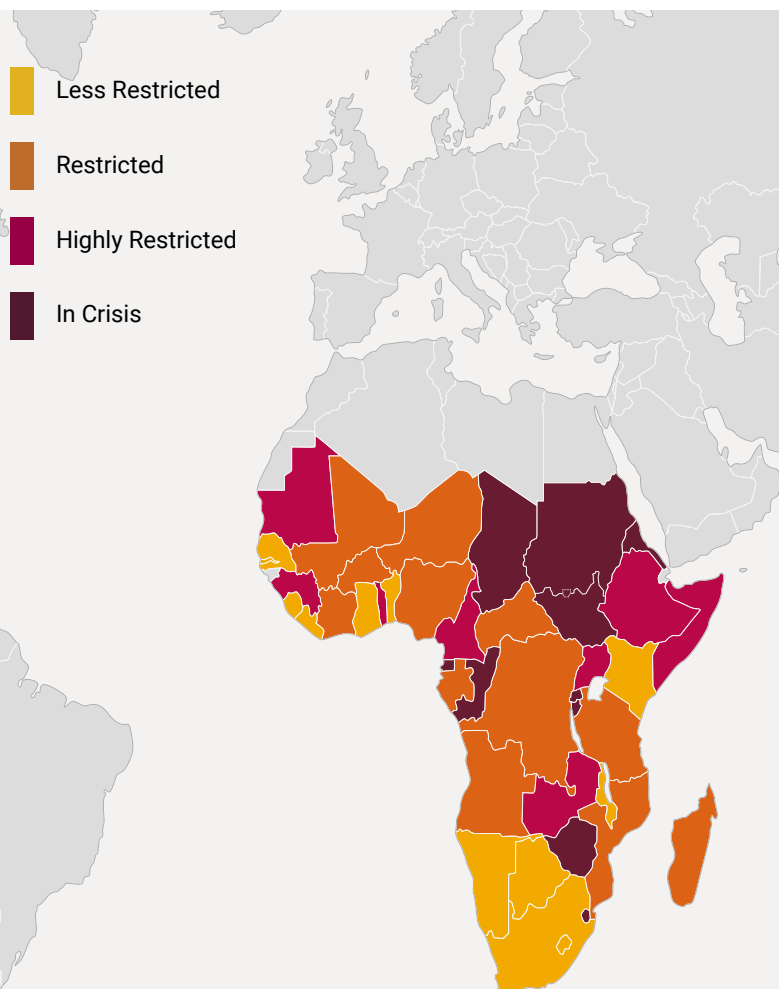


Figure 1: GxR score map, Africa

### Two coups in 2021

Of the five military coups that took place across the world in 2021, two occurred in the region, in **Chad** (GxR score: 19) and **Sudan** (GxR score: 14). Chad's security forces killed around 20 protesters and arrested 700 after the military takeover in April 2021, and Sudan's security forces killed more than 50 during anti-coup demonstrations in October.

### Repressing electoral change

In **Ethiopia** (GxR score: 21) and **Tanzania** (GxR score: 40), where elections took place in 2021, opposition politicians were arrested and charged – part of a pattern of leaders clinging to power, repressing political opposition, and manipulating the narrative so that electoral challenge becomes impossible.

This is the case even where rulers have died, as demonstrated by **Zimbabwe's** unchanged status (GxR score: 21 – **In Crisis**) in the wake of Robert Mugabe's death. Almost no real political change has followed the much-feted end of Mugabe's 37-year rule in 2017.

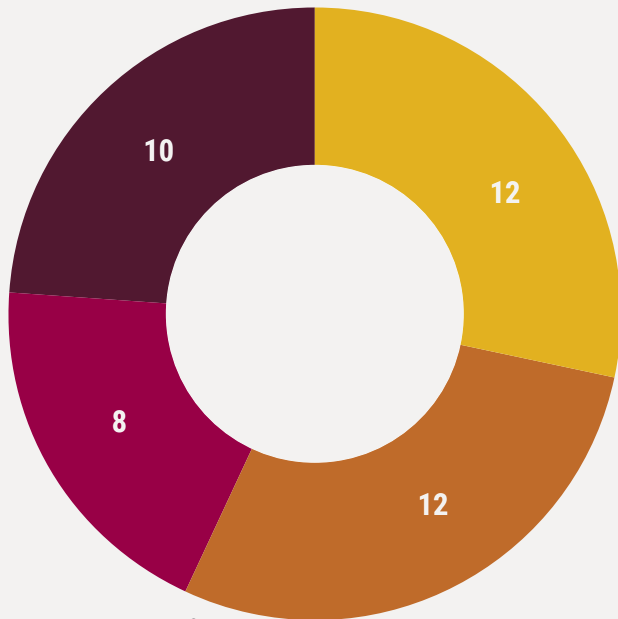


Figure 2: Number of countries per expression category in 2021, Africa

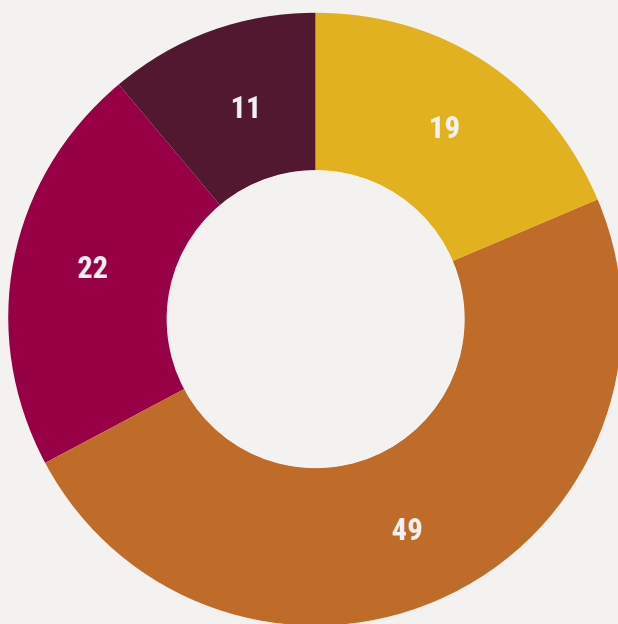


Figure 3: Percentage of population per expression category in 2021, Africa

Meanwhile, **Tanzania's** ex-President John Magafuli – whose strongman rule was responsible for much of Tanzania's GxR score drop since 2015, when he was sworn in – died suddenly in March 2021. His successor Samia Suhulu Hassan claimed to be a reformist, but [her track record is mixed](#).

In **Uganda** (GxR score: 23), incumbent President Yoweri Museveni won the 2021 election, commencing his sixth term. This was accompanied by an [information blackout and a massive surge in abuses against journalists](#). Opposition leader Robert Kyagulanyi (also known as Bobi Wine), who lives under constant threat of prosecution after repeated arrests, was [arrested again](#) immediately after the election results were announced, along with hundreds of his supporters.

### Violence against protesters

Protests were also met with violence in many countries – as well as internet shutdowns, an increasingly favoured addition to the autocrat armoury.

**Kenya's** (GxR score: 63) security forces [unlawfully killed 167 protesters](#) in 2021.

Security services killed 80 people during **Eswatini's** pro-democracy protests in May, and the country – already **in crisis** and governed by an absolute monarchy – halved its GxR score to 5. More than a thousand protesters were put behind bars, and reports emerged of the torture of journalists.

### Internet shutdowns

Internet shutdowns are increasingly used by tech-savvy regimes in Africa, proliferating across the region in 2021.

On the night of the elections, **Uganda** was completely disconnected from the internet, a shutdown that lasted four full days. This was far from unique: governments in the region continue to shut off or throttle the internet and mobile services, including on election days (e.g. in **Chad**) and during conflict (notably in **Ethiopia**, which has one of the world's most persistent internet and telecoms blackouts).

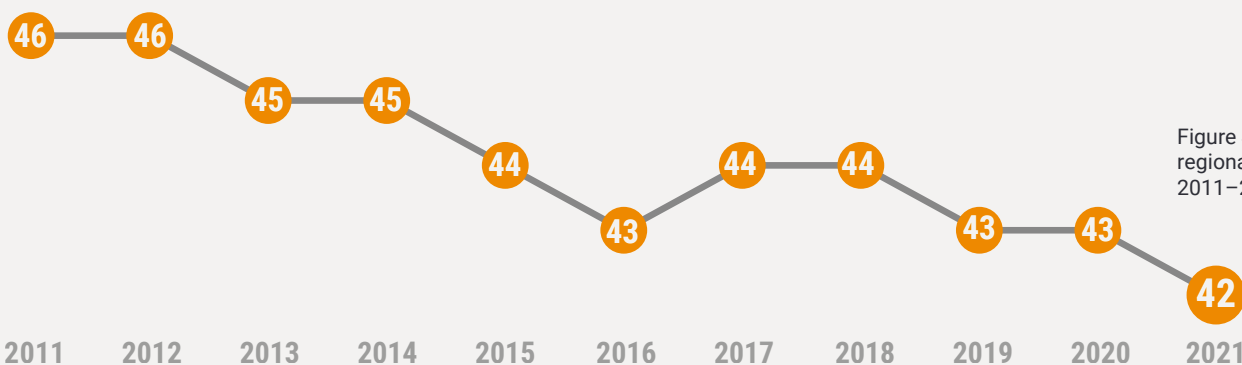


Figure 4: Africa regional GxR, 2011–2021





## International and regional advocacy

ARTICLE 19 Eastern Africa shapes standards at regional bodies. In turn, our national work uses international and regional commitments and obligations to drive local change.

### **New UN resolution: the promotion, protection, and enjoyment of human rights on the internet**

Above: The Human Rights and Alliance of Civilizations Room (formerly Room XX) in the Palace of Nations, where the UN Human Rights Council frequently meets. (Photo: UN Photo/Jean-Marc Ferré)

The UN Human Rights Council (UNHRC) passed two new resolutions on protecting human rights online at its 47th session in summer 2021.

ARTICLE 19 was at the forefront of advocacy around [Resolution 47/16](#), on the promotion, protection, and enjoyment of human rights on the internet. In the run-up to the resolution, we also co-organised a consultation event at the Stockholm Internet Forum with our international office and partners to capture key challenges in the Eastern Africa region ahead of our negotiations.

The final resolution addressed many issues ARTICLE 19 advocated for, including internet access, internet shutdowns, and – for the first time – a call for states to ensure internet neutrality.

Read our analysis of the resolution [here](#).

## Universal Periodic Reviews

Universal Periodic Reviews (UPRs) assess the extent to which countries have implemented human rights recommendations they accepted during their previous UPRs. They also raise outstanding human rights concerns and make recommendations to governments.

### Rwanda

Prior to Rwanda's UPR in 2021, ARTICLE 19 Eastern Africa and Access Now submitted a joint report to the UN Human Rights Council on the state of freedom of expression in the country. Our report was used to rally states to call on Rwanda to promote free expression and media freedom, and resulted in the country receiving 35 [recommendations](#) on these subjects.

**As a result of these recommendations, Rwanda enacted a Data Protection Law** – a development that ARTICLE 19 Eastern Africa warmly welcomed.

### Tanzania

ARTICLE 19 Eastern Africa and the Tanzania Human Rights Defenders Coalition submitted a [report](#) for Tanzania's UPR, highlighting that Tanzania's legal framework contains a wide array of disproportionate and vague offences that critically undermine the right to freedom of expression. We also documented a drastic deterioration in press freedom, characterised by frequent shutdowns of media outlets and harassment of journalists within the country and its island.

**As a result, Tanzania received 252 recommendations, of which it supported 167 – an increase of 27.5% compared to its 2016 UPR.** This included 12 recommendations specific to freedom of opinion and expression and access to information.

### Kenya

With UPR Info Africa, we developed a human rights scorecard tracking Kenya's implementation of its UPR recommendations. From 9–12 March 2021, we also participated in Kenya's fourth periodic review of its implementation of the International Covenant on Civil and Political Rights (ICCPR), including developing and submitting [reports](#) and an oral statement to the UNHRC.

**As a result, the Committee [supported](#) A19's recommendations to the Government of Kenya, which, through the office of the Attorney General, committed to implementing those recommendations.**

## Sudan

In March 2021, in partnership with Access Now, Gisa Group, and Free Press Unlimited, ARTICLE 19 Eastern Africa produced a [joint submission](#) to feed into South Sudan's UPR. Our submission raised concerns regarding a variety of freedom of expression issues, including internet shutdowns, the right to protest, the rights of journalists, and arbitrary prosecution, harassment, and detention.

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## South Sudan

In July 2021, ARTICLE 19 Eastern Africa, in conjunction with Free Press Unlimited, submitted a [joint report](#) to the UNHRC–UPR Working Group on South Sudan. In our submission, we expressed concern about the limited improvements in the human rights situation in South Sudan from November 2016 to July 2021, while also welcoming the country's [ratification](#) of the ICCPR and its First Optional Protocol.

**As a result, the report of the Commission on Human Rights in South Sudan reflected some of our concerns and recommendations.**

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## Zimbabwe

In collaboration with Gender and Media Connect Zimbabwe, ARTICLE 19 submitted a joint UPR [report](#) on the human rights situation in Zimbabwe between November 2016 and July 2022. The report juxtaposed the reforms promised by the new regime in Zimbabwe with reported cases of human rights and FOE violations recorded since 2019 and how the effects of the Covid-19 pandemic exacerbated the situation.

## African Commission on Human and Peoples' Rights

ARTICLE 19 Eastern Africa gave an oral statement to the 69th Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) on the enjoyment of freedom of expression and access to information in the Eastern Africa region.

We presented our statement to the Special Rapporteur on Freedom of Expression and Access to Information in Africa, Commissioner Hon. Jamesina Essie L. King, whose mandate was renewed at the session. ARTICLE 19 Eastern Africa took this opportunity to raise the ACHPR's awareness of the state of free expression in Eastern Africa. Our statement will form the basis of further engagement with the Special Rapporteur.





# I. CIVIC SPACE

Above: Mombasa-based data journalists attending training on access to information. (Photo: ARTICLE 19 Eastern Africa)



# Civic space

Civic space is where individuals realise their rights. It can be a physical, virtual, or legal place. It is the space where we participate, express, assemble, and inform ourselves, and it is the cornerstone of a democratic and accountable society.



## Destigmatising protesters in Kenya

Above: People dancing at an event organised as part of ARTICLE 19's #FreeToProtest campaign in Kenya. (Photo: ARTICLE 19 Eastern Africa)

### We are living in an age of protest.

Protests play an important part in the civil, political, economic, social, and cultural life of all societies, and people are taking to the streets in unprecedented numbers worldwide. The right to protest involves exercising numerous human rights and is essential for securing all human rights.

### Yet we are also living in an age of violent crackdowns against protest.

Governments – not only authoritarian regimes but also, increasingly, liberal democracies – are quashing dissent via restrictive legislation and a heavy-handed response by law enforcement agents towards people whose only ‘crime’ is demanding social justice. Governments are also pushing narratives portraying protesters as a nuisance at best and dangerous at worst – narratives that the media repeats.

Our three-year **#FreeToProtest** campaign aimed to change these negative perceptions in two pilot countries: Brazil and Kenya.

## New videos on the right to protest

In February 2021, ARTICLE 19 Eastern Africa [produced videos](#) with our campaign partners on various aspects of the right to protest. Partners featured in the videos include:

- **Suba Churchill** (Civil Society Reference Group)
- **Winfred Gakii** (ARTICLE 19 Eastern Africa)
- **Maxwell Magawi** (National Students' Caucus)
- **Shikoh Kihika** (Tribeless Youth)
- **Wilfred Olal** (Social Justice Centres Working Group)
- **Wanjira Wanjiru** (Mathare Social Justice Centre).

## Watch the videos here!



All of the things we think are impossible in today's world can be made possible by the role of youths and by women if we just unite and fight for it.

Wanjira Wanjiru, Mathare Social Justice Centre

ARTICLE 19 Eastern Africa also blogged on various aspects of the right to protest in Kenya – from [the resurgence of ‘artivism’](#) to [the right to protest in poor urban neighbourhoods](#), [the impact of Covid-19 on protest](#), and women and protest.

Most communities are now enjoying the right to protest as a direct result of the activities we’ve done with them – the trainings and the conversations we’ve had.

Wilfred Olal, Social Justice Centres Working Group

## Training: Documenting protests through citizen journalism

In February 2021, in partnership with Witness Africa, ARTICLE 19 Eastern Africa delivered online training on how to document protests using citizen journalism.

Participants – who included university students, human rights defenders, and civil society actors from Mombasa, Nairobi, Nakuru, and Meru counties – were taken through the how and why of filming protests and police conduct in Kenya, and the legal implications of doing so.

## Supporting activists calling out injustices in Uganda

In January 2021, activists Hussein Khaled, Beatrice Waithera, Yassah Musa, and Ojiro Odhiambo read a statement outside Uganda House (the Embassy of Uganda in London) condemning electoral injustices and human rights violations in Uganda. They were arrested for allegedly failing to adhere to Covid-19 restrictions.

In support of the activists, ARTICLE 19 Eastern Africa posted bail for them on 13 February 2021. **The charges against them were later dropped.**





# II. DIGITAL

A participant speaking at a workshop in Tanzania on the response to and impacts of Covid 19. (Photo: ARTICLE 19 Eastern Africa)



# Digital

The rights to freedom of expression and information are crucial in networked spaces, just as they are offline. The exercise of human rights online depends on an open and free internet.



## New report exposes Covid-19 surveillance in Kenya and Uganda

In April 2021, ARTICLE 19 Eastern Africa, the Kenya ICT Action Network, and Policy (the Consortium) published [a new report](#) examining how increased Covid-19 surveillance in Kenya and Uganda has reduced people's rights to privacy, data protection, freedom of expression, and access to information.

While international human rights law allows governments to have increased powers and to take special measures during health crises, such actions must be temporary, and any measure must pass the three-part test of legality, necessity, and proportionality.

Above: Students in Nairobi joining school lessons via Zoom while the schools were closed due to Covid-19. (Photo: Sven Torfinn/Panos Pictures)

Our report highlighted infringements, interferences, and violations that took place in 2020, including:

- poor oversight over Covid-19 data collection;
- lack of independent data-protection authorities;
- use of telecommunications data to ‘track and trace’ individuals without regard for due process;
- surveillance of public spaces using CCTV and biometric technologies;
- lack of transparency and accountability by state and non-state actors; and
- the use of contact-tracing applications with limited impact and effectiveness.

The report provided clear recommendations to governments and private companies in Kenya and Uganda, and was accompanied by videos highlighting the human impact of their infringements, interferences, and violations.

‘  
Do they [health officials] have the capability to protect the user’s data? Or if they breach the user’s data, what are the implications? Who holds them accountable?’

Nicholas Opolot  
cyber lawyer, Uganda

Our report was shared widely and referenced in various publications, including the [Freedom House 2021 Report](#).

## Eastern Africa: Freedom of expression and the digital environment

In another 2021 [report](#), ARTICLE 19 Eastern Africa examined the digital environment in Ethiopia, Kenya, Rwanda, South Sudan, Tanzania, and Uganda. The report focused on three key areas – freedom of expression online, internet accessibility and affordability, and privacy and data protection – and provided clear recommendations to address the challenges.

Poor reporting standards, inadequate information, and a lack of transparency by governments in Eastern African countries prevent civil society bodies and the public at large from understanding how funds are used and who benefits from projects. This remains a key challenge to ensuring that the internet is made accessible and affordable to all.

Since its publication, we have used the report's recommendations in regional and international advocacy, including the UPRs of Tanzania and Uganda. This led to recommendations that uphold press freedom and online free expression in both countries.

### **Ethiopia: Both progress and setbacks in digital rights**

Ethiopia saw some progress in 2021, with [the Communication Authority further liberalising the telecommunication sector](#). This will increase competition and provide Ethiopians with access to more digital services, promoting the exercise of free expression online.

However, the Tigray region was subject to an internet shutdown in 2021 that affected the free flow of information, including on the critical state of human rights in the region. As a result of ARTICLE 19 Eastern Africa's advocacy around this issue, we were invited to a closed-door meeting held by the US Government to discuss human rights in Ethiopia. We hope this engagement will enable us to deepen our work in the region in the future.

### **Tanzania: Raising the alarm on legislation that would curtail freedom of expression online**

Tanzania's Government released its [draft Electronic and Postal Communications \(Online Content\) \(Amendment\) Regulations 2021](#). Although the draft regulations proposed repealing some of the problematic regulations passed in 2020, they still contained provisions that violate both international standards on freedom of expression and the Tanzanian Constitution. ARTICLE 19 Eastern Africa called on the Ministry of Information, Culture, Arts and Sports of Tanzania to repeal the regulations in their entirety.

As a result of our engagement, Internews and the Committee for the Protection of Journalists invited us to hold a webinar on the state of online free expression in Tanzania. The webinar was held in November to coincide with the commemoration of the disappearance of Azory Gwanda, a Tanzanian journalist for Mwananchi Communications Ltd. ARTICLE 19 Eastern Africa used the opportunity to raise the alarm on the state of free expression in Tanzania and raise awareness of our work to protect human rights defenders in the country.





# III. MEDIA

Above: Consultative meeting between PROTECT and KEFEADO (Kenya Female Advisory Organization) and the County Assembly Clerk, Kisumu, Kenya. (Photo: ARTICLE 19 Eastern Africa)



# Media

For meaningful freedom of expression and information, we need the broadest possible diversity of sources, information, and ideas. This enables individuals to inform themselves, participate in society, and hold the powerful to account.

## Kenya: Improving the safety of women human rights defenders



The PROTECT team conducting training on gender-sensitive responses to attacks against female journalists and women's human rights defenders in Kisumu, Kenya. (Photo: ARTICLE 19 Eastern Africa)

### About PROTECT

PROTECT (Protecting Rights, Openness and Transparency Enhancing Civic Transformation) is a consortium-led project that brings together four international organisations: ARTICLE 19, the International Center for Not-for-Profit Law, Internews, and Hivos.

PROTECT works to foster open societies by addressing the challenges and opportunities for media and civil society actors working to push for transparent, accountable governance in a protective and enabling environment.

As part of our PROTECT project in 2021, ARTICLE 19 Eastern Africa played a leading role in creating **networks of women human rights defenders and journalists** in Mombasa and Kisumu, Kenya. One of the aims of these networks was for women in civil society to be able to advocate with the UN and regional mechanisms on freedom of association, assembly, and expression.

We also delivered numerous training sessions for women human rights defenders and journalists, media organisations, police officers, Government officials, and the Kenya National Commission for Human Rights on the safety – physical, digital, and psychosocial – of women journalists, protocols for investigating attacks against them, and gender-sensitive reporting.

These activities resulted in significant breakthroughs in how the police approach gender-based attacks against women journalists and media workers. The police agreed to adopt a gendered approach to investigating such attacks, and to work with journalists to investigate them. A very active WhatsApp group was also established between the police, women journalists, and women human rights defenders to share critical safety and security information.

## Developing a sexual harassment policy for media houses



In partnership with Association of Media Women in Kenya (AMWIK) and other media groups, ARTICLE 19 Eastern Africa was also instrumental in the development of a model sexual harassment policy for media houses to customise and adopt.

We look forward to continuing to work with AMWIK to ensure the policy makes a difference for as many women journalists and human rights defenders as possible.

Above: ARTICLE 19 Eastern Africa and AMWIK. (Photo: ARTICLE 19 Eastern Africa)

## PROTECT launches in Kisumu and Mombasa counties

In 2021, the PROTECT consortium organised project launches in Kisumu and Mombasa counties, bringing together 74 participants, including journalists, civil society, and state actors.

The launches introduced and publicised the project to partners, beneficiaries, and the general public, as well as creating connections between project partners across the PROTECT consortium.



## Drafting a national media policy guideline

In 2021, ARTICLE 19 Eastern Africa contributed to drafting and reviewing a national media policy guideline, which sets out a framework for freedom of expression in the region.

The guideline, which spells out the core media regulators and their responsibilities, will enable journalists, media practitioners, media owners, and users of media services (e.g. advertisers, public relations practitioners) to operate independently and responsibly.

## Reviewing the Windhoek Declaration after 31 years

The Windhoek Declaration is a statement of press freedom principles by African newspaper journalists, signed in 1991 at a UNESCO seminar in Windhoek, Namibia.

In 2021, ARTICLE 19 Eastern Africa was part of a regional committee that submitted a draft revision of the Declaration to the UN. The Declaration needed to be updated to reflect the significant developments – particularly in technology – since 1991.

This revision of the Windhoek Declaration was a milestone for the development of a free, independent, and pluralistic press.

Above: The Kisumu County Police Commander displaying the PROTECT T-shirt. (Photo: ARTICLE 19 Eastern Africa)





# IV. PROTECTION

Above: Workshop participants discuss the impact of Covid-19, Sudan. (Photo: ARTICLE 19 Eastern Africa)





## Digital

Worldwide, many attacks on communicators and human rights defenders are perpetrated with impunity, creating a toxic cycle of intimidation and self-censorship. Increased citizen journalism, blogging, and information activism have placed more individuals and groups on the frontline than ever before. They must be supported and protected holistically, with tools, training, and effective networks with strong legal frameworks.

Above; Journalist Hopewell Chin'ono getting into a prison vehicle on 23 July 2020 outside Harare Magistrates Court, Zimbabwe. Chin'ono was arrested and detained for 44 days for tweeting about Government officials' misappropriation of Covid-19 funds and in support of an anti-government protest. (Photo: Columbus Mavhunga)

## Covid-19 in Africa: Together for Reliable Information

In 2021, ARTICLE 19 joined forces with Deutsche Welle Akademie, Fondation Hironnelle, Free Press Unlimited, International Media Support, and Reporters Without Borders – in collaboration with UNESCO, and funded by the EU – to document the risks faced by journalists in **17** African countries during the Covid-19 pandemic.

They asked where I was going and the moment I showed them my journalism ID card, I was asked to lie down and was beaten, being accused of exposing them.

Terence Sipuma, journalist assaulted by members of the police and army in Harare, Zimbabwe



Above: Police beating ferry commuters, who were attempting to board the ferry before the dusk-to-dawn Covid-19 curfew the Government had imposed that day, for allegedly violating the curfew rules. Some journalists who reported on the incidents were beaten and their equipment confiscated. Mombasa, Kenya, 21 March 2020. (Photo: Nation Media Group)

As part of this project, ARTICLE 19:

- **published human-impact briefings** on attacks against journalists in eight countries;
- **analysed trends across the region** in two regional reports;
- **produced legal analyses** for use in advocacy work;
- **engaged in advocacy** at the national, regional, multilateral, and global levels; and
- **provided essential, timely support, capacity-building training, and resources** to fact-checkers to help them provide quality and reliable information about the pandemic.

Visit our [Covid-19 Response in Africa](#) portal for more information.



ARTICLE 19 Eastern Africa supported us with research materials and financial resources, during the difficult Covid-19 period, that enabled us to reach many people, including journalists and civil society actors, with important information that served the cause of press freedom and freedom of expression. We appreciated the support.

William Oloo Janak, Chairman, Kenya Correspondents Association

## Sudan and Zimbabwe: Workshops on the impact of Covid-19 on freedom of expression



Representatives from Sudanese Journalists Network, Sudanese Female Journalists' Network, Women Journalists Group (Kayan), Journalists for Human Rights, the Ministry of Information, the Media Adviser to the Prime Minister, and the Federal Ministry of Health Media Office Sudan during ARTICLE 19 Eastern Africa's workshop on Covid-19 and freedom of expression in Sudan. (Photo: ARTICLE 19 Eastern Africa)

ARTICLE 19 Eastern Africa also held workshops in Sudan and Zimbabwe on the impact of the Covid-19 pandemic on freedom of expression.

In **Sudan**, local journalists and civil society representatives shared experiences of freedom of expression violations with Government representatives and proposed several amendments to the Right to Information Law in light of these. As a result, the Ministry of Culture and Information committed to submitting these proposals to the Ministry of Justice Laws and Policies Committee.

The government of Zimbabwe also recognizes that impunity for crimes against journalistic practice in general, constitutes an assault on the profession and hampers the ability of the state and society to self introspect objectively and transparently.

Monica Mutsvangwa, Minister of Information, Publicity and Broadcasting Services, Zimbabwe

In **Zimbabwe**, we delivered an advocacy workshop on ending impunity for crimes against journalists. More than 30 stakeholders, including the Zimbabwe police service and an EU delegation in Zimbabwe, attended. Government representatives committed to enhancing their efforts to counter threats of violence and crimes against journalists and to protect freedom of expression for everyone in Zimbabwe.



## Kenya: Supporting an activist blogger at court



Top: Media stakeholders in Harare during ARTICLE 19 Eastern Africa's workshop on International Day to End Impunity for Crimes against Journalists 2021. (Photo: ARTICLE 19 Eastern Africa)

Bottom: Edwin Kiama, social justice entrepreneur, human rights defender, and movement coach, training human rights defenders on online safety. (Photo: ARTICLE 19 Eastern Africa)

In April 2021, ARTICLE 19 Eastern Africa supported activist Edwin Mutemi wa Kiama, a Kenyan activist arrested for allegedly publishing 'false information' under the Computer Misuse and Cybercrimes Act. His 'crime' was claiming that the President was not a legitimate representative of Kenya, and that any loan agreements the President had entered into on behalf of Kenya were therefore invalid.

The Directorate of Criminal Investigations applied to detain Kiama for 14 days. While this application was rejected, he was given inordinately high bail terms of KSH 500,000, ordered to meet the investigating officer every day for ten days, and given a gag order to stop him from commenting on the President of Kenya and/or his loan-related agreements.



ARTICLE 19 Eastern Africa attended Kiama's court sessions at Milimani Law Courts on 8 and 20 April 2021, and was formally admitted with a Watching Brief on his case on 20 April. With partners (International Commission of Jurists–Kenya, Kenya Human Rights Commission, Katiba Institute, Amnesty International, and Kenya National Commission of Human Rights), we also expedited the filing of a constitutional petition on the harassment of journalists. At the time of writing, the petition is still pending hearing.

ARTICLE 19 Eastern Africa hopes the high-profile response to this case will deter police officers from arresting activists like Edwin Mutemi Wa Kiama as a means of intimidation.

As an activist and someone who speaks truth to power through micro-blogging, ARTICLE 19 Eastern Africa has been there in solidarity with me. Whenever the Kenyan Government has unlawfully arrested me, ARTICLE 19 has issued solidarity statements as well as led the legal effort by human rights organisations to secure my freedom.

Edwin Mutemi Wa Kiama

## New platform for the safety of journalists in Africa

ARTICLE 19 Eastern Africa was proud to play a pivotal role in the creation, building, and launch of Africa's first online platform dedicated to the safety of journalists in 2021.

[The African Digital Platform for the Safety of Journalists in Africa](#) aims to develop early-warning mechanisms, improve the protection of journalists, address threats and violence against them, and enhance response capacity across the continent.



# V. TRANSPARENCY

Above: Activists and ARTICLE 19 team members supporting rights, openness, and transparency in Eastern Africa. (Photo: ARTICLE 19 Eastern Africa)





## Transparency

Transparency empowers us to hold leaders accountable, ensures that human rights are being protected, and enables us to develop a fuller understanding of the world.

### Commemorating International Day for Universal Access to Information 2021

Above: County assemblies officers at a workshop on access to information, held by ARTICLE 19 Eastern Africa, the Commission on Administrative Justice, and the County Assemblies Forum. (Photo: ARTICLE 19 Eastern Africa)

Ahead of the International Day for Universal Access to Information (IDUAI) commemorations (held annually on 28 September), ARTICLE 19 Eastern Africa – in collaboration with the Commission on Administrative Justice and the County Assemblies Forum – conducted five-day training in Nairobi, Kenya, for county assemblies officers on the right to access information in Kenya.

The training sought to build the capacity of county personnel in operationalising access to information across Kenya's 47 counties. It also provided a platform for public participation on the draft Access to Information Regulations.

ARTICLE 19 Eastern Africa also joined USAID and Internews Tanzania at the *Boresha Habari* virtual forum to discuss regional trends and practices affecting the right to access information, with a focus on banned media outlets and their human rights implications.

In addition, we joined the Africa Freedom of Information Centre, in partnership with the UNESCO Regional Office for Eastern Africa, the African Union Commission, the UN Human Rights Office of the High Commissioner–Uganda, and the East African Community, to commemorate the IDUAI through a plenary discussion on strengthening the implementation of the right to information. Participants included journalists, civil society actors, NGOs, and government institutions.

# Our partners

## Kenya

- Access Now
- Association of Freelance Journalists
- Association of Media Women
- Bloggers Association of Kenya
- Center for Reproductive Rights
- Coffee Kenya
- Commission on Administrative Justice
- Communications Authority of Kenya
- Creative Economy Working Group
- Defend Defenders
- East Africa Internet Governance Forum
- Facebook
- Groots Kenya
- Human Rights Defenders
- Institute for Social Accountability
- Institute of Economic Affairs (IEA Kenya)
- Katiba Institute
- Kenya Correspondents Association
- Kenya ICT Action Network
- Kenya Human Rights Commission
- Kenya Internet Governance Forum
- Kenya National Commission on Human Rights
- Kenya Private Sector Alliance
- LakeHub iHub
- Lawyers Hub, Namati
- Liquid Telecom
- Local Development Research Institute
- Ministry of ICT
- Mozilla Foundation
- Mugambi Laibuta (individual)
- Mzalendo
- National Steering Committee on Peacebuilding and Conflict Management Network of African National Human Rights Institutions
- Okiya Omtatah (individual)
- Open Contracting Partnerships
- Police Oversight Authority
- RoGG Kenya
- Safaricom
- Strathmore Law – Centre for Intellectual Property and Information Technology, Law
- The Kenya Section of the International Commission of Jurists (ICJ Kenya)
- Transparency International Kenya
- UNESCO
- Usalama Reforms Forum
- Women Empowerment Link

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## Tanzania

- East African Court
- East African Law Society
- Journalists Workers Union of Tanzania
- Pan African Lawyers Union
- Paradigm Initiative

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## South Sudan

- #DefyHateNow
- South Sudan School of Internet Governance

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## Uganda

- Africa Freedom of Information Center  
Collaboration on International ICT Policy  
in East and Southern Africa
- Unwanted Witness



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## Zimbabwe

- Centre for Innovation and Technology
- Gender and Media Connect

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## Regional partners

- Africa Women Journalism Project
- Congress of African Journalists

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## International partners

- Free Press Unlimited
- UNESCO

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## Membership/coalitions

- African Declaration on Internet Rights and Freedoms Coalition
- Africa Internet Rights Alliance Coalition
- African Platform on Access to Information
- Civicus
- Civil Society Parliamentary Engagement Network
- Civil Society Reference Group
- Crime Si Poa
- Defenders Coalition
- Free to Protest Coalition (Constitution and Reform Education Consortium, Kenya National Commission on Human Rights, Open Government Partnership Kenya)
- Kenya College of Accountancy
- Kenya Human Rights Commission
- Pan-African Parliament Civil Society Forum
- Red Vests Movement
- Social Justice Centres Working Group
- Strong in Diversity – Bold on Inclusion consortium partners (Hivos East Africa, Kaleidoscope Trust, African Men for Sexual Health and Rights, Coalition of African Lesbians, University of Pretoria, University of London)
- Sustainable Development Goals Kenya Forum
- Tribeless Youth
- UNCAC Coalition Association for the Implementation of the UN Convention against Corruption

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- CIPESA
- European Union
- Ford Foundation

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