



ANNUAL REPORT

2017

ACRONYMNS

ACHPR	Africa Commission on Human and Peoples Rights
AFRICOG	African Centre for Open Governance
CSO	Civil Society Organizations
CSO	Civil Society Organization
EHAHRDN	East and Horn of Africa Human Rights Defenders Network
HRDs	Human Rights Defenders
IEBC	Independent Electoral and Boundaries Commission
IFES	International Federation for Election System
IMLU	Independent Medico-Legal Unit
IPOA	Independent Policing Oversight Authority
KHRC	Kenya Human Rights commission
LGBTIQ	Lesbian, Gay, Bisexual, Transgender, Intersex and Queer
MSJC	Mathare Social Justice Center
NCHRDs - K	National Coalition of Human Rights Defenders - Kenya
NGEC	National Gender and Equality Commission
NGO	Non Governmental Organization
NPSC	National Police Service Commission
PBO	Public Benefits Organization
PEMA	Persons Marginalized and Aggrieved
PIL	Public Interest Litigation
PWG	Protection Working Group
SOGIE	Sexual Orientation, Gender Identity, and Gender Expression

I. EXECUTIVE SUMMARY

This report covers an eventful period in the history of defending human rights defenders in Kenya. The country went through general elections in the year and characteristically, the divisive campaigns contaminated the operational environment of the country's CSOs and HRDs. The work of the NCHRD K was therefore very much linked to the elections. Subsequently, the advocacy and protection programmes of the NCHRD K asserted the centrality of HRD actors as election monitors, repositioning the place of human rights defenders in the election process. Activities through the year emphasized the protection of conducive environment for the work of HRDs as well as the protection of individual HRDs most at risk.

During the year, NCHRD-K put in place a comprehensive programme to manage risks to human rights defenders in the country. Together with partners, the NCHRD-K built an early warning scenario building and strategy group that regularly assessed risks for human rights monitors. Response interventions were then designed within informed parameters. The NCHRD-K deployed about 102 monitors from all the 47 counties and HRD groups at risk such as sexual minority groups, journalists, bloggers and indigenous peoples to take part in monitoring the elections. Wherever risks to the monitors were reported, the NCHRD-K took rapid measures to manage them. The reports of the monitors were publicly shared with duty bearers who came under pressure to respond to things requiring their attention in line with commitments reached in the partnership built with the NCHRD K in the preparatory meetings leading to the process.

The NCHRD-K built a strong, secure and effective team of country wide monitors, equipped through a comprehensive training program to monitor, document and report on human rights violations during Elections 2017. As a result, there were robust human rights based monitors in the elections team in the particular process. In part, the high-quality information and reports of HRD monitors involved in the elections were critical in ensuing electoral petition following the announcement of the presidential election results. Aspects of the observation endorsed the Supreme Court decision to cancel the results for irregularities and illegalities noted in the process. Significantly, observation of human rights in the election process became part of the ventilations in the petitions in which HRDs directly took part. The success attained in monitoring the elections is discussed further in this report.

Going by the incidence reports to NCHRD K, risks faced by individual HRDs and organizations increased in the reporting year. The NCHRD-K working with its partners, particularly the Protection Working Group and the Human Rights Defenders Working Group managed to better clarify the priorities and build a coherent program to respond to the environment. As such, the mandate of the organization to carry out protection of HRDs at risk was conducted with remarkable success, even as human rights faced a tempestuous moment in the backdrop of the elections.

In summary, activities of the NCHRD K led to a number of results as already discussed including the following;

- a) Public awareness programmes, media debates and capacity building of HRDs has improved public knowledge on their work and contribute to positive perception. This has increased public visibility and media profile of NCHRD-K and human rights defenders in Kenya. It also enhanced dissemination of information and through its website and media activities stimulated public debates on issues concerning HRDs in Kenya.
- b) NCHRD-K Highlighted challenges faced by HRDs in Kenya at regional and international level, leading to a broader advocacy to reclaim the shrinking space for the work of CSOs and HRDs in Kenya. As a result of advocacy at the ACHPR, the Commission adopted a Resolution on the Situation of Human Rights Defenders in Africa - ACHPR/Res. 376 (LX) 2017 that called for a conducive environment for CSOs and HRDs in Africa in accordance with the Banjul Charter, Kigali and Grand Bay declarations and all other relevant instruments.
- c) NCHRD-K successfully lobbied organizations involved in election monitoring to incorporate safety measures for monitors and organizations as well as highlighting the centrality of human rights in electoral democracy, affirming the role of HRDs in exposing violations in the election cycle and importance of their safety and protection
- d) Train of Trainers programme (ToT) has enhanced NCHRD-K capacity to respond to training needs of human rights defenders, particularly on the personal and information safety as well as proper documentation of human rights violations.
- e) The development of the *Mtetezi* App for HRDs to report violations to NCHRD-K was a major milestone in terms of ensuring that NCHRD-K do receive and respond to cases urgently no matter the location of the HRD at the point of the incident. This development was result of lesson learning on the need to incorporate technological innovations in our work. We also adopted the use of new management approaches such as early warning systems and scenario building in coordinating HRD protection responses.
- f) There were successful joint activities and collaborations among CSOs and HRDs to address concerning human rights issues like election monitoring and extra judicial killings that resulted from our ongoing efforts in the development and strengthening of HRD networks across the country.
- g) The NCHRD –K sustained the initiative to build stronger constituencies for the protection of human rights defenders at risk. It established new HRD networks and supported them with limited capacity improvements. It maintained collaboration with critical partners including state duty bearer institutions. Noted partnerships included activities with the Protection Working Group, the Media Working Group, Parliamentary committee on human rights, the Women HRD network, the Gay and Lesbian Coalition of Kenya

(GALCK), the Kenya National Commission on Human Rights, etc. It consistently participated in regional and international networking forums mandated to promote human rights and oversee the situation of HRDs. Brief examples include regional meetings within the purview of the African Commission on Human and Peoples' Rights as well as the Pan Africa HRDs network forum.

- h) The engagements in the year were fruitful. Regional and international engagements enhanced the articulation of the situation of human rights defenders in the country leading to broader international support for favorable environment for human rights and rule of law in Kenya. Capacity building and positive media engagements helped to address unwarranted negative perception of the work of HRDs orchestrated by interests opposed to their work, while the close collaboration with minority HRD networks such as Women HRD groups, indigenous and LGBTIQ activists improved understanding of diversity issues and the risks faced by the groups.
- i) During the year, NCHRD-K also moved to strengthen the capacity of its staff and key partners in the protection agenda. Individual HRDs received training in physical and digital security management, and were further encouraged to scale up the training using ToT methodologies. In addition to security training, capacity development focused on training for human rights monitoring and documentation. Partner institutions requesting similar trainings were supported. Additional relevant interventions included security audits of vulnerable partners and development of measures to improve organizational security.
- j) The impacts around improvements in HRD skills and awareness enhanced the security preparedness of beneficiaries but as well organization security remained a pressing request by many human rights organizations that felt vulnerable. As a result, at least six (6) human rights organizations went through a security audit and were supported to develop security protocols and improve institutional security management. The annual report discusses further impacts of the activities implemented in the reporting period.

II. ABOUT NCHRD-K

NCHRD-K is a national organization established in 2007 and incorporated in the Republic of Kenya as a Trust. NCHRD-K mission is to strengthen the capacity of Human Rights Defenders (HRDs) in the country to work effectively and to reduce their vulnerability to the risks of violations. NCHRD-K is a member of the East and Horn of Africa Human Rights Defenders Network (EHAHRDN), AVAAZ: The World in Action and CIVICUS: World Alliance for Citizen Participation. These are regional and international networks that are important in fortifying the status of the NCHRD-K and its members in human rights advocacy. Since 2016, it has also maintained consultative status with the African Commission for Human and Peoples Rights.

The NCHRD-K's management structure is made up of a number of key organs that include the General Assembly, Board of Trustees, the Advisory Council and the Secretariat. The General Assembly is the supreme organ of the NCHRD-K. It consists of registered members drawn from human rights organizations and individual Human Rights Defenders in Kenya. The Advisory Council comprises of 14 members elected by the membership who represent the different geographic regions (11) as well as special interest groups including Women Human Rights Defenders, sexual minorities and indigenous groups. Trustees are responsible for providing policy direction to the organization while the Advisory Council which comprises of elected geographical and thematic focal point persons informs the client focused programme development and implementation approach of the organization. The Secretariat, which is headed by the Executive Director, is responsible for implementing the policies and programmes of NCHRD-K.

To holistically respond to the needs of HRDs, the organization runs three programs namely, the Protection programme, capacity building program and the advocacy program. The protection Program is in charge of urgent interventions to support human rights defenders at risk by relocating HRDs faced with immediate danger, supporting bail and legal assistance for those charged in court because of their human rights work and providing relevant medical assistance to those injured while carrying out human rights work. The Capacity Building programme focuses on risk prevention by strengthening the capacity of HRDs and partners to manage personal safety and secure their information. Finally, the Advocacy programme is in place to coordinate and harmonize interventions by the NCHRD-K and partners to advocate for a conducive legal and policy environment for the protection of human rights defenders in the country.

In June 2017, NCHRD-K conducted a Mid Term Review (MTR) of its pioneer Five Year Strategic Plan, in place since 2015. The review established that the impact of the NCHRD - K had been felt by human rights defenders all across the 47 counties in Kenya. The organization had indeed successfully mobilized critical partners around the country to defend the civic space that has continuously been under threat and demanded for justice for HRDs as well as other ordinary citizens. In other words, the work of human rights defenders as change agents in the

communities was growing. HRDs in the country are in the forefront in confronting issues such as bad governance, corruption, injustices, and impunity.

At the conclusion of the review, the NCHRD-K was encouraged to be more innovative in its strategies to address emerging HRD needs. In particular, it moved to engage more openly in lively debates using the social media to promote and protect human rights. This has been useful in giving new platforms to HRDs to tell the beautiful success stories about their struggles and brighten the path of a human rights advocacy. The successful honoring of outstanding work of defending human rights, now in its second year, is also turning out to be a major milestone in the mentorship and public recognition of human right advocacy in the country.

In terms of funding, NCHRDs remains open to the public for participation in its activities and primarily, the desire to protect HRDs. Increasingly, it is encouraging voluntary human rights internship in mentoring more of the members of the public to pursue objects of the organization. The process of implementation of its current Strategic Plan (2015-19) received support from a team of committed partners, among them embassies of Sweden, Finland and the Royal Netherlands Embassy, in a growing list of development partners to the cause of defending human rights defenders in the country.

III. SITUATIONAL BACKGROUND

Human rights defenders hold government to account; they speak out against human rights violations and stand in solidarity with minority and discriminated groups often the target of reprisals so as to defend their rights, seek justice and to hold perpetrators to account. For their work, human rights defenders are often faced with serious risks.

While after the 2013, the government pledged to streamline operations of the civil society sector, the state policy on civil society particularly human rights groups became uncooperative and hostile. The relationship between the government and civil society organizations has tended to be nuanced with official lethargy being shown towards public criticism of state misconduct. Increasingly, the political class relentlessly profiled human rights activists and NGO actors that did not see things in their way as unpatriotic and serving of foreign interests.

The government has also attempted to discredit many of the critical NGOs tending to paint them as financially unaccountable and threatening some of them with regulatory deregistration and other administrative sanctions¹. Since 2014, and despite court orders, the government declined to operationalize a more progressive NGO law, the Public Benefits Organizations Act (PBO Act, 2013) which had been enacted with participation of the broader local civil society groups to replace the aging NGO Registration and Coordination Act, 1999.

The reporting year in particular was poised to be a slippery period for human rights advocacy in the country. Kenya's previous general elections in 2007 and 2013 were so fiercely contested and inconclusively settled with main political antagonists each claiming victory. The divisive and violent culture of the political campaigns predictably influenced the national environment in 2017 giving rise to unique challenges to the work of human rights defenders in the country. At the beginning of the year, the government publicly announced a clampdown on NGOs and donors engaging in civic education and electoral literacy programs. Activities of the International Federation for Election System (IFES), renowned for its assistance to NGOs involved in democratic elections were stopped. The NGO regulatory body also issued threats to deregister among others, the IDLO, Kenya Human Rights Commission (KHRC), Katiba Institute and the African Center for Open Governance (AfriCOG).

In the year, individual HRDs suffered police violence during peaceful protests, which generally became criminalized, while the media and critical media practitioners were continuously harassed and intimidated by law enforcement officials. As elections approached, the divisive and ethnically charged political campaigns threatened the work of HRDs, many who reported fears of eviction from their homes and communities or fear of physical harm because of their work. HRDs involved in monitoring the elections for human rights violations worked through this harsh experience of threats, intimidation and fear.

¹ See cases of KHRC, MUHURI, AFRICOG, etc

Despite such challenges, HRDs remained vigilant and actively engaged in the demand for social justice and human rights in the society. The NCHRD-K intervened whenever HRDs were at most risk through its holistic approaches. In this report, we highlight how the three programmes of the organization worked in the year, and the gains made in building the capacity of HRDs to manage their security, as well as reactive urgent interventions to support HRDs at risk of harm. Overall, the NCHRD-K was more prepared to handle the foreseen challenges that the HRDs went through in the period given their experience in the previous elections.

IV. PERFORMANCE AND ACHIEVEMENTS IN 2017

NCHRD-K developed its annual work plan at the beginning of the reporting year to guide its work. Planned activities were designed to respond to key strategic issues identified in the 2015-2019 strategic plan, aligned to the three programs of the organization namely; i) Protection ii) Capacity building and iii) Advocacy. As such, the strategic outcome areas were to secure conducive environment for HRDs progressively at county and national levels, strengthen contributions of key stakeholders to safety and security of HRDs, establish responsive and sustainable protection mechanisms for HRDs in Kenya and finally strengthen the institutional development and sustainability of the NCHRD-K.

THE ADVOCACY PROGRAM

In 2017 the advocacy program of the NCHRD-K focused on evidence based reports on the situation of HRDs in Kenya in an election environment. This in turn would inform protection and advocacy strategies against violations targeting HRDs in the course of their work. The information was shared with partners at national, regional and international level so as to improve the effectiveness of protection of HRDs, hold perpetrators accountable as well as expand the scope of State responsibility for protection of HRDs.

a) Securing conducive environment for HRDs at the national and county levels

Securing the environment for HRDs was the main strategic objective of the advocacy program of the NCHRDs in the reporting period. This was very critical given that it was an election year in the country. The programme implemented diverse activities aimed to secure results on positive working environment for HRDs at the national as well as county levels.

- i. In the first instance, the NCHRD-K continued its engagements with human rights mechanisms and treaty bodies at the international and regional level to share information and perspectives towards policy and programmes options to advance human rights and the protection of HRDs in Kenya. Further, it mobilized international support against human rights violations targeting HRDs including the enactments of laws and policies with negative effects on the operating space of HRDs in the country. In particular, the NCHRD-K lobbied key partners attending the Human Rights Council regular session in June 2017 in Switzerland to address the urgent human rights concerns in Kenya. The NCHRD-K delegate met with the Human Rights Officer in charge of Situation of Human Rights Defenders at the Office of the United Nations High Commissioner for Human Rights and recommended enhanced focus on situation of HRDs in the country. It also took part in the NGO side events organized by Defend Defenders and Horn of Africa Civil Society Forum on Eritrea as well as the "Business case for civic space", an event organized by CIVICUS on the

role of business in facilitating the work of CSOs. The interactions helped to promote articulation of specific cases of HRDs at risk in the country for international support.

- ii. Using its observer status with the Africa Commission on Human and Peoples Rights (ACHPR), the NCHRD-K exposed the plight of HRDs in the country in the face of the general elections². ACHPR subsequently adopted Resolution on the situation of Human Rights Defenders in Africa - ACHPR/Res. 376 (LX) 2017 that called for a conducive environment for CSOs and HRDs in line with the Banjul Charter, Kigali and Grand Bay Declarations and all other relevant instruments.
- iii. In the reporting year, the NCHRD-K was elected the convener of the cluster on protection on HRDs and civic space of the Kenya CSO Coalition on the Universal Periodic Review process convened by UPRinfo and the Kenya National Commission on Human Rights (KNCHR). In this role, it led the development of the midterm CSO alternative report on the UPR implementation submitted in the reporting year. The NCHRD – K contributed human rights defenders perspectives in the broader CSO report on Civil and Political Rights. At the same time, the NCHRD-K was tasked with inputting perspectives on the situation of human rights defenders in the CSOs alternative report in response to the state report on Convention against Torture. Kenya’s report is due for review this year.
- iv. The NCHRD-K established new significant partnerships to build broad support for HRD issues, mobilize support for HRDs at risk and enhance any referrals, while maintaining engagement with existing partners. This approach amplified urgent concerns of HRDs and helped to keep open the support for HRDs in Kenya. At the regional and international level, existing partnerships and new collaboration was achieved with some of the following institutions; The NCHRD-K participated at the Stockholm Internet Forum (SIF) in Stockholm, an international forum for in-depth dialogue and discussions on how a free, open and secure internet promotes human rights and development between 15 -18 May 2017. The forum was a monumental learning and networking opportunity on issues on internet governance, which encouraged the organization to established local partnerships for expert support in training and sensitization on internet surveillance for the greater protection of HRDs in their work.
- v. NCHRD-K explored new partnerships and collaborations with the following organizations:

² NCHRD-K made an oral statement before the Commission during its 60th session held on the 8 – 11 May 2017 in Niamey,

Niger calling for a favourable environment for HRDs work as well as the constraints facing civil society organizations. Additionally, NCHRD-K co-hosted panel discussions with partners like OMCT, ICJ-K, FIDH, Defend Defenders and KHRC to further discuss the inhibitive environment in the work HRDs in Kenya.

- a. REPRIEVE – NCHRD-K hosted *Reprieve* on 7th March 2017 to discuss strategies in relation to CVE and enforced disappearance or extra judicial executions in Kenya.
 - b. Black Law Student Association from Harvard University - On 1^{6th} March 2017 the Black Law Student Association from Harvard University had their annual Africa Summit. The purpose of Africa Summit is for the association to learn about culture and governance in various African countries. The group met with the NCHRD-K to discuss the situation of HRDs in Kenya and challenges CSO faced in the context of the impending elections.
 - c. Horn of Africa Civil Society Forum – The NCHRD - K continued its partnership with the Horn of Africa Civil Society Forum, a regional network of CSOs that monitors the situation of civil society in the horn of Africa. In May of the reporting year, during the 61st session at the African Commission on Human and Peoples Rights, the Forum launched an online magazine called The Watch which highlights the situation of NGOs across the Horn of Africa.
 - d. Defend defenders – In March 2017, the East and Horn of Africa Human Rights Defenders Project (EHAHRDP) hosted member networks to a conference to commemorate ten years since its establishment. In attending the forum, the visibility and networking of the NCHRDs – K continued to grow exponentially.
- vi. Hub Cities initiative - In October 3-5, 2017 NCHRD-K participated in the Pan African HRD Network conference to share expertise on implementation of Hub Cities (Shelter City) for the protection of human rights defenders as an alternative protection tools. The initiative would be piloted in Kampala, Tunis, Johannesburg, Pretoria and Abidjan, with possibility of expansion to other countries including Kenya, Cote d'Ivoire and South Africa. This would be an opportunity where Human Rights Defenders can utilize their skills and experiences in the host country and at reduced risks to their security.
- vii. At the national level, NCHRDs enriched its partnership with human rights institutions and networks in the country to strengthen these interventions.
- a. With the Kenya National Commission on Human Rights, the state body tasked with the promotion and protection of human rights in Kenya, it mounted three main activities. These were training of HRDs in monitoring and documentation, the development of a national human rights defenders protection policy and the development of the training module for judicial officers on HRDs. Follow up activities with the KNCHR and Judicial Training Institute ensured that judicial officers, specifically some of the judges and magistrates were sensitized to

safeguard against abuse of the judicial process to harass, intimidate and silence HRDs. The sensitization workshops were conducted in Nyeri and Kisii.

- b. Joint activities with the Gay and Lesbian Coalition of Kenya (GALCK) meant to enhance the safety and protection of LGBT activists through training in personal and office safety as well as digital security. In 2017, NCHRD-K and GALCK trained twenty-five HRDs. The two organizations also conducted a study and developed a Safety and Protection Guide for LGBQ persons, SOGIE HRDs and Human Rights Organizations working on SOGIE issues.

- c. During the year, the NCHRD-K worked closely with the Kenya Parliamentary Human Rights Association, made up of Members of Parliament who are committed to ensure the realization of human rights through legislation. It met the association jointly with GALCK to discuss issues of realisation of basic rights for the SOGIE community in line with the constitutional provisions. Also, as co-convenor for the Human Rights Defenders working Group, which comprise of diplomatic missions and CSOs concerned with the protection of HRDs, the NCHRD-K continuously articulated critical information on the situation of election monitors, observers, HRDs and journalists during the election period within the group. It also actively involved members in the planning for the 2017 HRD awards that unfortunately didn't take place in the reporting year but was postponed to early 2018 because of the fluid political environment.



- viii. At the local level, the NCHRD K initiated theme working groups and contributed to some of the existing partnerships as discussed below:

- a. Protection Working Group - The Protection Working Group is convened by the NCHRD-K on a quarterly basis and comprises of 22 organizations who meet to discuss emerging issues on the situation of HRDs. During the reporting period, the working group met more than four times to discuss strategies to be put in place to ensure the safety and security of HRDs particularly during the election period. Security briefings in the

Protection Working Group meetings ensured measures to support the capacity of the PWG members to improve their digital security and security of members prior to the 2017 elections. The working group has enhanced the capacity of the HRDs to put in place measures to improve the digital security of HRDs through trainings on the right to privacy and managing unwarranted internet surveillance. The monthly meetings under the aegis of the Protection Working Group, the NCHRDs K ensured timely sharing of information regarding the political and social environment in which HRDs operated particularly during election period when HRDs risks were increased.

- b.** National Women conference, 2017 - The Convention, aimed to support women's leadership was convened by the National Women's Steering Committee (NWSC), Community Advocacy and Awareness Trust (CRAWN Trust) and the Centre for Rights Education and Awareness (CREAW), in collaboration with Kura YanguSautiYangu Coalition. The NCHRD-K supported at least 50 WHRDs taking part in the National Women's Leaders Convention on the 10th of March 2017 in the push to actualize the constitutional 2/3rds gender principle in elective and appointive positions. It also endorsed the women's action plan to marshal support for women aspirants for the 2017 elections.
- c.** Civic space protection platform - The civic space protection platform convened by the NCHRDs -K on 9th March 2017 led the process to develop a mobile application for reporting cases of harassment of county based CSOs. The application, also known as 'know your rights' toolkit has since been printed and disseminated.
- d.** Extra judicial execution working group - On 17th March NCHRD-K convened members of the working group on EJE to discuss the current situation in regard to EJE and enforced disappearance, receive updates on planned activities and develop collective strategies moving forward. Participants agreed to enhance the capacity of HRDs to monitor and report cases of EJE and training in monitoring and investigation. The EJE working group has now been collapsed into the Police Reform Working Group.
- e.** Engagement with Independent Police Oversight Authority - As member of the police reform working group that engage with the police and other stakeholders concerned with policing that respect human rights, the NCHRD-K participated at a strategy meeting with IPOA on the 27th March 2017 to develop a partnership framework on addressing reported cases of extra judicial killing and threats against HRDs and witnesses. This partnership ensured that CSOs and the civilian oversight body can collectively share information to address reported cases of police misconduct, excessive use of force and EJK especially in the election period.

- f. PIL partners meeting - NCHRD-K is a member of the Public Interest Litigation Network that identifies and takes up cases of public interest. On 3 May 2017, it led the review of some of the cases to pick up some of the most impactful cases for public interest litigation by partner organizations. PIL is a critical strategy to seek justice for victims and accountability for offenders, and at least further cases relating to EJK were taken up for litigation.
- g. Media working group – In the reporting year, the NCHRD-K coordinated the Media Working Group (MWG) consisting of individuals and organizations concerned with the safety and protection of journalists to meet with editors to ensure safety and security of journalists in their work. In July, 2017, the MWG met with editors from the Standard Group, Nation Media Group and Royal Media Services to disseminate the initial findings of the election monitoring exercise. The media houses reaffirmed their commitment to the charter on safety of journalists.

b) Enhancing the profile and public perception of HRDs at county, national and international levels

NCHRD-K pursued strong media engagement activities aiming to build effective support in the work of HRDs at the community and to counter negative propaganda on human rights activism. The election euphoria had been accompanied with negative public profiling of CSOs by politicians, thereby affecting the public support for human rights defense. The NCHRD-K addressed public audience through the mainstream and community media on issues of concern, and most of its issues received positive coverage across leading media outlets.

meetings with HRD networks and organizations: In the reporting year, the NCHRD-K convened meetings with HRD networks and organizations across the country to positively influence the civic environment for the enhanced safety and perception of HRDs. In many of the events, human rights institutions were brought together with duty bearers to discuss the situation of HRDs and what are required to improve relations between them and focus on the promotion of human rights in the country which is a multi-stakeholder constitutional duty. At least seven of such meetings during the election period were held both at national level and county level to ease the work of HRDs in election monitoring exercise and share their findings with authorities. The various HRDS networks, human rights groups such as the Samburu Women Trust and GALCK are amongst groups that were included in joint meetings and media activities.

Publicity: Media opportunities were used to discuss the role of HRDs, election observers, election monitors and journalists during electioneering period, and more precisely, to call for the protection of HRDs by both their communities and duty bearers. NCHRD-K's staff, regional representatives and individual HRDs facilitated diverse talk shows in community media channels in Nairobi, Migori, Kisumu, Siaya, Kakamega, Bungoma, Vihiga Samburu, Laikipia, Kwale, Kilifi, Kwale, Isiolo, and Mombasa Counties much along the same lines. NCHRD-K also engaged with the Kenya Correspondence Association (KCA) making a presentation on the safety and security of journalists in the electoral period. The meeting was held in Machakos on 3 August 2017 besides meetings held with media editors and journalists themselves on the subject. A combination of positive messaging and enhanced skills in security management among HRDs and journalists helped reduce their risks.

Social media: Various social media platforms were also used to positively profile HRDs work with the aim to enhance the public perception of HRDs or rebut some of the negative messaging targeting HRDs. It initiated an online chat titled #CredibleElectionsKe to educate the public on the role of election monitors; safeguard the integrity of CSOs during the electioneering process and encourage the youth to engage in the democratic election process. There were four twitter chats and each covered a different topic. The four topics covered are: Role of election monitors and observers which had 1,603 tweets and garnered 23.5million impressions online; How the



Media report on security of observers

public can collaborate with election monitors and observers had 2407 tweets and earned 73 million impressions.

The topic on challenges faced by election observer and monitors had 2647 tweets and 93 million online impressions and on the importance of internet connectivity during electoral period, there were 3578 tweets and 120 million impressions online. As such, the twitter chats saw engagement with Kenyans and international followers on the issues of human rights promotion and protection role of human rights defenders in the elections in Kenya. As the year drew to a close, the NCHRD-K social media campaign moved to discussions on the role of HRDs and their recognition through the HRD annual award. The campaign, under the hashtag #HRDAwardKE, attracted over 7,000 tweets and over 98 million impressions online.

In all, NCHRD-K social media presence in the year grew to have over 16,718 followers in the different social media sites (Facebook, Twitter and Instagram). This is over 163% increase up from last year's (2016) 2,738 social media following.

The NCHRD-K also used its website: The NCHRD-K also used its website (www.hrdcoalition.org) to disseminate information and provide resource materials to HRDs in the country. It also posted its reports and all the media releases it made in the website for further dissemination. The website was revamped in the year making it user a friendly source of updated information and linking it with other social media platforms. This enabled easy sharing of information across various online channels and increased traffic into the NCHRD-K website.

HRDS awards: In partnership with the Working Group on Human Rights Defenders, the NCHRDs had launched the HRDS awards in 2016 with the aim of honoring the extraordinary work of HRDs in the promotion and protection of human rights, and appreciating the human rights work of young and upcoming HRDs in Kenya. This year the organization embarked on preparations for the second award ceremony. It received 107 applications for 38 nominees (21 male and 17 females) drawn from about 14 Counties. As is the procedure, a selection panel selected the winners for the three awards afterwards in a ceremony that was eventually held on 26 January 2018 as it had to be postponed owing to the fluid political environment. The annual human rights award has led to an increase in the understanding of human rights environment facing HRDs in the country, and indeed their recognition and status.

Research and documentation

Research and documentation was geared towards influencing for a conducive environment for HRDs in Kenya. Baseline studies on the situation of SOGIE HRDs as well as planning for survey on different thematic groups like Indigenous, extractives, Business and human rights HRDs were commenced. Evidence based studies are expected to inform better understanding of the issues and various interventions required to address challenges faced by HRDs in these areas. The Situational report on SOGIE Human Rights Defenders, compiled jointly with GALCK, was concluded during the year. This was followed by the development of a Safety and Security guide

for SOGIE HRDs, which will be shared among HRDs. This is a unique easy to reference handbook that will assist various organizations develop responses or mitigate risks they may face because of their sexual orientation, gender identity and expression or engaging or because of their work on these issues.

The State of privacy in Kenya is a live study that is updated annually by Privacy International with contribution from the NCHRD-K. The 2017 State of Privacy report on Kenya highlighted the legal framework for the protection of the right to privacy and the gaps therein as well as government actions that may hinder the realization of the right to privacy. This is an important area for continued work by HRDs and CSOs because of the critical concerns regarding surveillance and right to privacy in Kenya.

NCHRD-K Reports: The NCHRD-K developed two monitoring reports that highlighted the situation of election observers, monitors and journalists during the 2017 election period. The reports contributed to recommendations to ensure that future elections in Kenya respect human rights, including safety and security of election observers and monitors.

Finally, research and documentation activities in the year led to production and dissemination of other handbooks and reports for HRDs to know and sensitize others of their rights and duties.

Securing conducive environment for HRDs at national and county level

Activity	Achievements	Status
<i>Monitoring the implementation of regional and international action plans on HRDs. Produce at least twelve reports.</i>	<p>Monitored the State implementation of UPR recommendations regarding the Convention against Torture (CAT)</p> <p>Submitted two reports on the situation of HRDs in Kenya to the ACHPR through Defend Defender</p> <p>Participated in the Kenya Coalition of CSO on UPR's</p> <p>Process to develop alternative report to the states report on the status of implementation of the UPR recommendations on Civil and political rights.</p>	<p>Development of relevant shadow reports ongoing</p>
<i>Media advocacy and engagements</i>	<p>NCHRD-K carried out media campaign, including using social media and community radio campaigns against state intimidation of HRDs (and journalists) involved in monitoring the 2017 elections. As a result media editors signed to a commitment charter on safety of their journalists; and state actors were brought on spotlight regarding threats and intimidations leading to decline in reported cases. The media profile of NCHRDs also increased.</p>	<p>Successful highlight of campaigns included the anniversary of the summary execution of human rights lawyer, Willie Kimani and his clients.</p>
<i>Research and documentation on high profile violations</i>	<p>NCHRD-K conducted and published at least six research reports that were successfully disseminated to partners, Reports related to the elections, 2017; on situational report on SOGIE Human Rights Defenders; a safety and security guide for SOGIE HRDs; a baseline survey on the situation of most at risk HRDs and perception survey on communication surveillance. The reports assisted to inform on policies impacting on HRDs and their work</p>	<p>The reports were highly disseminated amongst partners as part of monitoring information on HRDs situation in Kenya. Policy briefs from the studies are yet to be produced.</p>
<i>Strategic partnerships for joint support for HRDs</i>	<p>NCHRDs established or participated in at least six partnerships on issues of support to the protection of HRDs. These includes the Media working group, Privacy International, the Kenya National Commission on Human Rights, the SOGIE advocacy think tank, the Police reform working group, Public Interest Litigation Network and the Civic Space</p>	<p>The Networks and partnerships are still functional</p>

	Protection Platform.	
<i>The HRD award, 2017</i>	Concluded planning for the 2017 HRD award ceremony but due to hostile political environment in 2017, the ceremony was postponed to January 2018. The annual Awards enhance the profile of local HRDs and improve group solidarity.	The ceremony was held in January, 2018

THE CAPACITY BUILDING PROGRAMME

Capacity strengthening for HRDs is strategy utilized by NCHRD-K to enhance preventive measures to mitigate risks faced by human rights defenders. Skills building in safety and fact-based documentation has ensured HRDs are aware of their vulnerabilities and have the skills to put in place necessary measures to address them.

i) Enhanced capacity of individual HRDs on safety and security assessments and response

During the reporting year, two hundred and seventy-five (275) HRDs comprising of 104 females and 171 males went through relevant security and safety trainings offered by NCHRDs-K. Participants were equipped with skills to improve their human rights work, and to develop highly effective personal security management techniques for additional protection and safety. They were also taken through various national, regional, and international mechanisms on the protection of HRDs and exposed to how they may access them. The programme was established as a preventive strategy that ensured that HRDs had requisite skills to manage their security in their day to day work in order to minimize their exposure to risks. Follow up encounters with beneficiaries showed that the interventions had benefitted them tremendously and they could handle basic security assessments and deploy protective measures to secure themselves better than before.

During the year, more individual HRDs or their institutions continued to submit requests for relevant training. The requests are aligned to specific challenges the HRDs faced during their work, mostly related to safety threats as well as regulatory fears such as the threats to deregister their organizations. HRDs also appealed for support to improve their documentation of human rights violations, and consequently, the NCHRD-K organized eight(8) needs-based trainings and workshops responding to the identified gaps.

The training assistance by NCHRD-K had positive influence on the beneficiaries, with many of them noting that it had bolstered their capacity to handle common security challenges in the election period and hugely improved their work. The following thematic trainings were conducted to respond to needs of human rights defenders;

- **Security management trainings:** The security management trainings benefitted at least one hundred and seventy-five (173) HRDs - 118 Males and 63 females - drawn from different networks and organizations at the national and community level. Participants included HRD institutions from Nairobi, Laikipia, Marsabit, Nakuru, Kwale, Bomet,

Kisumu, Siaya, Migori, Murang'a, Kiambu as well as Uasin Gishu counties. NCHRD-K also trained a SOGIE HRD organization known as Love Matters who are in the process of implementing Rights Evidence in Action (REA) project that aims at reaching out to LGBT youth and also carry out advocacy activities in Kenya. The HRD participants learnt skills in the assessments and management of physical and digital security challenges to ensure that they are aware of the risks they face in the course of their work and have appropriate strategies to mitigate them.

- **Training on monitoring and documentation,** including election monitoring: A total of one hundred and two (102) election monitors, disaggregated almost equally between male (54) and female (48) were comprehensively trained on monitoring and documentation of election related violations on HRDs

as well as on basic security management techniques to ensure that they monitored the elections safely. The training incorporated simulation on how HRDs could mitigate possible risks based on the established county security plans for the purpose. Follow up security management trainings addressed initial reports of security incidents from the field leading to a marked reduction in reported security cases as the monitoring progressed.



ii. Enhanced capacity of HRDs Networks

Development of HRDs network has been part and parcel of NCHRD-K strategies to enhance solidarity and build on local protection of human rights defenders. NCHRD-K successfully encouraged collaboration among human rights defenders and organization at same region or working on a common theme to complement each other, solidarity and to act as primary responders whenever a human rights defender was at risk. During the year, NCHRD-K supported the institutionalization of the established networks in Mombasa, Kilifi and Kwale counties. Further, it also helped in the establishment of a HRDs network for the Sengwer indigenous people who live in the Embobut forest in Elgeyo Marakwet County who have been facing human rights violations relating to their traditional way of life. These networks are an addition to other already established networks that NCHRD-K continued to support in Nakuru, Kisumu, Kakamega counties as well as thematic networks of Women HRDs, Indigenous (Samburu) and LGBT.

To enhance their capacities, NCHRD-K facilitated training and linked them up with service providers, CSOs and duty bearers in the counties. Beyond NCHRD-K facilitated introductory meetings for the networks with various stakeholders, geographic and thematic groups coalesced and held joint activities, demonstrating their capacity to work jointly. For example, 60 days of activism was carried out at Laikipia County by Indigenous Peoples Rights Network under the leadership of the convenor, Samburu Women Trust; while celebrations for December 10 Human Rights Day was convened by human rights organizations and HRDs in Nairobi. In addition, there were solidarity protest held by Mid-Rift HRD network following arrest of a journalist and advocacy against extrajudicial killings conducted by NCHRD-K networks at Nairobi peri-urban settings by HRDs.

Below is the status of activities with HRD networks in the year: -

Network	Activity	Achievements
Grassroots Human Rights Defenders	Held a Human Rights Defenders (HRDs) Boot Camp, 25-28 July 2017, with over 50 HRDs participating	HRDs assessed the state of human rights work in the country and made strategies to address the volatile situation, improved coordination of HRDs planning and activities
The Sengwer HRDs Network	In October 2017, NCHRD-K conducted training for HRDs from the Sengwer Community in the Embobut forest on security management and basic human rights principles	The HRDs connected with other HRDs and duty bearers from the North Rift region, and established work plans to address issues human rights issues in the region.
The North Rift HRDs Network	Promoted meetings between Network with duty bearers in the region, who included county commissioner, county head of police, judiciary representatives, media and members from the county assembly. NCHRDs- K also facilitated Network meeting with LGBTIQ activists from the region	Improved coordination of HRDs work in the region, including reporting incidents of violations on sexual minorities; enhanced activities with duty bearers
The Coast HRDs Network	NCHRD-K trained the HRDs from the three counties of the Coast – Mombasa, Kilifi and Kwale - on physical and digital security management, facilitated CSOs networking and meetings with duty bearers from the region.	The Coast HRDs network has been established but it is still in nascent level, strategies for improved HRDs operations in the regions have been finalised

iii. Strengthening Key Stakeholders to contribute to the Safety and Security of HRDs

Training of Trainers program: NCHRD-K developed a Training of Trainers program to compliment staff and partner's capacity to meet the training needs of HRDs and organizations. The Trainers were drawn from human rights defenders identified by fellow human rights defenders working on different thematic groups from the diverse geographical spread in the country. The trainers, who are based at the community were equipped with necessary skills to train HRDs on physical and digital security management as well as human rights monitoring and documentation which they are facilitated to share with knowledge with their HRD networks. Twelve (12) HRDs ToTs had been trained by end of 2016. Follow up intensive training were conducted in the reporting year which ensured that the ToTs skills were sharpened and that they were upto date with emerging knowledge in the subjects especially on an issue such as digital security and surveillance. NCHRD-K also developed training manual and data collection tools to enhance the training inputs.

Organization Security audits aims to ensure that partners adhere to simple security protocols in their different operations and introduce a security culture within the organization. The NCHRD-K conducted organizational assessments for various organizations some of which had reported security breaches while others were concerned that they were vulnerable to attacks because of their human rights involvements. During the year NCHRD-K's capacity building programme conducted six (6) organizations audits and made recommendations on areas that needed to e improvements. Some of the affected staff members were taken through security tips on how to manage relevant risks.

The interventions improved security management in at least the six human rights institutions in which the NCHRDs intervened and ensured that programs and policies of the organizations incorporated security planning and safeguards. The six organizations that benefitted from the security audits of the NCHRDs were: i) Independent Medico-Legal Unit (IMLU), ii) Africa Center for Open Governance (AFRICOG), iii) Mathare Social Justice Center (MSJC), iv) Persons Marginalized and Aggrieved (PEMA), v) the Local Elections Observer Group (ELOG) and vi) Haki Africa. As noted, enhanced security of organizations ensures that organization and staff are able to effectively defend human rights while remaining safe.

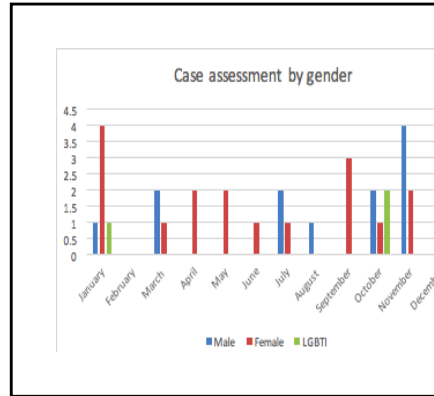
THE PROTECTION PROGRAMME

Urgent intervention of HRDs at risk is at the core of NCHRD-K work. During the reporting period, NCHRD-K conducted risk assessment, responded in timely way to requested for relocation of HRDs from the source risk, and provision of intervention like bail and bond, legal representation and advise, as well as medical and psycho-social assistance which helped to mitigate on personal challenges they were confronted with because of their work.

Responsive and Sustainable Protection Mechanisms for HRDs in Kenya

The NCHRD-K has put in place measures that are regularly reviewed to ensure that NCHRD-K and partners intervened in a timely way whenever HRDs were at risk. NCHRD-K urgent intervention include the provision of legal, medical, psychosocial support as well as solidarity visits with the affected HRD.

Case assessment: During the reporting period, NCHRD-K monitored operating environment of HRDs that was marked by negative profiling of HRDs particularly by the political class, criminalization of the right to peaceful protest, and targeting of HRDs that worked on accountability and fight impunity for perpetrators. The body of knowledge collected by NCHRD-K was useful in mapping trends. At least half of the cases supported by NCHRD-K during the year were related to elections.



Case assessments was conducted for individual cases of HRDs at risk, and intervention developed. During the year, 180 cases were assessed. It was projected that 120 HRDs cased would be assessed. The information was also useful in offering quality assessment in response to inquiries by partners. The NCHRD-K further administered a survey by email and social media among HRDs, regional representatives and other human rights organization to seek information on human rights situations and HRD needs. These helped to refine NCHRD-K interventions and referrals for those found to be at risk.

Information source and referral: During the year, NCHRD-K received inquiries from partners for verification of individual cases and information on HRD environment affirming level of confidence in NCHRD-K work and national reach. In addition to NCHRD-K direct intervention, it developed a referral procedure to link HRDs at risk with partner organizations like KNCHR, Amnesty International, Frontline Defenders, Freedom House and Defend Defenders for support. NCHRD-K referred cases to KNCHR where public officers were implicated and where there

were claims by HRDs that the officers were threatening their lives or the risks they were facing were perpetuated by public officers. The sharing of information with other defenders' organizations particularly Frontline Defenders, Defend Defenders and Freedom House ensured that there was no duplication of support and that qualified cases got needed support.

In 2017, NCHRD-K referred 12 cases affecting 52 HRDs to KNCHR for further investigation and action to relevant state organ. On its part, KNCHR referred cases to NCHRD-K after initial investigation, in which they felt that the individual HRD needed protection. It referred six cases involving 17 HRDs to NCHRD-K in this regard. It also referred five HRDs from Nairobi to Independent Policing Oversight Authority (IPOA) to investigate violations that the police had meted on citizens in Mathare.

Innovation in case reporting: In line with its commitment to incorporate innovation in its work, NCHRD-K developed a mobile phone application to ease reporting of human rights violations to the NCHRD-K secretariat allowing for rapid intervention by NCHRD-K and its partners. The Application is available on google play store "*mtetezi*" This mobile phone application ensures that information is communicated and stored securely leaving no trace of the communication on the HRDs device. This platform was particularly preferred by election monitors to communicate fast and safely to NCHRD-K secretariat urgent cases that required timely intervention.

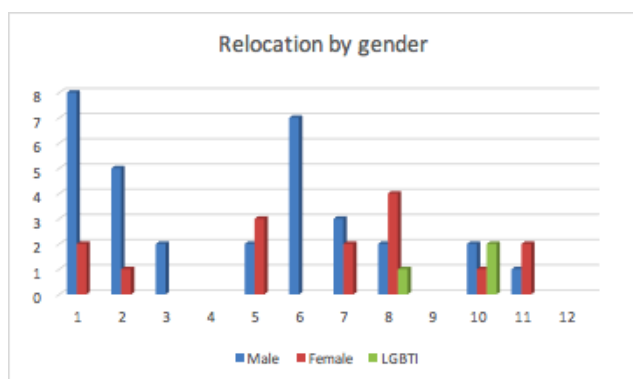
Other interventions in the year included solidarity visits, accompaniment to places of detention, case assessment and joint intervention with partners whenever HRDs were at risk through the Protection working group. The responsiveness of the protection mechanism in the year led to improved management of case work, coordinated support and reduction in duplication of support to HRDs, timely relay of cases to member organizations and increased confidence of HRDs in the distress assistance programme.

Relocations of HRDs at risk and family support

HRDs facing serious threats to their lives are normally referred to NCHRD-K for assistance or directly approach the organization for help. Interventions normally include relocation of the threatened individuals to more secure locations or to other places where they may continue with their work unhindered. Being an election year, HRDs were targeted by political groupings that were unhappy with their human rights involvements. Also, minority groups became targets of threats by local interest groups, and as such required measures to mitigate risks. The aim of the relocation is to enable HRDs to operate in a safe and secure environment as well as reduce the threats to them or to their family members.

In 2017, the NCHRD-K continued to offer relocation interventions, where appropriate. Remarkable incidents that led to relocations included a case of arson in Mathare, Nairobi during

the electioneering in which the house of a community HRD was set on fire. The HRD was among those that documented police killing and police brutality at the area, and as such he required immediate relocation assistance before things could resume normalcy.



In the year, at least 15 cases of HRDs that faced most risks were reported and relocations arranged to address their situations. The following are some of the circumstances that required interventions of this nature;

- Some five HRDs monitoring the election in Mathare faced

serious threats and intimidation by the police for documenting police violence and inviting other human rights organizations to the area.

- Supporters of the president's party, The Jubilee party, threatened to physically attack some of the HRDs who took part in the petition against the presidential re-election in the 8-8-2017 elections. The results of the presidential elections was challenged at the Supreme Court on account of election malpractices and illegalities
- Staff of six organizations that worked on a petition of the repeat presidential elections held on 26th October, 2017 received threats. Some of the staff involved required relocation to more secure locations arising from the threats.
- A human rights defender who documented human rights violations by the police in Kisumu, Western Kenya in the aftermath of the elections and shared the images brutality online required relocation following cumulative threats to his life.
- Finally, two LGBTIQ organizations were supported to relocate to new office premises after they were threatened with eviction by their landlords.

Medical and Psycho-social assistance

HRDs requiring medical emergencies and other conditions suffered as a result of their human rights work were supported with medicalization and referrals. Most of the cases in which NCHRDs interventions became necessary emerged from the election monitoring activities. Among victims were HRDs who were working as monitors. NCHRD-K worked closely with its network of service providers comprising of doctors, counselors and lawyers at the county level to respond swiftly with required services.

Health service interventions ensured the psychological security of HRDs in the course of their work. During critical interventions, such support helped to save lives of HRDs entangled in physical troubles such as crowd violence and targeted assaults. In one situation, a pair of spectacles belonging to a HRD who was monitoring the polls was replaced after the police broke the one he had during a crowd trouble.

In the course of the year, the protection programme of the NCHRDs in collaboration with Amnesty International (AI) and Shield for Justice offered psychosocial support to about 50 HRDs traumatized in the course of their human rights work. It conducted debriefing sessions for HRDs in Nairobi, Kisumu, Migori and Mombasa counties. In Nairobi alone, it organized group therapy and debriefing for 38 HRDs working on issues of extrajudicial killings. HRDs receiving psychosocial support also included two LGBTI community members in Kisumu and Mombasa respectively.

Legal representation, accompaniment to places of detention and bail/bond

Police arrests and prosecution has sometimes been used to intimidate, harass or instill fear in HRDs. NCHRD-K offers legal HRDs who face arbitrary malicious prosecution. The legal interventions that offering legal representation bail and bond as well as trial is intended to help the HRDs justice, to vindicate those malicious charges and to HRDs from enduring torture degrading treatment at facilities.

In the reporting year, intervened in a number of and at the same time with ongoing matters in the courts around the country. In incidents, NCHRD-K accompanied the victims to places of detention. Below is a summary of some of the cases supported by NCHRD-K in 2017:



support to arrest and purpose of include and advice; observation in seeking faced with safeguard and other detention

NCHRD-K such cases continued various some

Case involving HRDs	Support by NCHRDs	Status
On 27 th October 2017, a HRD was arrested in Majengo, Western Kenya and subsequently charged with incitement to violence.	Lawyer was sent to bail out the HRD and represent him in court	Case is ongoing
CMCR NO. 397 OF 2017 Two HRDs travelling from Nakuru to Kisumu by road were stopped by a traffic officer. When they demanded to know reasons thereof, the driver was asked to drive the vehicle to the police station where all other passengers were released but the two HRDs arrested for "willfully obstructing a police officer contrary to section 253 of the penal code". They appeared in court the following day and were released on a bond term of Kshs. 20,000/= each with a surety of similar amount AND an alternative cash bail of Kshs. 8,000/= each.	NCHRD-K posted the bond and offered them services of a lawyer	Case is ongoing
CR Case No 381/2016 In October 2016, nine (9) land rights HRDs were arrested in Taveta County and charged with unlawful assembly The nine were remanded for almost three weeks due to availability of funds to bail out the HRDs on time and also a constitutional petition had been filed in the High Court in Voi (Petition 1 of 2016) seeking a review of the bail terms that had been set for the HRDs.	They were supported with a lawyer, bail and bond - Kshs 300,000 with 2 sureties for each of the accused – as well as family support for each of the accused. In February 2017, the terms were reviewed downward to cash bail of Ksh. 50,000 or a Ksh.100, 000 bond.	The matter is ongoing
CRM 1812/2013 Olal and others Vs the state Security bill case: Here, 8 HRDs who were arrested in 2013 continued appearing in court on the charge of unlawful assembly.	NCHRDs provides legal representation and facilitates transport of the HRDs to attend court hearings	All the accused in the case have been acquitted
The State of the Nation demonstrations case in which HRDs also faced charges of unlawful assembly continued.	Legal representation and bail for the four was supported by NCHRD-K	In May 2017, the court ruled in favour of the HRDs
Five youths who run a car wash were arrested in Huruma, Nairobi and when one HRD working from Mathare Centre for Social Justice went to establish why they had been arrested; he was also arrested and detained	Legal accompaniment and bail	The HRDs were released and the matter resolved at the police station

at Huruma police station.		
R Vs David Gikaria Wairimu and 4 others Criminal Case No 1841 of 2016, Nakuru Law Courts Following actions by ShuleYangu Campaign, a perimeter wall of Naka primary school in Nakurus was brought down. 5 individuals including 3 HRDs were charged with of malicious damage to property.	NCHRDs provided a lawyer for the five accused	Case is ongoing
REPUBLIC V. WILLIAM OMONDI & 17 OTHERS CR 685/2013 (Occupy Parliament-Criminal case) HRDs were arrested in 2013 and are out on bond	NCHRD-K hired a lawyer for the criminal case for all the seventeen, and in collaboration with Katiba Institute, filed a constitutional petition on the matter	Case is at the supreme court.
<i>Beatrice Wanjiru and 8 others CR 257/2017, NYERI</i>	The principle HRD is accused of kidnapping while the others are accused of child neglect. Legal representation, relocation, transport for the HRDs to attend court.	Matter on-going
<i>Joel Ogada v Kurawa Salt Industries and 2 others Constitutional Petition number 9 of 2016, High Court at Malindi, KILIFI</i>	Following the malicious prosecution of the HRD and continued intimidation, HRD filed a petition seeking a declaration of violation of his rights under chapter 4 on the bill of rights. Previous bail, legal representation, relocation and family support given to HRD by NCHRD-K	Hearings in the case ongoing
<i>R v Peter Simon Mutuku and 12 others Case No.712/16 at Nunguni</i> On 2 nd November, 2016, thirteen (13) HRDs were arrested in Makueni county after demonstrating against police brutality. Accused faced charges of incitement to violence, participating in unlawful assembly and resisting arrest.	Support for a lawyer, bail money and facilitation of transport for court hearings. NCHRD-K also connected the HRDs with KNCHR.	The matter is on-going
<i>Republic v Boniface Mwangi Crim. Case No. 943/14, Kibera law court</i>	Activist, Boniface Mwangi was expected to appear in court on an a previous matter of unlawful assembly but when he failed to attend, a warrant of arrest was issued against him. He was arrested. He was bailed out by NCHRD-K after posting Kshs 20,000 as bail.	Matter is on-going
Nakuru artists: Ten artists performing in community theatre for civic education were arrested and booked for	NCHRDs provided the HRDs with a lawyer and money to meet bail	HRDs released and the charges

charges of creating disturbance.	conditions	dropped
<p><i>R v Ruth Mukami Wambua Case No.9791/16, City Court, NAIROBI</i></p> <p>The HRD was charged with disposing waste contrary to section 87(1) of the Environmental Management and Coordination Act 1999 and punishable under section 87(5) of the same Act. Again, she was rearrested and charged with hawking, resisting arrest and assault</p>	NCHRDs bailed out accused	Matter resolved

Human Rights attachment

The human rights exposure attachment was availed to HRDs at risk through NCHRD-K's collaboration with other partners. During the period, NCHRD-K collaborated with local, regional and international partners to offer attachments to eleven (11) HRDs at risk. The opportunity helped to limit exposure of HRDs to continuing risk, provide respite and increase networks and skills level of beneficiaries through the various learning at the institution of attachment and as well, in partners organizations. Defend Defenders, York University, Shelter Cities, Samburu Women Trust, and Human Rights Agenda to launch a human rights attachment programme.³

Beneficiaries of these opportunities reported that they were able to rest and recuperate in a safe environment; gained new knowledge and skills from the partner organizations and created new networks of support with the partners.

i.

INSTITUTIONAL STRENGTHENING AND ORGANIZATIONAL PERFORMANCE

During the implementation period, NCHRD-K conducted a Mid-Term Review (MTR) of its current strategic plan 2015-2019. This entailed a review of project documents (plans, project reports, audited reports, capacity assessments etc) to establish level of performance and implementation challenges. A workshop comprising staff and Board of Trustees reviewed the performance and assessed NCHRD-K effectiveness, efficiency, design and sustainability of the Plan. As a result, some of the institutional approaches in the Plan were revised, in particular putting emphasis on continuous capacity building of the staff to enhance the outputs of the organization.

³ In the reporting year, four HRDs (2male and 2Female) were recommended to the Shelter cities programme, two male HRDs joined the Defend Defenders attachment programme for HRDs at risk while other two HRDs (male and female) were recommended to the Samburu Women Trust. Further, two HRDs were recommended to HURIA and another one, an activist of LGBTIQ rights, was supported to go to the York university, United Kingdom

In the 2017, NCHRD-K invested in diverse staff training opportunities and exposure to enhance their capacity and productivity. Protection and Capacity building Programme staff actively participated at the African Commission and Human Rights Council forums to learn and engage at the international level. The coordinator also engaged with NCHRD-K partners at various forums including Panafrica Human Rights Defenders Hub Cities Platform as well as discussions on alternative protection at Brussels in December 2017 also attended by protection service providers, funders and academics.

NCHRD-K experienced an increased staff capacity through additional contract staff that came in to support communication strategy in the election activities and as well in the planning for the Human Rights Defenders Awards. The organization further recruited interns and 102 HRD contract election monitors drawn from all the counties for the Elections Monitoring Project. Monitors were taken through training on digital and physical security management to mitigate possible risks in the field. In addition, they covered training in human rights monitoring and documentation as well as evidence based research and advocacy so that they were well equipped for the task.

In addition to the HRD election monitors, secretariat staff monitored the radio, TV, social media pages and social messaging sites (WhatsApp and Instagram) in order to compliment the information gathered by the monitors. Staff held weekly briefings where they shared updates on the environment and based on media monitoring reports, reviewed the elections monitoring for any improvements. The meetings helped the NCHRD K to prepare well in terms of protection and advocacy activities related to the elections.

In May 2017, NCHRD-K developed a Pocket Guide to be used by elections monitors. The pocket friendly booklet contained the Code of Conduct and values for Election Monitors. It also presented a few security tips for monitors - the dos and don'ts for election monitors and emergency contacts of key rapid responses organizations in the Protection Working Group and relevant government agencies. The booklets were shared with NCHRD-K monitors and monitors from other organizations like Katiba Institute, ELOG, and Kura YanguSautiYangu. This generally helped to improve the security preparedness of observers and monitors in the election process.

Through the publication of reports during the election period, the NCHRD-K was able to profile the situation of HRDs, election monitors, observers and journalists during the election period. This enabled urgent identification of the issues for mitigation. The findings were disseminated at meetings organized at the county level in Nakuru, Machakos, Kilifi, Kakamega and Nairobi at events attended by HRDs, media and relevant duty bearers. The joint release of the election reports with duty bearers that included IPOA, KNCHR, NGEC, NPSC and IEBC positively influenced them to make commitments to work closely with the NCHRD-K to promote human rights in the elections.

The Elections Project enabled the NCHRDs to prepare effective national HRDs protection structures to respond to HRDs at risk during the elections. It also permitted the coalition to successfully map the human rights issues in the elections in order to inform strategy development and assess the situation of HRDs, sharing relevant information in a timely manner with pertinent agencies for action.

Monitoring Elections 2017: A Success story of Security Planning

Monitors in the 2017 elections were first and foremost trained in human rights monitoring and documentation. They were equipped with requisite skills and familiarized with NCHRD-K's report writing template. The information documented included the environment within which the HRDs worked; risks and threats faced by HRDs in the period as well as interventions and responses attending to them. They regularly shared their reports with the secretariat. Monitors were required to send periodic reports to the secretariat every month, daily via WhatsApp Election Monitoring Group and via the *Mtetezi* App.

The *Mtetezi* App (*Mtetezi* is a *Swahili* name meaning Defender) is the application meant to report urgent rapid response cases and real-time documentation of violations. The application (which is also available in Swahili) has two important pages, the Record Incident Page and the Panic Alert Button. Monitors were able to use the phone application to describe the human rights environment, violations and inhibitions to election monitors. The application also allowed them to share pictures and videos. A security feature allowed erasing from the phone all information and images once it was submitted which served to protect the election monitors, HRDs and journalists from keeping large and sensitive media files in their phones as they could instead share and delete them in real time. The Panic Alert Button allowed monitors to call for immediate attention in case of an attack.

The Application used of GPRS location tracker such that and once a monitor, HRD or journalist pressed the Panic Alert Button, the message was send as a text message to NCHRD-K's emergency contacts with coordinates of the location of the victim. The success of the project was premised on the ability of NCHRD-K to receive and act on information in a timely way. The election reports were analyzed, published and disseminated.

Media development in the NCHRD – K has not only improved the dissemination of information released by the organization but also influence its programme agenda. In the year, NCHRD-K partnered with Nairobi Law Monthly to highlight the achievements of the Coalition in the last 10 years. The story was published in the Nairobi Law Monthly for December 2017. A review of the website was also completed, making it user friendly and a source of updated information and as well linkage with other social media platforms. This has enabled sharing of information across various online channels easy and increased traffic into the website.

Finally, the NCHRD-K managed to mobilize funding from, in addition to core funders, non-core funders to support risk management for HRDs in the uncertain electoral environment that marred human rights work in the period. Further funding was received from AVAAZ, Freedom House and OMCT towards support for election monitoring work, support to at-risk HRDs and purchase

of laptops for programme staff for use in the election monitoring activity. Other funding came from the American Jewish World Service and Royal Netherlands Embassy. Overall, this meant an increase of 68% in NCHRD-K funding compared to the previous year, reflecting the increased workload associated with the electoral contest.

ENHANCING CAPACITY OF NCHRD-K STAFF, HRD NETWORKS AND SERVICE PROVIDERS; AND SENSITIZE DUTY BEARERS TO EFFECTIVELY RESPOND TO HRD ISSUES

ACTIVITIES	ACHIEVEMENTS	STATUS
<i>Training of Trainers</i>	Training Manuals for Security management training (physical and digital) and Monitoring and documentation training were developed and pretested	Manuals are to be printed and disseminated for use by HRDs trainers
<i>Sensitization forums on role of HRDs in society and their risks</i>	NCHRDs conducted two sensitization forums	Enhanced public awareness on role of HRDs
<i>HRDs Trainings</i>	The NCHRDs conducted seven (7) training workshops on security management for HRDs, two (2) training workshops on Human rights monitoring and documentation as well as one (1) workshop on awareness training for service providers and duty bearers working with HRDs	Ongoing follow ups ongoing for trained HRDs
<i>Organization security audits</i>	Security Audits were conducted on six organizations, recommendations developed and security interventions measures developed together with the organizations	Two Organizations trained; four provided with security enhancement measures
<i>IEC Materials</i>	NCHRD-K has developed notebooks, booklets, T-shirts, reflectors, profiles and NCHRD-K code of conduct for HRDs, improving the institutional profile and standards of the organization.	IEC materials development will continue on a needs basis.
<i>Annual forums on security concerns for HRDs</i>	National forum on topical human rights issues to be conducted in November 2018	Still planned

CHALLENGES AND LESSONS LEARNT

CHALLENGES

- i. Risk management measures have not been prioritized by many organizations; despite open and predictable indicators of threats to the physical lives of individual HRDs and institutions, many people do not take security measures seriously. Organizations operate with feeble security awareness and planning. This leaves them vulnerable to violations by others. With better security management, the HRDs can reduce exposure to incidences of attacks or arrests in the course of their work.
- ii. Politicization of human right work easily blurred the legitimacy and integrity of HRDs. This tend to worsen during electioneering, aiding misrepresentation and intimidation of HRDs.
- iii. Lack of political good will for the work of HRDs meant they did not have good cooperation from authorities. It also means that HRDs faced a hard and risky operating environment because of formal obstacles placed before them. Additionally, HRDs have to content with aggravated impunity and neglect of the rule of law.



iv. There has been minimal tracking of the impact of the NCHRD – K interventions to offer timely support to HRDs at risk. Evaluation of the programme activities has been lagging leading to inadequate data on impacts of programmes.

- v. There are constraints in financial resources available to respond to the escalating requests placed on the NCHRD –K. Potentially, the resources of NCHRD-K tends to be overstretched during high risk environment to HRDs, and wherever the demands for such support spike, the NCHRD- K cannot meet the expectations. On the other hand, it proves the

need for further capacity building support of partner organizations and even state bodies to defend these rights

vi. The advent of fake news perpetuated especially by the social media is a clear distortion in the assessment of cases and accuracy of planning the consequent interventions.

vii. The deliberate failure by the government to operationalise the Public Benefits Authority (PBO) Act means that civil society institutions must still content with the state driven regulatory environment of the nonprofit sector increasingly with hazardous outcomes. Under the NGOs Coordination Act, the regulatory NGOs Registration Board has become overbearingly intrusive in the activities of NGO groups that are perceived to be critical of the government.

viii. It is also apparent that despite years of civic education in the country, there is only a weak understanding of human rights in the communities and amongst HRDs. Concerted legal education and awareness of the constitutional human rights guarantees remains critical in the work of the HRDs.

LESSONS LEARNT

- i. It remains necessary to sensitize key stakeholders and communities on the role of HRDs, and engage with duty bearers in partnerships to improve understanding of human rights work in the country in order to address the negative representation of HRDs
- ii. NCHRD-K having identified the value in monitoring, evaluating and documenting the impact of its activities will scale up development of comprehensive tools and plan to review its work on a periodical basis.
- iii. The NCHRD-K security management training programme is critical in building sustainability of the interventions at the individual and organizational levels. Security training ensured that beneficiaries are conversant with local security issues, can make self assessments of their situations and take measures to deal with them or mitigate likely impacts of undesirable attacks.
- iv. Regular mapping of relevant issues helps to develop required interventions. The NCHRD-K networks of human rights defenders in the various counties, acting as thematic groups – women, sexual minority groups and indigenous people has provided NCHRD-K with critical information to develop interventions.
- v. There is need to build a database of service providers that can be accessed in a timely way whenever HRDs are at risk. This may involve collaboration with relevant umbrella bodies of the main service providers such as counselors, lawyers, doctors etc
- vi. Collaboration and partnerships have enhanced interventions and support for HRDs at risk
- vii. The relocation affects families of HRDs in areas like schooling of children, family protection, companionships etc. Further review of the approach may be necessary to address the unintended effects.

- viii. Early warning system is critical for a holistic response to HRDs at risk. The availability of accurate and adequate information is important for this to happen, and as well to improve scenario building and case assessments.
- ix. The NCHRD K has mainstreamed psychosocial support in the capacity building programme because of the demonstrated need of HRDs to address the common psychological pressure they face
- x. The innovative use of technology to improve efficiency is illustrated in the mteezi app project which has improved the reporting and assessment of cases reported to the NCHRD –K.

Strategic Objective 3: Enhancing Protection Measures for HRDs

ACTIVITIES	ACHIEVEMENTS	STATUS
Rapid response to cases of HRDs at risk	Assessed 50 cases and deployed rapid interventions through different responses. Others of the cases assessed were referred to partners. At least sixteen (16) cases were referred to the organization and assessed on behalf of members of the Protection Working Group at the regional and international level	Only four protection working group meetings were held during the period against a planned number of twelve due to the nuanced political environment
Establishment of a hotline	NCHRDs established and popularized two hotline numbers for HRDs at risk	The Hotline numbers are: 0716200100; 0721444260
Medical support for HRDs at risk	NCHRDs supported six cases of HRDs that required necessary medical attentions. Two male and two female HRDs contracted pneumonia due to adverse evening weather during the tallying and counting of votes; two female HRDs were attached when on their way to observe elections at Mvita constituency Mombasa and Ruaraka constituency, NAIROBI	This is part of the core funding activities, and with the depletion of the budget in other activities, part of the money in the budget line was varied to meet other pressing needs for HRDs at risk e.g. legal and relocation during the period.
Relocations of HRDs at risk	NCHRD-K processed twelve (12) cases for relocations to safety in the reporting period	HRDs have resumed their normal life
Psychosocial Support to HRDs	NCHRDs supported thirteen (13) cases requiring psychosocial interventions outside Nairobi county. In Nairobi alone, 38 HRDs in Nairobi were taken through debriefing sessions.	HRDs have resumed their normal life
Legal representation for indigent HRDs	NCHRDs supported HRDs in at least 20 cases requiring bail /bond support. A further seven (7) matters are proceeding in different courts in the country, involving a total of 47 HRDs. These require resources for legal representation.	Limited funding and the high cost of legal representation requires NCHRD-K to fund raise further for the activity
Development and dissemination of a case management protocol	The draft case management protocol was developed and peer reviewed	To be finalized in the next period and disseminated to HRDs.
Human Rights Defenders	Successfully processed 11 HRDs attachments with	Attachment successfully completed

attachment to human rights organizations initiative	human rights institutions within the country and at regional and international level	
Meetings with HRDs	Ongoing Consultative meetings with HRDs during the period	NCHRD-K has incorporated meeting with HRDs as part of ongoing outreach work

ANNEXURES

Annex I: NCHRD-K in action.



Synergy Meeting to Identify Response Mechanisms for HRDs in East Africa.



NCHRD-K in partnership with Samburu Women Trust did a one day advocacy meeting between HRDs and Duty Bearers drawn from Laikipia, Isiolo, Baringo and Marsabit counties