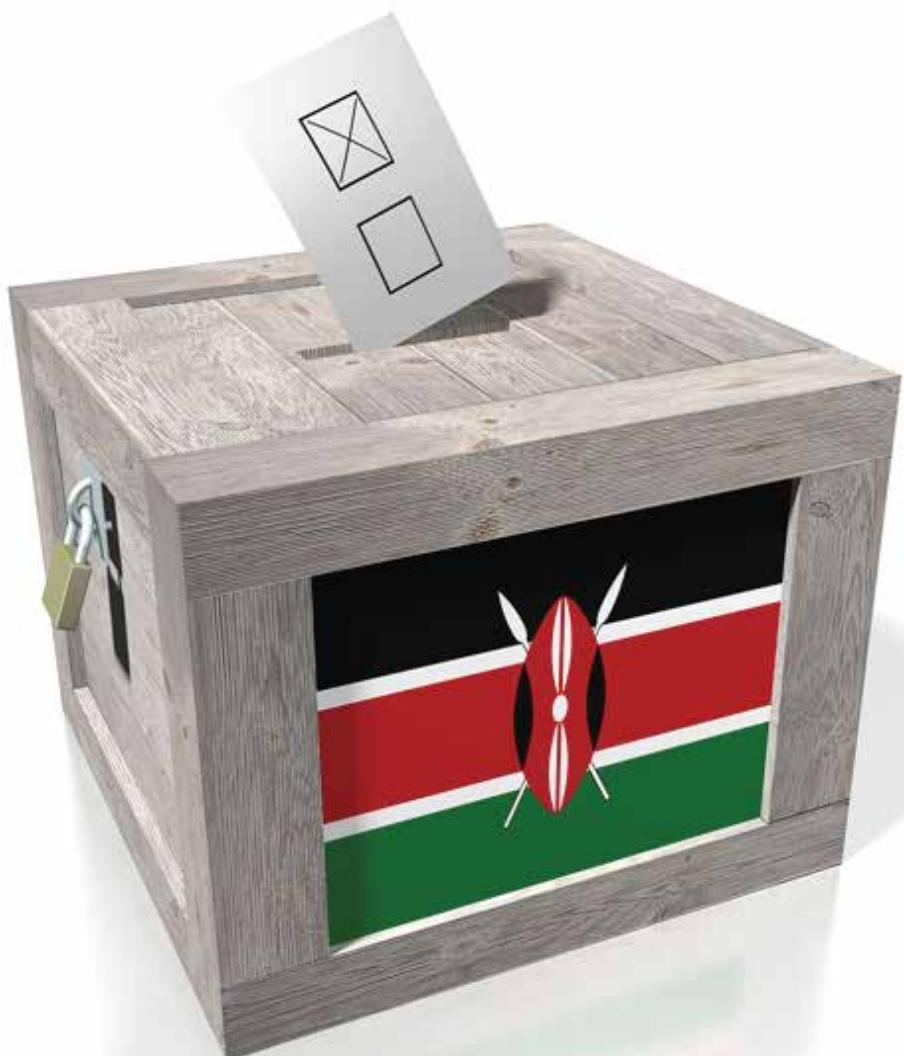


ISSUE 2, 2022

THE JUSTICE WATCHERS

JUNE JULY, 2022



NEWSLETTER

SAFETY | SECURITY | WELLBEING
OF HUMAN RIGHTS DEFENDERS

WHAT WE DO



Supportive Policy, Legal and Institutional Frameworks

The Defenders Coalition works to position itself as a thought leader and collaborative partner towards (re)formulation and/or enforcement of appropriate policies, laws, institutions and cultural norms that touch on the safety, security and wellbeing of HRDs



HRD Protection and Safety

The main aim of this pillar will be to facilitate timely and appropriate responses to all forms of threats or insecurities to HRDs.



Socio-economic wellbeing of HRDs

To facilitate HRDs to build their socio-economic resilience and attain an improved quality of life. Such support will also seek to ensure that HRDs are self-sufficient, easily access the basic necessities of life and live in dignity.



Institutional excellence

Defenders Coalition will see to consolidate its position as a dynamic, effective and sustainable organization.

#DefendersProtection



Defenders Coalition



@defenderske



@DefendersKE

EMERGENCY LINE

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Editorial



*Kamau Ngugi - Executive Director
Defenders Coalition*

The frenzy and excitement in the mouths and eyes of every Kenyan is enough indication that Kenya are looking forward to the establishment of a new government -of hope, inclusion, protects and promotes human rights and rule of law.

Despite the tribulations facing Kenyans ranging from the high cost of living, reduced quality of life, unemployment, stinking corruption levels, insecurity, attacks on the civic space and unwillingness of the state to adopt and implement progressive constitutional provisions and legislations such as the two third gender rule and the human rights defenders' policy, there is a glimmers of hope in the faces of many: that after taking part in choosing their next government on August 9 and they eventual outcome of the ongoing petitions at the Supreme Court of Kenya, they have an opportunity to actively hold it accountable

We are optimistic that the general elections will be conducted in a transparent manner, will be free, fair and verifiable to inspire our future generations on the fidelity of the current generations to our commitments to promoting the enjoyment of democratic rights and the rule of law.

Defenders Coalition welcomes the High Court judgment by Lady Justice Jessie Lessit on Mavoko 3, where human rights defender Willie Kimani was brutally murdered by police officers. The conviction of the three police officers and one informer as the murderers of the #Mavoko3 is the slightest success in the corridors of justice regarding human rights defenders in the justice system in Kenya. We hope that the same wheels of justice will turn for the other victims of police brutality including the #Kianjokoma Brothers, Baby Pendo, Vaite, Yassin Moyo and many more.

I welcome you to enjoy this read, where we tell the steps made in securing the safety and security of all cadres of Human Rights Defenders, Election monitor and observers, civil society organizations and grassroot organizations. You will have a feel of the skills impacted on HRDs, the advocacy work conducted and how the Defenders Coalition aspires to widen the network of champions of human rights and social justice in Kenya.

I urge you to continue supporting our work by sharing our work, partner with us or donate directly. More details on how to partner can be found on our website at www.defenderscoalition.org or talk to me on email: dk@defenderscoalition.org.

Kamau Ngugi

Executive Director - Defenders Coalition

Our Work During The Period

128

**HRDs Trained on
Physical and
Digital security
management**

40

**Journalists were
trained on security
management**

9

**HRDs/ groups of
HRDs continued
to Receive bail,
bond and legal
representation**

65

**SOGIE HRDs
Trained on
Physical and
Digital security
management**

23

**HRDs Received
general support**

17

Episodes in
mainstream and
community
media coverage

8

Sector Working
groups were en-
gaged during the
period.

2

Groups of HRDs-
received group
debriefs

105

Election monitors
continued to
monitor the elec-
toral
environment

1

CONTRIBUTING TOWARDS POSITIVE LASTING CHANGE IN SUPPORTIVE POLICY, LEGAL AND INSTITUTIONAL FRAMEWORKS



A. International Engagement at the 50th Ordinary Session at the Human Rights Council

In the month of May, the Defenders Coalition intensified direct engagements with international reporting mechanisms on the situation of HRDs in Kenya.

The Executive Director Mr. Kamau Ngugi and the Head of Programs Ms. Gloria Madegwa presented the situation of #HRDs in Kenya at the 50th session of the Human Rights Council.

Key among the presentations were:

1. SHRINKING CIVIC SPACE
2. RIGHTS OF SEXUAL MINORITY GROUPS AND RIGHTS DEFENDERS
3. RIGHTS OF WOMEN AND GIRLS, AND THE SAFETY AND SECURITY OF WOMEN HUMAN RIGHT DEFENDERS
4. EXCESSIVE USE OF FORCE BY LAW ENFORCEMENT AGENCIES AND EXTRA JUDICIAL KILLINGS



B. Engagement with stakeholders on Elections

From left: Defenders Coalition staff: Agnes Nyakio, Mwenda Ntai and Edward Alieth at an engagement with the IEBC on the access to polling stations by human rights monitors in June 2022.

The Defenders Coalition took part in various actions in preparations for the 2022 general elections:

- A. 7th June 2022: Attended the media Summit on Elections to discuss the role of the media in the electoral cycle.
- B. 22nd June 2022: ELOG CSOs Technical Working Group on election to discuss creation and establishment of a joint election situation room.
- C. 7th July 2022: Stakeholder engagement with the CSOs Technical Working Group on elections and secured commitments towards the establishment of a joint election situation room.

B. Engagement with stakeholders on Elections continued

- D. 11th – 12th July 2022: Attended the National Election Conference convened by the IEBC at KICC to share experiences on the conduct and management of election cycle as well as present measures that the IEBC has in place to ensure a free, fair and credible election.
- E. 15th July 2022: Solidarity meeting with HRDs vying for elective positions in the upcoming general elections.
- F. 19th July 2022: Attended IEBC Result Transmission Simulation at Bomas as the electoral management body prepared to conduct the elections.
- G. 22nd July 2022: Meeting with OHCHR to share updates on monitoring and strengthen synergies.



C. Missing Voices Coalition

Following the launch of the Missing Voices Annual Report dubbed **Delayed Justice**, the Missing Voices Coalition embarked on complimentary activities to engage with relevant stakeholders to take action against enforced disappearances and extrajudicial killings in Kenya.

- Launch of the Uwaga Music Video – The video which was filled with messages to awaken the consciousness of listeners to the reality of police brutality was launched with color an pomp at the Kenya National Theatre. There were performances by the Social Justice Travelling Theatre, Juliani, Story telling activists, mothers of victims of EJs and a gallery exhibition to crown the day.

- Defenders Coalition took part in a 4-day training of 40 journalists on Election Security, Human Rights and Safety in Eldoret. On the first day, the journalists were taken through the mandates of IPOA and Internal Affairs Unit and available mechanisms put in place to monitor police abuse during election.

The Journalists were also trained on basic security management by Defenders Coalition.

The Missing Voices Coalition proceeded to local communities in Eldoret, where we sensitized members of the communities to take part in efforts that promote police accountability.

D. Enhancing the visibility of the role of Human Rights Defenders in elections and consequently Defenders Coalition

We intensified our efforts to promote positive narratives about the work of human rights defenders and their critical role during elections. We emphasized and called for communities and the government to support their work, which included calls for increased safety and security for HRDs.

See pictorials below.





DRIVE YETU

15TH
JULY
FRIDAY
FROM 4PM-8PM

HOSTED BY
FACILITATOR MIKE
PETER PAS



GUESTS
Florence Mwangi
(WHRD)
Willie Oeba
(ARTIVIST)

ROLE OF HUMAN RIGHTS DEFENDERS (HRDS)
IN THE UPCOMING ELECTIONS 2022 & HRD AWARDS 2022

CALL/TEXT 0707306155 OR 0734360120

STREAM
zeno.fm/radioyetu
#WEWEHANIMIDA

E. Mainstream and Community media coverage of Human Rights Defenders - Media Links

- <https://youtu.be/WzAPWfmilvc>
- <https://youtu.be/CheHQI96uaw>
- <https://fb.watch/dCT72ocfGY/>
- <https://nation.africa/kenya/news/gender/raya-famau-real-change-begins-with-activism-3848164>
- <https://nation.africa/kenya/news/gender/meet-rukia-a-young-woman-championing-men-s-rights-3848382>
- <https://nation.africa/kenya/news/gender/vihiga-woman-relishes-rights-advocacy-despite-hurdles-3848958>
- <https://youtu.be/N3ZGKknELgg>
- <https://nation.africa/kenya/news/gender/raya-famau-real-change-begins-with-activism-3863168>
- <https://nation.africa/kenya/news/gender/clandestine-biwott-fgm-an-insult-to-human-dignity-3877168>
- <https://nation.africa/kenya/news/gender/standing-up-for-humanity-a-rights-defender-speaks-3877550>
- <https://nation.africa/kenya/news/gender/women-human-rights-defenders-tell-of-mental-health-structures-3879010>
- <https://nation.africa/kenya/news/gender/how-conflicts-reverse-pastoralist-women-s-gains-3885262>



F. County level engagement with the Court Users Committee and civil society actors in Nakuru County

For close to a year now, news from Nakuru County has been devastating. The media, Defenders Coalition and other partners have documented the emergence of criminal gangs that continue to cause mayhem and destroy the lives of many. The frequency of crime from the criminal gangs has escalated during the election season. The manner and nature of criminal activity has evolved to one that is brutal and leaves behind a trail of unimaginable violations among women and girls.

It is against this backdrop that the Defenders Coalition and the Court Users Committee of Nakuru, led by Professor Justice Joel Ngugi of the High Court of Kenya, came together to assess the issues within Nakuru Community and to collectively come up with strategies to engage members of the community to take action and say no to the violations of human rights as is being witnessed.

Defenders Coalition is happy that through the meeting, the stakeholders developed a guiding framework for pushing for the realization of a just and crime free Nakuru using human rights based approaches.

The agreed common plan of action included the following:

1. Sensitization, engagement and awareness (active role of citizens)
2. Training and mentorship
3. Rehabilitation and well being
4. Socio-Economic empowerment and alternative economic models
5. Research collaboration and multi stakeholders approaches
6. Accountability of all stakeholders
7. Effective administration of justice

G. Call for nominations for the Annual HRD Awards 2022

Civic space in Kenya continues to be under pressure as a range of actions is being directed against the work of Human Rights Defenders (HRD) and Civil Society Organizations (CSO) in Kenya. Physical attacks, criminal and administrative actions, reprisals, legislative restrictions, negative rhetoric and limitation of human rights have undermined the constitutional and international protections available to HRDs.

It is against this backdrop that the Working Group on Human Rights Defenders in Kenya, which brings together CSOs, the United Nations, missions and development partners concerned with the protection of HRDs, is organizing the seventh (7th) edition of the HRD Awards on Friday, 2 December 2022.

The aim of the ceremony is to honor and publicly recognize the important work of HRDs in Kenya, by giving out awards to individuals who have demonstrated courage, innovation and impact in the promotion and protection of human rights and fundamental freedoms.

Award Categories are:

- 1. The Munir Mazrui Lifetime Achievement Award.*
- 2. The Human Rights Defender of the Year Award.*
- 3. The Upcoming Human Rights Defender of the Year Award and*
- 4. The Global Solidarity Award*

20 HUMAN RIGHTS DEFENDERS AWARDS

CALL FOR NOMINATIONS

Nominate a Human Rights Defenders who has demonstrated courage and impact in the promotion of human rights and fundamental freedoms in Kenya.

**NOMINATIONS OPEN UNTIL
17 AUGUST 2022**

**VISIT WWW.DEFENDERSCOALITION.ORG TO
NOMINATE A HUMAN RIGHTS DEFENDER**



Follow us on our social media handles:

Website: www.defenderscoalition.org



Defenders Coalition



@defenderske



@DefendersKE

JUNE, JULY, 2022



Defenders Coalition Executive Director kamau Ngugi (Centre) flanked with other civil society actors delivering a press statement at the end of the Civic Freedoms Forum summit on 13 July 2022 in Nairobi

H. National Civic Freedoms Forum Summit

Under the auspices of Civic Freedoms Forum (CFF), the Coalition of civil society actors convened the Civic Space protection Summit between 13 and 14 July in Nairobi. The meeting brought together Civil Society Leaders, Political players and Policy actors and other relevant stakeholders to review the civic space status in the Country as August 9 Polls approach for renewals of commitment by the duty bearers including Presidential aspirants to protect civic space during and after elections.

The summit achieved the following:

1. Duty bearers and political players committed to protect civic space during the 2022 election period
2. Duty bearers and elected political players commit to ensure responsive legal/policy frameworks and administrative action beyond 2022.



I. Annual Indigenous Women Council

Between 11- 13 July, the secretariat of the Annual National Indigenous Women Conference that comprises Samburu Women Trust (SWT) and Defenders Coalition team organized the 7th Annual Indigenous Women Council themed 'Enhancing indigenous women meaningful participation in politics, land and natural resource decision making processes.

The conference brings together Human Rights Defenders, Indigenous women and women leaders in the national and county assemblies, CSOs/NGOs, government commissions, funders and development partners in crafting a road map for the inclusion of indigenous women in political, developmental in

making policies and partnership in closing the inclusion and non-discrimination gap.

Key outcomes from the conference include:

1. Enhanced linkages and learning platforms for information sharing and improved knowledge management among indigenous women including from the United Nations Office of the high Commissioner on Human Rights and the National Gender and Equality Commission.
2. Strengthened synergy building and networking among indigenous women to create a vibrant indigenous women movement that can address issues that affect them.
3. Secured commitments from the National Lands Commission (NLC) a) to accelerate registration and restoration of all land belonging to indigenous communities in the Arid and Semi-Arid lands (ASALs) counties in accordance with the Community Lands Act, 2016.

2

HUMAN RIGHTS DEFENDERS PROTECTION AND SAFETY

128

HRDs Trained on
Physical and
Digital security
management

6

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HRDs continued
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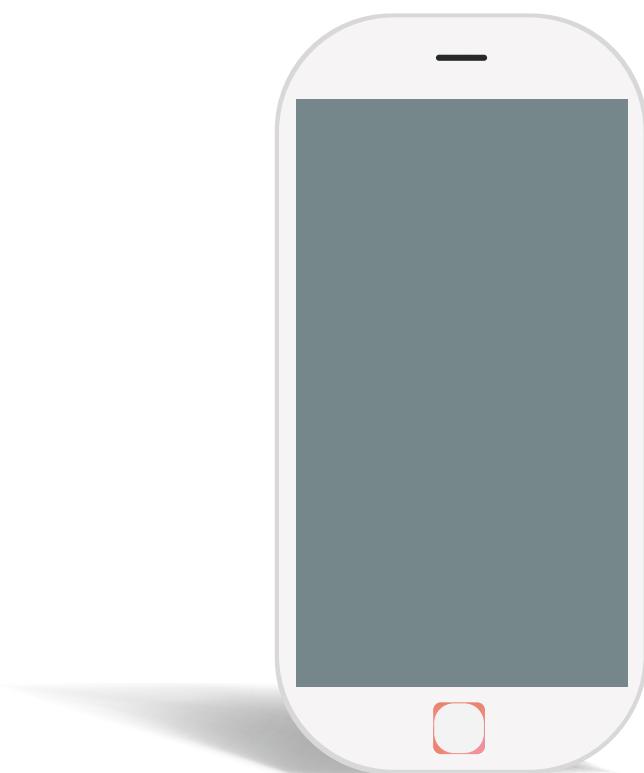
SOGIE HRDs
Trained on
Physical and
Digital security
management

#DefendersProtection

EMERGENCY LINE

+254 716 200100

A. Strengthening digital infrastructure for HRDs



Mobile Application for monitoring and reporting HRD violations

The Defenders Coalition has successfully revamped its mobile application - Mtetezi for purposes of reporting human rights violations. The application also has features including panic button for rapid response.

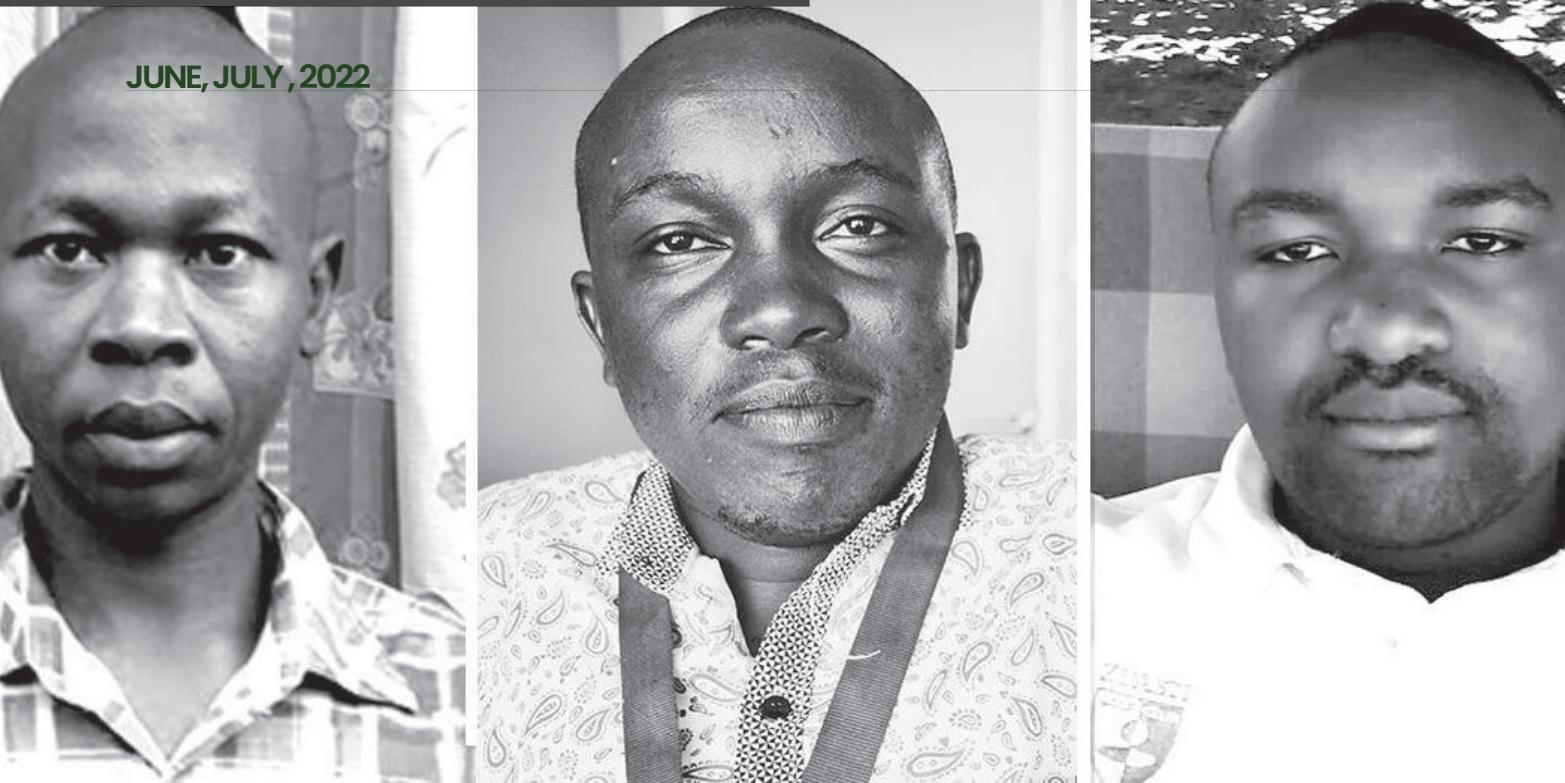
E-learning Application

Defenders Coalition continues to make available our e-library, a platform for remote learning. Learners can access modules including principles to human rights, monitoring, documentation and reporting, security management.

Learners also have access to a pool of resources including literature and knowledge generated from research over the years.

Download both mobile applications from Google Playstore and Apple Store or visit www.defenderscoalition.org

Defenders Coalition has a world-class digital security management desk. Reach us on ict@defenderscoalition.org for any support on digital security and safety.



B. Justice delivered for #Mavoko 3 (Human Rights Lawyer, his client and a taxi driver murdered in June 2016)

Twenty-one (21) organizations working under the umbrella of The Police Reforms Working Group welcome the conviction of three police officers and a police informer for the murder of lawyer Willie Kimani, client Josephat Mwenda and driver Joseph Muiruri in 2016.

Speaking after the judgement in the High Court today, The Police Reforms Working Group demanded that the Government of Kenya provide monetary compensation for damages caused to victims, medical, psychological care, and rehabilitation for any form of physical or mental damage, as well as legal and social rehabilitation. The 21 organizations called on the Government of Kenya to ratify, without any reservations, the International Convention for the Protection of All Persons from Enforced Disappearance and to investigate and prosecute all cases of Enforced Disappearances and Extrajudicial Killings in the country.

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The group called on the Attorney General and Parliament to effectively implement the National Coroner's Service Act 2017 and appoint a Coroner General to oversee its implementation; to criminalize enforced disappearances; and to ensure that all police killings are swiftly and impartially investigated to ensure that any use of lethal force by police officers is lawful. Finally, the Group called on the Judiciary to expedite the hearing and conclusion of all matters related to extra-judicial killings and enforced disappearances.

The Mavoko case demonstrates that there is a glaring absence of justice in the case of enforced disappearances. Without the identification of bodies, no cases can be brought to bring justice to bear for those persons who have been arrested by police, but never booked and whose bodies still have not been found.

The High Court judgement finding four police officers (Fredrick Leliman, Stephen Cheburet, Sylvia Wanjiku and Leonard Mwangi) and police informer Peter Ngugi guilty of murder closes the 6-year-old case of the Mavoko 3.

Six years ago, human rights lawyer Willie Kimani, client Josephat Mwenda and driver Joseph Muiruri were abducted on their way from Mavoko Law Courts where they had attended court. One week after their disappearance, the bodies of the three were found dumped in river Athi in Ol Donyo Sabuk.

This heinous act sent chills across the country and was widely condemned in the wake of allegations of cases of increased extra judicial killings and enforced disappearance by our police service. Sadly, this case is just one of the many cases of police killings and enforced disappearance reported in Kenya with families frequently not getting justice or experiencing seriously delayed justice. That is why today we are saying Justice Now for all victims of police killings and EDs.

Despite calls for an end to enforced disappearances and police killings, the cases continue to rise. Police killings are assumed by the Police Service to be a lawful use of force, without any investigation to ensure that. Missing Voices documented 145 cases of police killings in 2019; 158 cases of police killings and 10 cases of enforced disappearances in 2020; and 187 cases of police killings and 32 cases of enforced disappearances in 2021.

IPOA has recorded that they received reports of 123 cases of deaths by police action, 46 deaths in police custody and 28 cases of enforced disappearance in 2021 alone.

The brutal murder of Willie Kimani, client Josephat Mwenda and driver Joseph Muiruri struck a chord for many Kenyans that this kind of violence could happen to them too. We must stop this pattern of serious crime.

C. Statement over the unlawful arrest, detention, and disruption of a meeting organized by SOGIE HRDs in Malindi by the Kenya National Police service officer

Wednesday, 27th July 2022

The National Coalition of Human Rights Defenders (Defenders Coalition) condemns the targeting for harassment, and unlawful detention of four SOGIE human rights defenders(HRDs) on Wednesday, 20th July 2022 at 9.40 am in Malindi.

We are concerned that the spate against HRDs, specifically LGBTQI+ is escalating based on the publicized happenings in recent months.

The four HRDs were arrested by police officers from Malindi Police Station while participating in a lawful assembly to organize issues affecting the LGBTQI+ community in the coastal region of Kenya.

Our investigations reveal a well-coordinated plan by the security agencies to cripple the LGBTQI+ movement by systematically harassing and intimidating SOGIE HRDs. The investigation revealed that the Malindi Police station OCS accompanied by four other police officers stormed the venue where close to 30 HRDs were meeting and discriminately arrested the four HRDs.

Article 27 of the Constitution of Kenya emphasizes the freedom of all citizens of Kenya to have the inherent right to full and equal enjoyment of all rights and fundamental freedoms including freedom from discrimination directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth full and equal enjoyment of all rights and fundamental freedoms.

Their crime, according to the OCS, was that they were illegally assembled. It is baffling and unconstitutional that the OCS demanded that the HRDs produce a permit for holding the meeting.

We are concerned because, despite the fact that the premises were hosting other meetings, it was only the meeting by SOGIE HRDs that was declared illegal and needed to produce a meeting permit.

It is unfortunate that the HRDs were put through a series of vacillating actions between the office of the Directorate of Criminal Investigations and the National Police Service before being released.

It took the intervention of one of the various civil society actors for the OCS to release the HRDs on the condition that they should not continue assembling.

We are worried that even when the HRDs opted to have the meeting in another venue, they were forced to conduct their meeting with police officers in their midst.

It is on this backdrop that the Defenders Coalition is concerned that the limiting and discriminatory legal framework in Kenya on the rights of sexual minorities is increasing the vulnerability of SOGIE persons to bias and social stigma, discrimination, economic impact, and the risk of violence and intimidation.

The arbitrary arrest, unlawful detention, and intimidation of the SOGIE HRDs led to fear, anxiety, trauma, humiliation, and the dehumanization of the SOGIE Community members.

Defenders Coalition calls:

1. On security and law enforcement agencies to cease from targeting all HRDs, including SOGIE persons, for arrest, harassment and intimidation and instead commit to ensuring they received service and security to be able to do their work free from any form of insecurity.
2. The International Community including the United Nations Agencies – Office of the High Commissioner of Human Rights to reign their voice in condemning unlawful restrictions of individual on the basis of perceived race, religion or sexuality.



OTHER UPDATES

Defenders coalition's ICT Officer Ahmed Shire taking through members of the #QueeringTheBallot through digital security management Tips

CAPACITY BUILDING

Key to enhancing the safety and security of HRDs, is to equip them with necessary skills to do their work safely and limit the exposure, both for them and victims of violations, from any forms of risks.

During the period we enhanced the capacities of 128 HRDs.

Key in the training is the enhancement of the capacities of the staff members at the secretariats of the Independent Medical-Legal Unit and Transparency International.

Civil Society Organizations

We trained staff at secretariats of 3 organizations:

- Independent Medico-Legal Unit
- Transparency International
- Amkeni Malindi

Individual HRDs

We trained 65 HRDs in Mombasa, Kisumu and Kiambu Counties.

3

SOCIO -ECONOMIC WELLBEING OF HUMAN RIGHTS DEFENDERS

This area of focus is concerned with supporting HRDs to engage in productive activities so as to increase self-reliance and income security as well social wellbeing to defend rights with dignity

During the period, a total of 23 HRDs receive psychosocial and medical support.

1. One group consisted of 19 individual HRDs who were taken through a group debrief.
2. Four HRDs received various forms of support for their pyschosocial and medical wellbeing.

A. Wellness Webinar

On Friday 8th July 2022, Defenders Coalition held a webinar on compassionate fatigue. The webinar focussed on enlightening HRDs on how they are susceptible to this, how it occurs over time due to vicarious trauma brought about due to their frontline work with victims and survivors of violence and violations and also took HRDs through self care tips.

B. Yoga Session

This followed the wellness webinar. The power Yoga wellness sessions gave the HRDs an opportunity to congregate for the morning workout and focus on their physical well being.



C. Defenders Coalition Staff Received Capacity enhancement

Participants of the regional Security management Tarining of Trainers in Kampala, uganda pose for a photo. (4-8 July2022

During the period, two (2) staff of the Defenders Coalition received capacity enhancement to become trainers in:

- Physical securitymanagement
- Advocacy and engagement with international reporting mechanisms

The trained staff will continue to support human rights defender, civil society organization in strengthening the physical security management as well as capacities to engage with regional and international advocacy platforms.

Defenders Coalition Secretariat

Continued to have a team of professional and passionate staff and volunteers at the secretariat who continued to offer support to program work and other special projects as required.

WALL OF HUMANITY

This page is deliberately left blank for you to scribble something and share with us some of the successes you experienced towards the promotion and protection of human rights during the period. We are happy to read and tell the whole world about it. Share the stories with us via communication@defenderscoalition.org.



THANK YOU

Sigrid Rausing Trust

Ford Foundation

Royal Norwegian Embassy in
Nairobi

American Jewish World
Service

Fund for Global Human
Rights

Open Society Foundations

Defend Defenders.

United Nations Office of the
High Commissioner on Human
Rights

ASTREA Foundation

Urgent Action Fund

JASS Foundation

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