

ISSUE 4, 2022

THE JUSTICE WATCHERS

AUGUST, SEPTEMBER, 2022



Emphasizing mental wellbeing among HRDs & strengthening mental healthcare by enhancing accessibility, affordability & quality community-based care.

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

+254 716 200100

Recognition



I wish to convey huge milestone in the promotion and protection of human rights and human rights defenders in the sub region.

This past week I was deeply honored and humbled when delegates from all the East and Horn of Africa Human Rights Defenders Project countries gathered in Kampala, Uganda at the 4th #DefendDefendersGA2022 elected me to Chair the Regional Network for the next 5 years.

I wish to thank the entire HRD family in the region for trusting me with such an enormous assignment during a very turbulent period. Together we shall make a difference.

Thank you all the delegates, Team @DefendDefenders led by brother Hassan Shire, Team Defenders Coalition and to all of you HRDs and friends who believe in me, a huge thank you .

May my contribution make a difference in someone's life and the people of the world.

Kamau Ngugi,
Executive Director - Defenders Coalition
Chairperson -EHAHRD-Net

Our Work During The Period

30

HRDs Received
an array of rapid
response ser-
vices

2

Groups of HRDs
Received group
debriefs support

5

HRDs received
medical support

10

HRDs Received
psychosocial
support

15

Received
Relocation
support



1. >>>

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

A. Thank you for Nominating outstanding HRDs for the Annual Human Rights Defenders Award, 2022 (HRDAwardKE)

The Working Group on Human Rights Defenders and the Defenders Coalition received a total of 642 nominations for the annual human rights defenders awards 2022.

This is an increase of% from last years nomination where Nominations were received.

Following the closure of the nomination period, the panel tasked with selecting, verifying and shortlisting nominations has swung in full swing in the role.

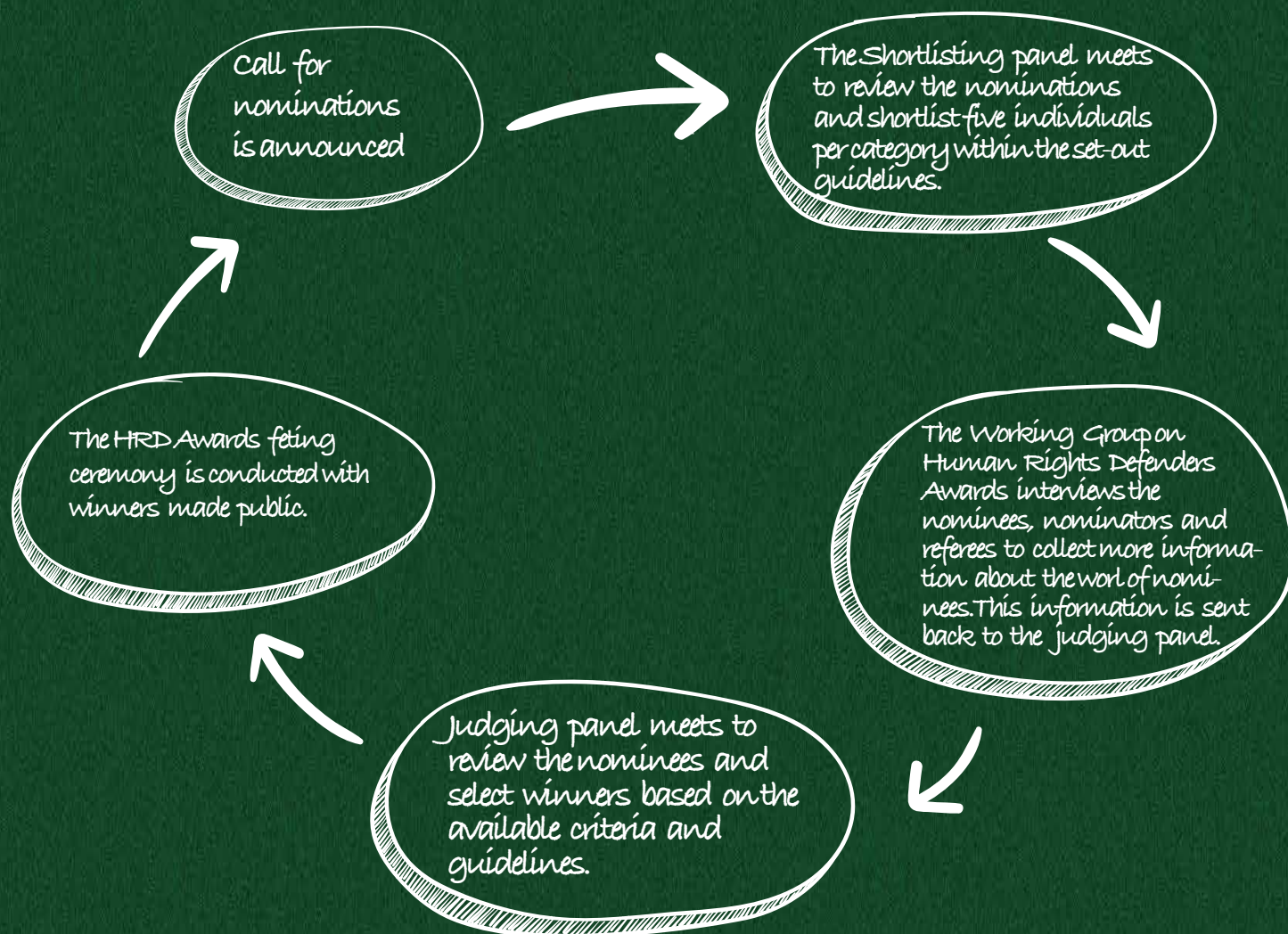


We thank all of you for the solidarity in submitting quality nominations to allow outstanding community human rights defenders an opportunity for recognition for their inspiring work. We shall send invitations for all to be part of the 2022 awarding ceremony which will be held on 2 November 2022.



Rachael Mwikali, Chairperson HRD Awards Judging panel

The Human Rights Defenders Awards cycle



Important dates to look out for

1 First week of November – An indepenedent jury will meet to select the winners of HRD Awrds 2022 and within the set guidelines. The idenbtity of the winners will remain confidential until the time of annoucement.

2. 2 December 2022 – The winners will be announced in a public awarding ceremony. The winners will receive plaques and cash prizes



B. International Day of the Victims of Enforced Disappearances

On 30 August 2022, Defenders Coalition joined Human Rights Defenders & Civil society organizations in raising awareness on enforced disappearance.

Through the MissingVoiceske, various stakeholders were brought together to secure commitments towards the criminalisation of enforced disappearances by law.

Why are we concerned with the crime of forceful disappearance of persons?

Enforced disappearances is a technique used to spread terror within the society through arrest detention or abduction against ones will and the whereabouts of the victims continue to remain unknown due to non-cooperation and refusal to disclose their whereabouts by the government.

In Kenya, hundreds of persons have been reported missing without trace with little information from the government. On many occasions Human Rights Defenders and witnesses of various human rights violations have been victims of these vices.

Enforced disappearances has a serious impact on the families of the disappeared victims including mental anguish.

Communities affected also are known to experience a deep feeling of insecurity and degradation of their economic situation.

Defenders Coalition joins others in calling an end to enforced disappearances.

C. HRDs from Naivasha face civil arrest for advocating for access corridor to Lake Naivasha

Three Human Rights Defenders from Naivasha risk civil jail for advocating for access corridors to Lake Naivasha.

The three, Paul Mworira, Benson Muhiu and Karobia Kiratu of the White Eagle Self Help Group were sued jointly with the county government of Nakuru and the Speaker of the County Assembly of Nakuru by private business establishments along the shores of Lake Naivasha.

White Eagle Self Help Group had petitioned the County Assembly of Nakuru in 2018 to determine the opening up of access corridors to Lake Naivasha by members of the public.

Nakuru County Assembly resolved that all corridors to the lake be opened to the public (including an alleged public corridor between the adjoining parcels of land of the petitioners) on 10th July 2018.

This was a relief for the local HRDs and members of White Eagle Self Help Group because this meant that they would have unlimited access to the lake which is a source of their livelihoods as fishermen and recreational resource for members of the public.

Unhappy with the decision, the private developers accused the three HRDs, White Eagle Self Help Group and the Speaker of Nakuru County Government of invading their land and cutting down fences to create a corridor(s).

The matter was heard and determined on 24th June 2022, by Hon. Judge D. Ohungo, the Court inter alia, where he quashed the resolution of the County Assembly of 10 July 2018 that had compelled the petitioners (Private Developers) among others, to open public access corridors to the lake, enjoined the County Government of Nakuru and the HRDs from any interference with the petitioners lands and ordered the HRDs, the White Eagle and the County Government of Nakuru to pay costs for the two petitions.

The court further awarded costs to the Petitioners who have since drawn up a bill of costs amounting to 46.95 Million Kenya Shillings and 1.438 Million respectively.

While the Defenders Coalition has been supporting them on legal representation in the matter, neither the separate bills nor the total bill is within the means of the HRDs and the White Eagle Self help group .

The matter is coming up for a ruling on the taxation on the 1st bill of cost on 8 December 2022, where the court will rule on the amounts that the HRDs and White Eagle Self Help Group will be liable to pay.

2.



TOWARDS THE SAFETY AND PROTECTION OF HUMAN RIGHTS DEFENDERS IN KENYA

The main aim of this pillar will be to facilitate timely and appropriate responses to all forms of threats or insecurities to HRDs. This will be achieved by strengthening the capacities of HRDs and other service providers, more so, duty bearers, lawyers, medical personnel and counsellors among others.

Defenders Coalition intervenes in a timely way whenever HRDs are at risk and deliberately establishes strategic partnerships with complementary referral systems in order to ensure a systems approach to HRD support.

Our Work During The Period



A. FROM THE COURTS THIS WEEK: SOLIDARITY AND UPDATES ON ONGOING MATTERS AGAINST HRDS

1. HEARING ON TRUMPED UP CHARGES AGAINST TWO HRDS GOES ON IN NANYUKI LAW COURTS

On 28/9/2022, two HRDs appeared in Nanyuki Law Court for a hearing where they were charged with obstructing police officers from conducting their work. The two HRDs were arrested for standing up against police impunity and extortion in June 2022.

The matter proceeded for hearing after two police officers testified. The next hearing is on 10 November 2022.

2. PROSECUTION OF THE MURDER OF ELIZABETH EKARU IN MERU HIGH COURT

Following an application for bail/bond by the accused, ruled that the accused is not fit to be granted bail/bond on 29 September 2022.

The ruling was delivered after a series of court appearances that further delayed the commencement of trial of the accused on the gruesome murder of Elizabeth Ekaru on 3 January 2022.

The matter was adjourned to the 5th December 2022 for a hearing of the Suit.

3. THE HEARING OF CASE PERTAINING CRIMINALIZATION OF THE RIGHT TO ASSEMBLY FOR FIVE (5) HRDS IN TURKANA POSTPONED

The hearing of the matter continues, where the five HRDs were arrested and charged with unlawful assembly, creating disturbance and incitement to violence failed to take place.

The matter was adjourned to 27 October 2022 where the hearing is expected to take place at Lokichar Law Courts.

4. HEARING ON THE TRUMPED UP CHARGES AGAINST TERESIA KANINI FAILS TO TAKE PLACE IN KIGUMO LAW COURTS

Defenders Coalition continues to offer support to Teresia Kanini, a land rights defender from Muranga County.

Teresia has trumped up cases ranging from trespass, malicious damage to property and threatening to kill. All these charges are as a result of fiercely protecting and promoting the land rights of Mithiini squatters – a community of over 30,000 squatters living on a 7.2 hectares piece of land in Muranga County.

The matter was coming up for hearing however it did not proceed as the witnesses were not available. Matter was listed for mention for a further hearing date on October 25.



B. MAPPING EXERCISE OF CIVIL SOCIETY ACTORS IN UASIN GISHU, TURKANA, NAKURU AND ELGEYO MARAKWET COUNTIES

In the month of August and September, Defenders Coalition conducted mapping of civil society actors within UASIN GISHU, TURKANA, NAKURU AND ELGEYO MARAKWET Counties. The Mapping is part of the efforts to identify actors concerned with civic space for strengthening and building an ecosystem that protects civic freedoms collectively within those counties.

The mapping exercise will culminate in a report on which organizations exist, their structures capacities and formation of networks.

The Defenders Coalition is concerned with strengthening human rights defenders and civils society actors from the four counties, consolidate their various struggles and create an ecosystem of actors with the ability to protect civil rights and ringfence the ones provided for by the 2010 constitution.

The county networks are for purposes of offering support to one another, as a collective.



Monitoring of the 2022 General Elections by Defenders Coalition and Human Rights Defenders

Summary report of those at the frontline promoting and protecting rights in elections

C. 2022 ELECTION MONITORING EXERCISE WAS A SUCCESS

Defenders Coalition monitored the preparedness and processes of the just concluded 2022 general elections and focused more with a human rights lens to identify gaps and ways in which they can influence the respect for human rights in the election process. 105 HRD monitors were trained, acquired skills and deployed to monitor in 29 counties across Kenya that had been mapped out as potential hotspot areas during the election period.

We are happy that the election monitors used our revolutionary phone-based reporting application monitoring tool called Mtetezi, to support monitoring and reporting of human rights violations during and outside the elections context.

The milestones made during the period include:

- 1. Equipped over 400 HRDs and individuals with advanced skills on monitoring, documentation and reporting; and security management.***
- 2. Strengthened synergies with partners/stakeholders with highly coordinated information sharing of useful information.***
- 3. Enhanced our rapid response systems through strengthened referral pathways.***
- 4. Consolidated monthly situational reports with recommendations proposed to be adopted by relevant actors during the post-election period.***

VIOLATIONS DOUCMENTED AND ADDRESSED

1. Increased attacks on journalists and the media
2. Increase in misinformation and disinformation through verified and unverified accounts on social media platforms.
3. Failure of KEIMS kits in some counties i.e., Kakamega, Busia, Migori, Nairobi, Nakuru etc.
4. Sporadic chaos/violence at different polling stations i.e. Lugala, Isukha and Shinyalu sub-counties in Kakamega county, Lamu county etc.
5. Elderly persons were denied to vote in a significant number of polling stations after their fingerprints failed to be detected through the KIEMS kit.
6. Reemergence of criminal gangs/goons at polling stations
7. Mix up of ballots papers i.e., in Yatta

D. FEEDBACK FROM BENEFICIARIES OF OUR WORK DURING THE PERIOD

Thank you

I lack better words to express my gratitude for the great relief. I've had a really breather n I guess everyone one else did. Thank so much DEFENDERS COALITION. Am going back a better stronger and bolder. Journey mercies to all.
Inshallah 🙏🙏🙏

12:40

As a HRD , this is fantastic news as a recipient of being gotten from jail by Defenders, having a lawyer show up for me I know how important it is for HRDs to be taken care off.

Thank you Swedish Embassy for supporting and believing on our purpose and work.

Viva Defenders Coalition Viva

➦ Forwarded

I really appreciate all of you for everything. DEFENDERS COALITION thanks for opportunity I don't take it for granted. COMRADES Asante sana pia. Siku ingine pia. Safari Njema kwenu. Mimi already Niko kwa nyumba.

12:40

More power to you Defenders Coalition and more power to all Kenyans up justice and the rule of Law.

We always pray for the Lord to guide and help the whole team at Nchrd Kenya . You are doing a commendable job in Kenya protecting HRDs.

3.



**TOWARDS THE SOCIO-ECONOMIC WELLBEING OF
HUMAN RIGHTS DEFENDERS**

A. SHEDDING LIGHT ON MENTAL WELLBEING

In the month of September, the Defenders Coalition continued to publicly share information on mental wellbeing: Misconceptions and facts. Defenders Coalition continues to be deliberate on shaping narrative about human rights defenders and their work, specifically on mental wellbeing.

The Defenders Coalition is conscious about the stigma and self-censorship associated with the deteriorating mental health issues and the harsh working environment for HRDs in Kenya.



B. DEBRIEF WITH HUMAN RIGHTS DEFENDERS VYING FOR ELECTIVE POSITIONS IN THE AUGUST 9 ELECTIONS



On 30 September 2022 – 1 October 2022 Defenders Coalition conducted a debrief with 15 HRDs who had vied for elective positions during the August 9 general elections. The debrief served as a platform for sharing experiences, lessons and opportunities for support for HRDs in their everyday organizing.



C. FEATURE STORY ON THE MENTAL WELLBEING OF WOMEN HUMAN RIGHTS DEFENDERS BY DAILY NATION NEWSPAPER

When it comes to mental health, people rarely think about women human rights defenders (WHRDs), yet they are the first responders when communities and families are in distress over rights violations such as eviction or sexual abuse.

World Health Organisation defines mental health as “a state of well-being whereby individuals recognise and realise their abilities, are able to cope with the normal stresses of life, work productively and fruitfully, and make a contribution to their communities.”

According to the Ministry of Health, about 25 per cent of outpatients and up to 40 per cent of in-patients in Kenya’s health facilities suffer from mental conditions, which include depression, substance abuse, stress and anxiety disorders.

We seek to find out the mental health challenges Kenya’s WHRD face. \

Suffering ignored

Ms Mary Komen, is a WHRD from Sengwer, an indigenous community that inhabits Embobut Forest, Elgeyo Marakwet. Since 2009, they have fought for their land rights

amid frequent evictions by the government. She advocates her community’s human rights.

Members of her community too know her as the go-to-person whenever a woman or girl has been sexually violated. But this work has left her with a health burden.

She says she suffers from anxiety and panic attacks caused by consistent threats to her life.

“Whenever I see a call from an unknown number, I get nervous. Sometimes, I don’t pick because of fear, yet it would be just a friend calling,” she says.

She recalls an incident from 2020 in which unknown people would call her demanding to know her whereabouts. Strangers would also visit her home claiming to be her brothers. Around this time, she had led aggressive campaigns against a European Union-funded climate project in the forest.

“We were opposing it because we were not involved from the onset,” she says.

The intimidation forced her to go into hiding for a month. At first, she spent her days and nights in the forest before the Office of the Director of Public Prosecutions came to her aid and supported her to find a decent refuge.

Many times, she has considered exiting the stage, but it has been difficult. People have for years known her as a strong defender of their rights and giving up is a chance they are unwilling to accept.

Every time she tells herself she is done with the work, a community member appears with a call for help, she says. “Sometimes I ask myself: ‘Should I go to the police to declare that I have retired from this work?’

Getting help a challenge

Ms Christine Wandera, a Nairobi-based human rights defender, reckoned that how to get help for those in need is a challenge that often mentally disturbs.

“Consider a case of a survivor who has been battered and they need your help, yet you do not know how to help them or even have money to get them to a safe place. It affects your mental health as you go thinking: ‘How do I help this person? Where do I hide them?’” she says.

“There are cases where you attempt to rescue a woman and the husband comes after you with a machete. It is traumatising.”

Then comes sexual harassment from either a survivor or a colleague. This, Ms Wandera says, is “very traumatising”.

She has found a way to keep check of her mental health and that of her colleagues. They meet regularly to play interesting games like duck-duck-goose, a kindergarten game.”

Mr Kamau Ngugi, the executive director at Defenders Coalition, a national organisation that represents more than 3,400 human rights defenders in Kenya, says WHRDs suffer trauma from their heavy duties.

“They carry a burden for the whole society. Everyone who has an issue offloads on them because they are considered as the brave ones in society.”

He says some WHRDs “are deeply engaged with cases of violations that they begin to develop mental health disorders like anger issues...they start having nightmares.”

“There are cases where you attempt to rescue a woman and the husband comes after you with a machete. It is traumatising.”

WHRD – Christine Wandera

Awareness

He calls for sensitisation of communities so that people are aware of the mental health issues WHRDs face and offer them the necessary support.

The organization, however, provides psychosocial support to WHRDs in need. Mr Ngugi says they have hired counsellors to address their mental health conditions and introduced group therapy, where they share their experiences. Through these sessions, they can identify extreme cases that need immediate attention.

Since 2019, the coalition has also run an annual Climb for Justice campaign, which breathes life into WHRDs’ work and relieve their burden.

During the eight-day adventure involving climbing a selected mountain, the WHRDs fund-raise and raise awareness of the impact of their work.

Death threats

In Kenya, WHRDs also face death threats. For the past year, two of them have been killed and another two attacked. In January 2022, Elizabeth Ibrahim, a women's rights advocate, peace champion and environmental and land rights defender from Isiolo County, was killed allegedly by her neighbour over a land dispute.

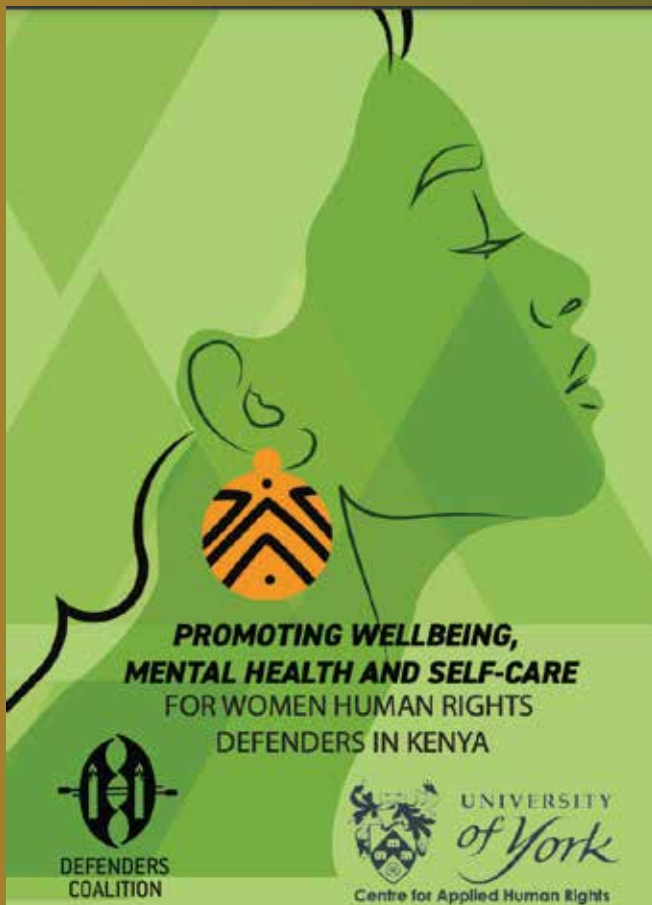
In the previous year in July, Joannah Stutchbury, another human rights defender and environmentalist from Kiambu County, had been brutally murdered for standing up against environmental injustice in Kiambu Forest.

A month later, two women environmental activists from the Owino Ohuru area of the coastal region were also targeted for attack when pursuing justice for residents and victims of environmental pollution in Owino Ohuru slums, Mombasa.

"Considering these serious threats to the women human rights defenders, it is important that they have solid support groups to provide them an opportunity to debrief," Mr Ngugi recommends.

Meanwhile, the WHRDs call on the government to prioritise their mental health and establish facilities where they can access free psychosocial support.

In the Kenya Health Policy (2014-30), the government commits to a mental health system that is "affordable, equitable, accessible, sustainable and of good quality".



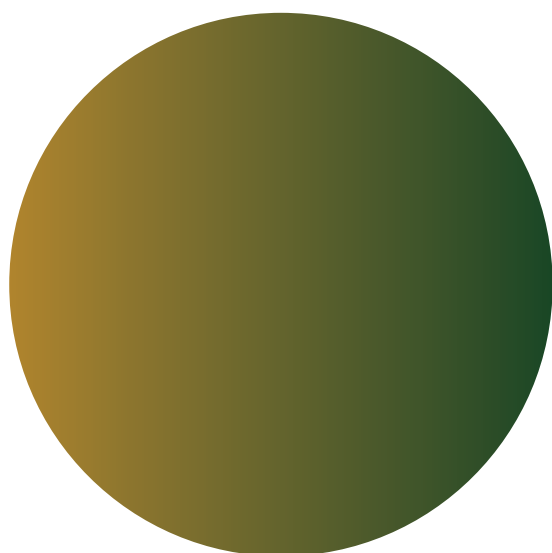
Defenders Coalition launched a survey in 2021 on the situation of mental wellbeing for Women Human Rights Defenders. The recommendations from the report included:

- 1. Mainstream mental health support for WHRDs, owing to the strenuous and potentially trauma-inducing work they are engaged in.*
- 2. Establish and strengthen mechanisms that will offer direct support to WHRDs to protect their mental health and general wellbeing. Wellness and self-care in human rights work is both personal and collective - ensuring good mental health and wellness is not only important for individuals, it is also necessary for the sustainability of movements and the people driving them.*



D. STAFF WELLBEING – DEBRIEF SESSION IN SEPTEMBER

Between 19 -21 September 2022, Defenders Coalition conducted a debrief session with its staff. The session served to enhance cohesion and collaboration within the secretariat staff as well as the practice of self care.



**Wanjiru Irungu, Intern
Defenders Coalition**



It was my first time attending a staff debrief. My heartfelt gratitude to the Defenders Coalition for a chance to debrief.

It was an opportunity to better understand colleagues, learn more about the dynamics of team work, understand that as an individual i have to protect myself always as not everyone at the work place is happy about your success and also a challenge to go above and beyond the call of duty during my daily responsibilities.



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.



DEFENDERS COALITION PRESENTS

MASHUJAA LOVE CONCERT



**20
OCT**

H_ART THE BAND
LIVE IN NAIROBI

ALLIANCE FRANCAISE
2.00PM

@ KES. 600
LIMITED TICKETS AVAILABLE

MPESA PAYBILL: 810896
ACCOUNT: MASHUJAA LOVE



DEFENDERS
COALITION

Sanaa Tora Band | Javan The Poet | Social Justice Travelling Theatre |
Willie Oeba | Shikkiey | The Field Marshall Band | Tear drops | Mufasa |

DIAL *229*41# TO BUY A TICKET

Link: <https://www.mtickets.com/buy/mashujaa-love-concert/1844>

Thank you

1. Sigrid Rausing Trust
2. Ford Foundation
3. Royal Norwegian Embassy in Nairobi
4. American Jewish World Service
5. Fund for Global Human Rights
6. The Embassy of Sweden in Nairobi, Kenya
7. Open Society Foundations
8. Defend Defenders.
9. United Nations Office of the High Commissioner on Human Rights
10. ASTREA Foundation
11. Urgent Action Fund
12. JASS Associates

CONTACT US

Defenders Coalition
P. O. Box 26309- 00100
Nairobi

info@defenderscoalition.org

+254 716 200 100