

HAKI NEWS

OCTOBER 2024 ISSUE // A PUBLICATION OF THE DEFENDERS COALITION



Justice for Slain Elizabeth Ekaru

Court Finds Man Guilty
of Stabbing the Woman
Human Rights Defender

Safeguarding Civic
Space is a Priority
for all Actors

Women HRDs Tackling
Climate Change in
Northern Kenya



Friends and Supporters of Human Rights Defenders in Kenya!

We champion the safety and security of Human Rights Defenders in Kenya

What we Do



Supportive Policy, Legal and Institutional Frameworks



Human Rights Defenders Safety and Security.

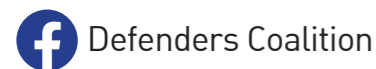


Enhancing the Socio-Economic Wellbeing of HRDs



Institutional Excellence

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Contents

| | |
|---|-----------|
| <u>We Must Rise up and Demand for Justice, Accountability</u> | <u>04</u> |
| <u>Man guilty of Stabbing Human Rights Defender Elizabeth Ekaru</u> | <u>06</u> |
| <u>Samburu Women at the 9th Indigenous Women Conference</u> | <u>08</u> |
| <u>Missing Voices, UN Working Group on Enforced Disappearances</u> | <u>09</u> |
| <u>Safeguarding Civic Space is a Priority for all Actors</u> | <u>10</u> |
| <u>Protection Interventions</u> | <u>12</u> |
| <u>Submissions for the Annual Human Rights Defenders Awards</u> | <u>13</u> |
| <u>Empowering Women HRDs on Climate Change in Northern Kenya</u> | <u>14</u> |
| <u>Why must women be involved in climate action discussions?</u> | <u>15</u> |
| <u>Defenders Coalition in Follow-Up Meet on SOGIE Advocacy</u> | <u>16</u> |
| <u>Strengthening human rights organizations in Kenya</u> | <u>17</u> |
| <u>Quarterly Protection Working Group Held in September</u> | <u>18</u> |
| <u>Justice, accountability on gross human rights violations</u> | <u>18</u> |
| <u>Defenders Coalition observes Wellness Month in September</u> | <u>19</u> |
| <u>SHAME: A nation that works to silence its critics, patriots!</u> | <u>20</u> |
| <u>What is enforced disappearance</u> | <u>21</u> |

We Must Rise up and Demand for Justice, Accountability

AT THE DEFENDERS COALITION, we are proud to be at the forefront of initiatives that uplift and empower Human Rights Defenders (HRDs), especially in areas facing compounded challenges like climate change, socio-economic inequality, and human rights violations. The efforts detailed in this newsletter reflect our commitment to ensuring that HRDs continue their tireless work, despite the hurdles they face. From amplifying the voices of Women Human Rights Defenders (WHRDs) in Northern Kenya to ensuring the safety of marginalized groups, we strive to create an environment where every defender can carry out their work safely and effectively.

This edition highlights our collaboration with Hivos East Africa on the Mama Mazingira Project, a critical initiative that supports WHRDs in Marsabit and Isiolo counties as they confront the impacts of climate change. The role of women in addressing environmental challenges cannot be overstated, and through

projects like these, we are equipping WHRDs to advocate for more sustainable and equitable climate solutions.

Additionally, we celebrate the continued advocacy for Indigenous Women's rights through the Indigenous Women's Conference, and we honor the resilience of women in seeking justice, as exemplified by the story of Elizabeth Ekaru.

As we move forward, our engagements with global mechanisms, such as the UN Working Group on Enforced Disappearances and the SOGIE advocacy follow-up, reflect our dedication to upholding the rule of law and advancing human rights advocacy at every level. Together, we will continue to empower defenders, protect their work, and ensure that their voices drive meaningful change.

I welcome you to interact and share this newsletter with your networks.



*Kamau Ngugi,
Executive Director,
Defenders Coalition.*



Participants in this year's Indigenous Women's Conference.



HRDs and artists participating in the International Day of the Victims of Enforced Disappearances celebrations organized by Missing Voices.



Ms Aua Balde, the Chairperson of the United Nations Working Group on Enforced or Involuntary Disappearances delivers a public lecture to Missing Voices Coalition Members and Kenya School of Law Students on 31 July.



Bradley Ouna, a Human Rights Defender at the 4th Annual Civic Space Protection Summit.



Participants at this year's International Day of Victims of Enforced Disappearances commemoration following the proceedings.



End Femicide National Coordinators participating in a debrief session during their meeting.



HRDs participating in a wellbeing session.



Defenders Coalition and Defend Defenders staff in a photo during a solidarity visit to Kenya.

Court Finds Man guilty of Stabbing Human Rights Defender Elizabeth Ekaru

Justice Edward Muriithi noted that WHRD Elizabeth Ekaru was victim of **ferocious dagger knife attack** by a former security officer, Mr Patrick Naweet, causing **grievous injuries**, excessive bleeding for which the deceased succumbed.



Patrick Naweet, the security guard, was found guilty of the murder of Elizabeth Ekaru in Meru Law Courts during one of the hearings.

ON 25 AUGUST 2024 and after three years in the corridors of justice, Meru High Court Judge Hon. Justice Edward Muriithi concluded the murder trial and found Mr. Patrick Naweet guilty of the **gruesome murder of Isiolo-based woman human rights defender Elizabeth Ekaru.**

This is a significant moment for Elizabeth's family, especially her children and ailing parents who looked up to the judiciary in Kenya for justice to be served. Isiolo human rights defenders, Amnesty International, and Defenders Coalition who observed the trial thanked the judiciary and law enforcement officers for their diligence in concluding a case that shocked the human rights defender family.

In pursuit of justice for Elizabeth is a group of 30 WHRDs from Isiolo have never missed any of the 26 court appearances. They have travelled the over 80-kilometer journey to the High Court in Meru where the accused, Mr. Patrick Naweet, a security officer, claimed that Elizabeth's outspoken nature—unacceptable in his Turkana culture—provoked his heinous act.

These women's courtroom presence is more than a demand for justice; it's a powerful stand against the violence that women and defenders face in Kenya. Their resolve sends a clear message: the killing of women and human rights defenders has no place in our society.



Part of the 30 Women Human Rights Defenders from Isiolo who have continued to pursue justice for Elizabeth Ekaru.

In delivering a guilty verdict on 25 August 2024, Hon. Judge Mureithi dismissed the defense's claims, emphasizing that no cultural excuse can justify such barbarity. The verdict, while unable to bring Elizabeth back to her family, reaffirms that Kenya's justice system can uphold the rule of law, even against deep-seated cultural norms.

Elizabeth's case serves as a reminder of the importance of protecting human rights defenders. Her memory urges us to continue the fight for justice, ensuring that the voices of the oppressed are heard and their rights defended. The women of Isiolo have shown us the path—now, it's up to all Kenyans to follow and stand firm for justice.



A jubilant WHRD from Isiolo celebrates the conviction of Mr. Patrick Naweet at Meru Law Courts.

Read our Statement on the judgement by Meru High Court Here <https://defenderscoalition.org/court-finds-guilty-man-accused-of-stabbing-to-death-women-human-rights-defender-elizabeth-ekaru/>

Read the full judgement here <https://defenderscoalition.org/wp-content/uploads/2024/08/MERU-HC-1.pdf>

Links to Media coverage: <https://www.tv47.digital/man-who-stabbed-prominent-activist-elizabeth-ekaru-several-times-found-guilty-of-murder-67178/>

<https://www.standardmedia.co.ke/central/article/2001501076/man-found-guilty-of-murder-of-human-rights-defender>

<https://youtu.be/Z9rx7qoJGtA?si=MbxhnyCozS2EXN>



Samburu Women Commemorate 9th Indigenous Women Conference

The Defenders Coalition recently partnered with our longstanding partner - Samburu Women Trust – at the 9th edition of the Indigenous Women's Conference.

This year's conference was a significant gathering, bringing together over 300 Indigenous women from across Kenya, including pastoralists, fisherfolk, hunter-gatherers, women with disabilities, and youth. Additionally, the event welcomed 10 participants from Tanzania, further broadening the scope of discussions and perspectives.

The engagements involved bold discussions with state agencies, including the National Gender and Equality Commission, National Lands Commission and the Kenya National Commission on Human Rights.

The conference focused on the pressing opportunities and challenges faced by Indigenous women and youth, particularly in the areas of climate change negotiations, land rights, and natural resource governance.

A key theme of the conference was the exploration of alternative economic activities to help Indigenous communities adapt to the changing climate and safeguard their livelihoods.

The outcomes of the conference include a resolution that Indigenous Women should be involved in all discussions and decisions that affect them. By involvement, the women will bring their unique perspectives and experiences to the table and contribute to more inclusive and effective solutions in climate negotiations, resource management, and beyond.

Through its participation in this conference, the Defenders Coalition reaffirmed its commitment to advocating for the rights of Indigenous women.

Ilaria Popita, a woman from one of the indigenous communities during the Women Council Conference at Nanyuki Sports Club.



Engaging Missing Voices with UN Working Group on Enforced Disappearances



LEFT: The Social Justice Travelling Theatre will take to the stage and perform a skit on Police brutality in Kenya on 30 August 2024, the Commemoration of the International Day of the Victims of Enforced Disappearances. RIGHT: Left: Busia Senator - Okiya Omtata - at the same event.

The Defenders Coalition, under the auspices of the Missing Voices Coalition, recently engaged with the United Nations Working Group on Enforced or Involuntary Disappearances to bring the attention of the working group on the concerns over increased forceful disappearances in Kenya. This engagement highlighted the ongoing challenges and underscored the importance of global and national efforts to address this grave human rights violation.

A key point of discussion was the urgent need for Kenya to ratify the International Convention for the Protection of All Persons from Enforced Disappearance. The Defenders Coalition and Missing Voices argued that ratification of this Convention would not only demonstrate Kenya's commitment to ending enforced disappearances but also provide a stronger legal framework for protecting individuals from this heinous crime. They called on the Kenyan government to take swift action to ratify the Convention and to implement its provisions effectively.

The engagement with the UN Working Group also provided an opportunity to discuss the importance of accountability and justice for victims of enforced disappearances. The Defenders Coalition and Missing Voices reiterated their commitment to advocating for the rights of victims and their families, pushing for thorough investigations, and ensuring that those responsible for these crimes are held accountable.

By engaging with the UN Working Group on Enforced or Involuntary Disappearances, the Defenders Coalition and Missing Voices are reinforcing their dedication to ending enforced disappearances in Kenya. This dialogue is a critical step in the broader effort to secure justice for victims, protect human rights, and push for the necessary legal and policy reforms to prevent future disappearances. As the fight against enforced disappearances continues, the Defenders Coalition and Missing Voices remain steadfast in their commitment to holding perpetrators accountable and ensuring that every individual's right to life and liberty is upheld.

Safeguarding Civic Space is a Priority for all Actors

Activities were a deliberate move to provide an opportunity for civil society actors to reflect on the push-and-pull on the operating environment between the state and the civil society sector



The 4th Annual Civic Space Protection Summit, held on September 18th and 19th, 2024, at Pride Inn Paradise in Mombasa, brought together civil society organizations (CSOs), human rights defenders, media representatives, and government officials to discuss the pressing issue of shrinking civic space in Kenya. With the theme "Contestation of Civic Space in the Context of Constitutional Democracy in Kenya," the summit focused on growing threats to civic freedoms and how civil society can respond effectively.

Dr. Stephen Jackson, UN Resident Coordinator

in Kenya highlighted the vital role that civil society plays in promoting transparency, accountability, and inclusivity. He emphasized the importance of civic engagement in upholding democratic values and the need to safeguard Kenya's constitutional democracy.

Throughout the day, discussions centred on the numerous obstacles facing civic space in Kenya. Participants voiced concerns over police brutality, extrajudicial killings, and state repression, which were notably evident during the Gen Z protests and the Multimedia University demonstrations. The role of the

police was heavily scrutinized, with calls for meaningful police reforms to curb the culture of impunity and protect civic engagement.

The summit also examined internal challenges within civil society itself, particularly issues around accountability and transparency within CSOs. It was widely agreed that these weaknesses erode public trust and diminish the sector's ability to hold the government accountable. This, combined with the shrinking influence of democratic institutions like parliament and constitutional commissions, underscored the need for a more robust civil society to counterbalance the increasing consolidation of executive power.

A significant focus was also placed on the impact of digital platforms like TikTok and X on civic engagement. While these platforms have provided new avenues for organizing and mobilizing, they have also amplified harmful narratives and disinformation, which complicates the work of civil society.

Day 2 shifted to the regulatory framework governing CSOs, particularly the Public Benefit Organizations (PBO) Act of 2013. Participants expressed frustration that, despite its potential to provide a legal foundation for CSOs, the Act has yet to be fully implemented. This has left organizations vulnerable to government

interference and financial instability. A clear consensus emerged around the urgent need for the full operationalization of the PBO Act, alongside calls for tax compliance and better resource accountability within the sector.

The day concluded with a powerful panel discussion on civil liberties violations and the need for resource transparency. Participants reflected on Kenya's historical struggles for democracy, drawing parallels between past and present challenges. Speakers emphasized the importance of unifying civil society to demand greater accountability from the government, stressing that silence in the face of violations only perpetuates poor governance.

The summit culminated in several key resolutions, including strengthening adherence to constitutional protections, improving internal accountability within civil society, and advocating for police reforms. There were also calls for renewed efforts to mobilize public support for civic space, promote media freedom, and foster youth leadership in civic activism. Additionally, participants proposed the development of a comprehensive monitoring system to track violations of civic freedoms in real time, ensuring that civil society can respond swiftly to emerging threats.

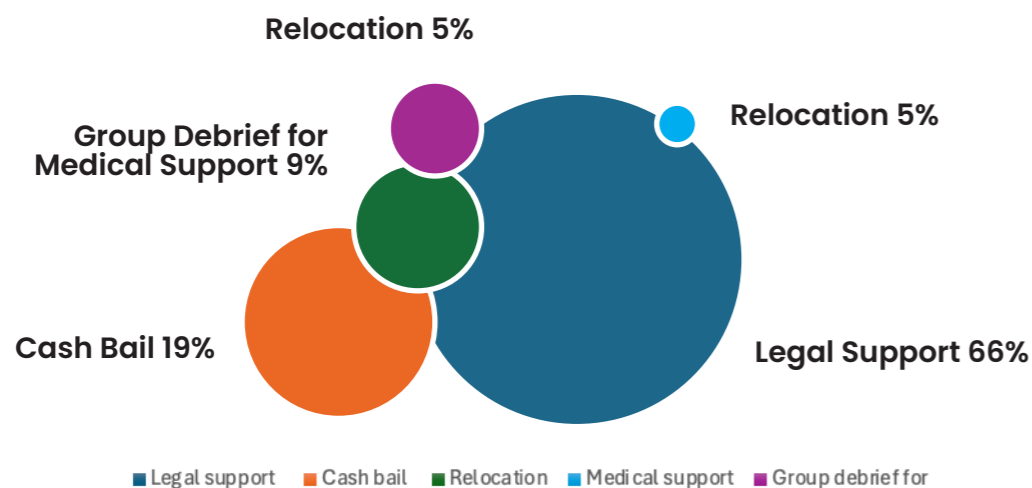
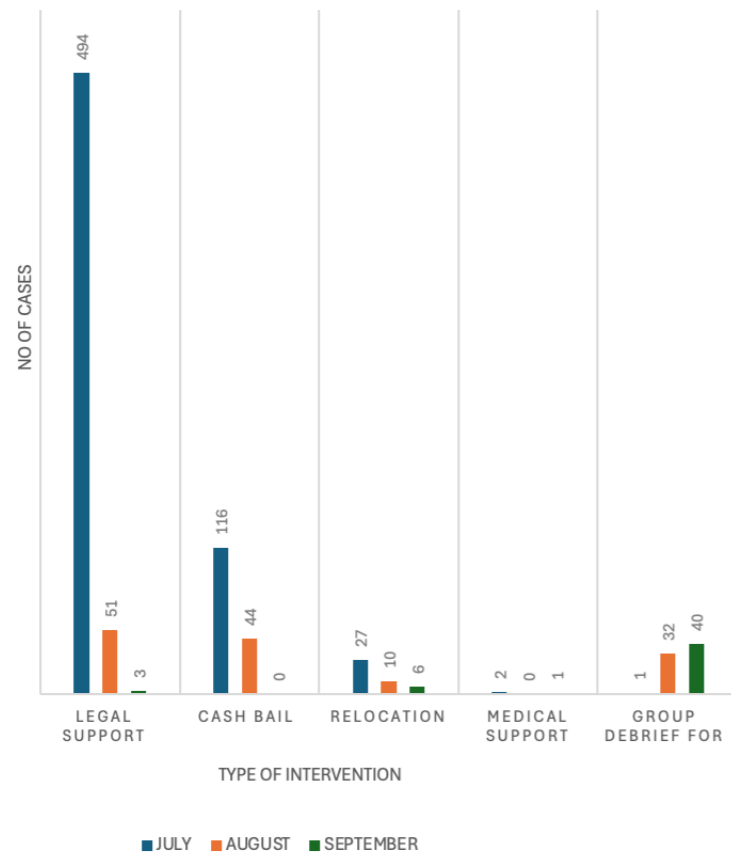


Participants of the Civic Space Protection Summit chant the Wimbo Wa Mapaambano song, affirming their commitment to the human rights struggle in Kenya.

Protection Interventions

In the months of July, August and September, the Defenders Coalition facilitated timely and appropriate responses to all forms of threats or insecurities on HRDs. This was achieved by strengthening the capacities of HRDs and other service providers, more so, duty bearers, lawyers, medical personnel and counsellors among others.

Below is a summary of the interventions:



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Submissions for the Annual Human Rights Defenders Awards

The Working Group on Human Rights Defenders and the Defenders Coalition is grateful for your support during the call for nominations of the Annual Human Rights Defenders Awards.

After three months of nominations which closed on 31 July 2024, we received a total of 334 nominations across the four award categories. See Summary below:

| HRD AWARDS SUBMISSION DATA | 2024 | 2023 |
|---|------|------|
| Total number of call responses | 334 | 364 |
| Total number of nominations | 211 | 165 |
| No. of nominations per Category | | |
| Upcoming HRD | 103 | 87 |
| Human Rights Defender of the Year | 88 | 57 |
| Munir Mazrui Lifetime Achievement Award | 12 | 12 |
| Global Solidarity Award | 8 | 9 |

What are the next steps for the HRD Award?

Shortlisting- A panel of missions and organizations involved in the planning of the HRD Awards shortlists five individuals per category within the set guidelines for shortlisting candidates.

Verification- The Independent Selection Panel, which comprises eminent individuals in the human rights sector, forms the Awards Jury that reviews the shortlisted candidates and makes a final decision on the shortlisted names.

Selection- An awarding ceremony will be held on 29 November 2024.



Empowering Women HRDs to Tackle Climate Change in Northern Kenya

WITH SUPPORT FROM Hivos East Africa, the Defenders Coalition led a vital initiative in Marsabit and Isiolo counties, located in northern Kenya's arid and semi-arid regions. These communities, primarily reliant on pastoralism, face significant challenges such as poverty, limited access to essential services, and environmental degradation.

Climate change has exacerbated these issues, bringing about severe droughts, altered weather patterns, and degraded natural resources, threatening local livelihoods.

In this harsh environment, Women Human Rights Defenders (WHRDs) have become crucial advocates for women's rights and the protection of marginalized groups. Their work includes combating gender-based violence, promoting education

and healthcare, and challenging harmful cultural practices. Recognizing the disproportionate impact of climate change on women and vulnerable populations, WHRDs are increasingly focusing on addressing these effects.

To support these efforts, the Defenders Coalition and Hivos East Africa have launched the Mama Mazingira Project. This project aims to empower WHRDs in Marsabit and Isiolo by facilitating



Climate action and justice champions engaged in a dialogue on their role in climate change mitigation.



dialogues with community members, state, and non-state actors. These dialogues are designed to enhance WHRDs' engagement in climate action and strengthen their influence on climate policy. By integrating local perspectives, the project ensures that WHRDs play a central role in environmental and climate change discussions and decision-making processes.

The two dialogues brought together duty bearers in Isiolo and Marsabit, respectively, to address climate challenges and developed actionable strategies for building climate resilience.



Why must women be involved in climate action discussions?

Climate action requires 100 percent of the population and women make more than half of the world's population. In Kenya, women comprise 50.45% of the population.

Empowering women means better climate solutions.

Communities are more successful in resilience when women are involved.

Climate change affects us all, but not equally as women often face higher risks and greater burdens from the impacts of climate change.

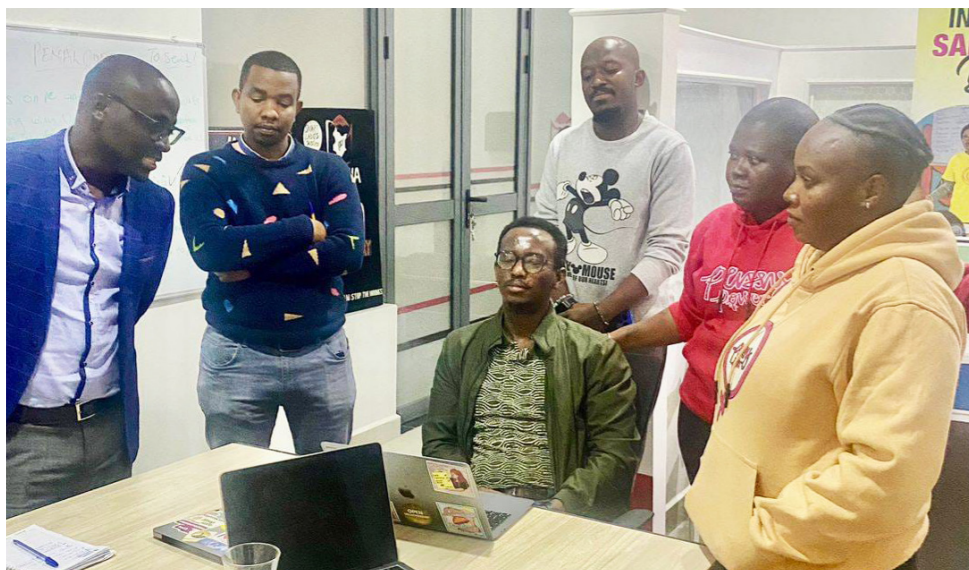


Defenders Coalition in Key Follow-Up Meeting on SOGIE Advocacy



The Defenders Coalition recently participated in a crucial follow-up meeting of the SOGIE National Strategic Working Group, established in 2023. This three-day event brought together advocates and stakeholders to address the significant challenges and opportunities facing the LGBTQ community in Kenya's current socio-political climate.

Participants engaged in deep discussions on a range of critical issues, including the Public Benefits Authority, the registration of community organizations, and safeguarding against potential shutdowns. They also tracked proposed hate legislation and strategized on how best to counter these threats.



Defenders Coalition ICT team during a security audit in August.



During the audits, the Defenders Coalition team worked closely with each organization to assess their offices, digital security practices, and overall operational procedures.

Strengthening capacities of partner human rights organizations in Kenya

THE DEFENDERS COALITION recently conducted thorough security audits for four human rights organizations underscoring our commitment to safeguarding human rights defenders (HRDs) and the organizations that support them. These audits are part of our ongoing efforts to ensure that HRDs can continue their critical work in advocating for the rights of marginalized communities, free from threats and harm.

These audits are not just about identifying risks; they are about empowering HRDs with the knowledge and tools they need to protect themselves and their work. By taking proactive steps to enhance their security, Nadharia, LEHA, and Trans Empowerment Initiative are better equipped to continue their advocacy without fear of reprisal.

During these audits, the Defenders Coalition team worked closely with each organization to assess their offices, digital security practices, and overall operational procedures.

The Defenders Coalition remains dedicated to supporting HRDs across Kenya. As threats to human rights activism evolve, so too must our strategies to protect those on the frontlines. Through initiatives like these security audits, we reaffirm our commitment to creating a safer environment for all those who stand up for justice, equality, and human rights.

“As threats to human rights activism evolve, so too must our strategies to protect those on the frontlines.”

Quarterly Protection Working Group Held in September

IN SEPTEMBER, THE DEFENDERS Coalition convened the Protection Working Group members - a network of organizations that bring together organizations that offer support to human rights defenders and analyzed the working environment, and trends and developed joint protection strategies.

During these meeting, partners evaluated the current working environment of HRDs where it was noted that freedom of expression, freedom of the media, freedom of assembly, and freedom of association were under attack. Further, concerns over incidences of persecution through administrative action were on the rise as two community-based organizations raised alarm over administrative directives on their work.



Demand for justice, accountability on gross human rights violations

ON THE THREE-MONTH ANNIVERSARY of Kenya's June 25 protests, Amnesty International, alongside human rights groups like Defenders Coalition and the Law Society of Kenya, intensified calls for justice and accountability regarding the unlawful use of police force during the demonstrations.

In a report released on 25 September 2024, the protests, sparked by public opposition to the Finance Bill 2024 and rising living costs, were largely peaceful, with demonstrators entering parliament for the first time. However, police responded with excessive force, using tear gas, water cannons, and even live ammunition, leading to the deaths of at least six people and hundreds of injuries. The report also documents incidents of police firing tear gas at medical camps and medical personnel, as well as arbitrary detentions and abductions, including instances that amount to enforced disappearances.

[Read the Full Report here](https://defenderscoalition.org/kenya-25-june-2024-end-police-use-of-unlawful-force-time-for-accountability-and-justice/)



File: A member of the public during a peaceful assembly calling for justice and accountability in January 2023.

Defenders Coalition observes Wellness Month in September

In September 2024, the Defenders Coalition spearheaded an awareness campaign aimed at promoting wellness and self-care among human rights defenders (HRDs). Recognizing the intense pressures HRDs face in their advocacy work, the initiative underscored the need for mental health support and resilience building, particularly in light of the growing risks associated with defending human rights in Kenya. Through various activities, the coalition sought to emphasize the importance of wellness as an integral part of sustainable human rights work.

Throughout the month, the campaign highlighted the mental, emotional, and physical challenges that HRDs often experience due to constant threats, intimidation, and the high stakes of their work. The coalition conducted workshops, community engagements, and provided resources on how HRDs can prioritize self-care without compromising their advocacy efforts. These sessions not only addressed the immediate wellness needs but also advocated for structural support systems that can sustain the well-being of HRDs in the long run.

The Defenders Coalition emphasized that protecting human rights is deeply intertwined with the wellness of HRDs. Without addressing the mental health challenges faced by defenders, the fight for justice and democracy could be severely hampered. The Wellness Month initiative thus reinforced the message that the sustainability of human rights work relies not only on external support but also on the internal strength and resilience of those at the forefront of the struggle.

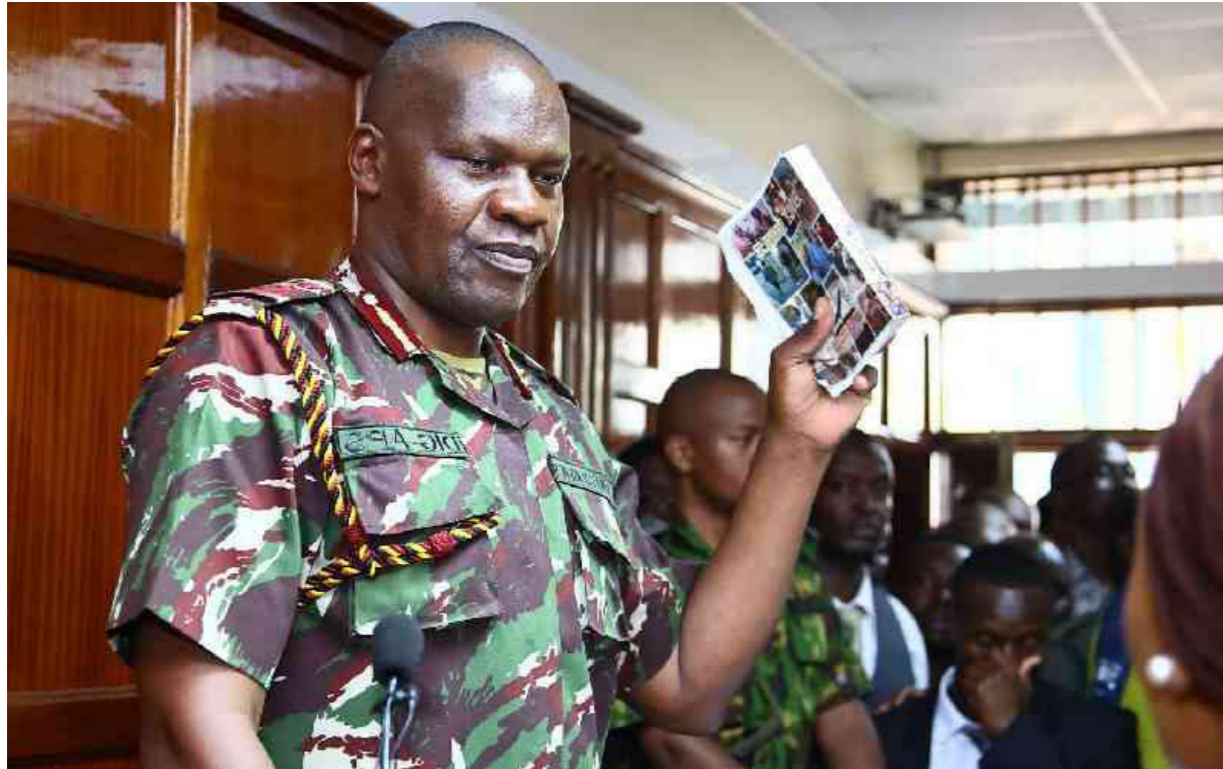
Defenders Coalition has an active partnership with Kenya Counselling and Psychological Association to ensure that HRDs and families who experience traumatic experiences access professional services.

Our toll-free Dial-a-Counselor line - 0800 724 280 is open

Connect with a professional counselor for your mental and psychosocial needs today.



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SHAME: A nation that works to silence its critics, patriots!

THE DISAPPEARANCE OF HUMAN RIGHTS DEFENDERS Aslam Longton, Jamil Longton, and Bob Njagi on August 19, 2024, shocked the nation, sending a powerful message regarding the state of human rights and rule of law in Kenya.

The trio disappeared under suspicious circumstances, raising serious concerns about enforced disappearances, a practice prohibited by international law, including the UN Declaration on the Protection of All Persons from Enforced Disappearances. Their disappearance occurred against the backdrop of youth-led protests, driven by opposition to punitive taxation and other governance issues.

For over a month, the whereabouts of the three defenders remained unknown. Their disappearance highlighted the government's failure to protect its citizens and critics, sparking outrage and calls for accountability,

particularly given the increasing trend of enforced disappearances targeting activists and government critics.

Multiple court orders demanding transparency on their status were blatantly ignored by the then Acting Inspector General of Police, Gilbert Masengeli, leading to a contempt of court ruling. Masengeli's refusal to comply with court orders fueled public anger and cast doubts on the government's respect for the rule of law.

However, a breakthrough came when the three men were located alive in Kiambu County, north of Nairobi. Jamil and Aslam were found at the Nairobi Metropolitan Area's border, while Njagi was discovered in a tea plantation and later sought refuge at a police station in Tigoni.

The three men shared disturbing accounts of solitary confinement and physical and psychological torture at unknown detention facilities. Despite the resurfacing of the trio,

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the case continues to expose systemic issues, including police impunity and the alarming rise of enforced disappearances in Kenya.

The ongoing court case, initially filed by the Law Society of Kenya, continues to demand answers and accountability, particularly as the security agencies involved, such as the

Directorate of Criminal Investigations (DCI), continue to deny involvement.

This case serves as a stark reminder of the critical need for the strengthening of mechanisms to protect defenders of human rights and the rule of law in Kenya.



Human Rights Defenders gather for a press briefing following one of the hearings in Milimani Law Courts, Nairobi in August 2024.

WHAT IS ENFORCED DISAPPEARANCE?

Enforced disappearance is a serious violation of human rights. It takes the form of an act of making someone disappear against their will, often suddenly. It therefore refers to the arrest, detention or abduction of a person, followed by a refusal to acknowledge the fate of that person.

What is the Impact of Enforced Disappearance

Enforced disappearance inflicts the trauma of indeterminate detention or disappearance on its victims, whom all too often are targeted for their dissent or advocacy for human rights and democracy. Families of those forcibly disappeared also suffer immensely, not knowing where their loved ones are, or whether they are alive or dead. The agony that enforced disappearance inflicts on the victims and their families is unimaginable.

What does the Kenya Law Say about Enforced disappearance?

The Penal Code (Cap. 63) does not explicitly recognize the crime of enforced disappearance. Instead, it addresses offenses such as kidnapping and abduction. However, these provisions fail to encompass the full scope of enforced disappearance, particularly the involvement or tacit approval of government authorities and the refusal to acknowledge the detention or disclose the fate of the disappeared individual. This legal gap hinders accountability and limits the possibility of justice and redress for the victims of enforced disappearances.

What Does Kenya Need to do?

It is recommended that Kenya to ratify the International Convention for the Protection of All Persons from Enforced Disappearance (ICPPED) to strengthen the legal framework and ensure accountability for these crimes. Additionally, Kenya should expedite the enactment/amendment of legislation to explicitly criminalise enforced disappearance within the national legal framework.

Heading to Kilimanjaro in February 2025!

Exciting news for all adventurers and justice seekers! Our highly anticipated Climb for Justice expedition to Mt. Kilimanjaro now has new dates, and we're inviting YOU to join us in this incredible movement for change!

Kilimanjaro Expedition: 15th-22nd February 2025

Experience the breathtaking beauty of Kilimanjaro, connect with like-minded individuals, and contribute towards the construction of Haki Village,

Don't miss out on this chance to make a difference—mark your calendars and prepare for an adventure of a lifetime!

SIGN UP <https://docs.google.com/forms/d/e/1FAIpQLSclfutv8Xf8af8a7j4ELTxjeOUc78wyMARACNo4Zhu665Q7A/viewform>

Prepare at the Aberdares in October

But First, We Prepare!

As we get ready for the Mt. Kilimanjaro expedition in 2025, we invite you to join us this October for a thrilling preparatory hike at the beautiful Seven Ponds!

Date: 12th October 2024

Destination: Seven Ponds

Cost: Ksh 3,000

Payment Details:

M-Pesa Paybill Number: 810896

Account Name: Your Name

Don't miss this chance to enjoy stunning views, make new friends, and support the journey to Haki Village. Book your spot now and let's Climb for Justice!

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