

Annual Report 2019

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The organisations we support and their courageous human rights defenders put their own security at risk daily in order to support vulnerable people and make their country a better society.

-Kim Remitz
Executive Director, KIOS

Foreword

ince Finland held the presidency of the Council of the European Union in 2019, KIOS had a great chance to advocate for stronger support by EU for human rights defenders. KIOS and Amnesty International organised a seminar with women human rights defenders around the world as guest speakers. Four courageous female activists were invited to a lunch after the EU Foreign Ministers' meeting to speak of the situation in their countries. This was the first time that human rights defenders gained substantial visibility at the EU Foreign Ministers' Conference, and the opening was seen as significant by NGOs.

In many countries, 2019 was a year of closing civil society and tightening control. KIOS kept on funding local human rights projects in strategically selected countries in East Africa and South Asia. As outlined by the KIOS board, the main themes of the work were promoting the security of human rights defenders, women's rights and equality, and the rights of vulnerable groups.

The human rights organisations in our focus countries work in challenging environments. In 2019, the situation worsened the most in Sri Lanka, where, following the spring terrorist attacks, relations between different ethnic and religious groups became even tenser and state control

over all social activities intensified significantly. A more positive Asian example was Nepal, where civil society's capacity for action continued to be good, even though the government took initiatives to tighten control over the NGOs. Yet many ethnic minorities are in a difficult position as Nepal invests in infrastructure projects, which have led to injustice in land use and even into direct conflicts.

In Kenya and Uganda, the situation continued to be difficult especially for LGBTIQ+ organisations. Towards the end of the year, the Ugandan government announced a new registration policy for NGOs that will complicate the work of some organisations in sensitive sectors. The newly elected Finnish government provided KIOS with additional funding for Africa in 2020-2021, which will significantly strengthen our operations. KIOS directs funding to support particularly vulnerable and marginalized groups. Corporate accountability is another central theme in our funding in East Africa, since investments affect the human rights of local people in many ways.

The organisations we support and their courageous human rights defenders put their own security at risk daily in order to support vulnerable people and make their country a better society. We at KIOS have the privilege to fund and assist them in this work.



What is the KIOS Foundation?

IOS is an independent, non-political, non-religious and non-governmental foundation. We fund the work of human rights defenders in South Asia and East Africa. Together with local organisations, we are building a world where human rights belong to everyone.

KIOS was founded in 1998 by 11 Finnish human rights and development NGOs. KIOS receives financial support for its activities from the development cooperation funds of the Ministry for Foreign Affairs of Finland.

During our 21 years of existence, we have funded over 460 projects in almost 60 countries. The funding has made a difference at the individual, local, national, and international level. Thousands of individuals have received legal aid; better legislations have been pushed through to protect human rights; and statements have been given at

UN Human Rights Council sessions influencing the international community.

Our partners work in Kenya, Rwanda, Uganda, Nepal and Sri Lanka. We also support Tibetan civil society in exile, and some long-term partners in Bangladesh, Burundi and Pakistan.

We identify our partners by open calls for proposals and by field trips. The starting point for our funding is local need and local expertise. The support is given to human rights projects planned and implemented by local organisations.

Our partners give human rights education and legal aid. They campaign and advocate for human rights. They monitor as well as document human rights violations.

Together with our partners, we work for a world where dignity and human rights are recognized for all human beings, and states are committed to ensure them.



How we work

We identify:

We identify reliable and relevant human rights organisations in South Asia and East Africa.

We fund:

We give direct financial support to local, national and regional human rights actors.

We guide and mentor our grantees:

We give guidance and mentoring to our partners (on financial and project management, networking, reporting etc.)

We communicate:

We share news of our partners' work, participate in campaigns and organize human rights seminars and trainings in Helsinki.

We advocate:

We discuss human rights issues with the Finnish Ministry for Foreign Affairs and other relevant actors in Finland and abroad.

The year 2019 in numbers

46
KIOS-funded projects were ongoing

26
in East Africa

20 in South Asia

Some results from 13 projects, which ended in 2019

800 000

people benefitted directly from KIOS-funded human rights work

24 000

rights-holders received human rights education

2000

people received legal aid or counselling

800

duty-bearers received human rights education

17

human rights reports were published

10

strategic litigation cases

What are strategic litigation cases? Strategic litigation involves selecting and bringing a case to the courtroom with the goal of creating broader changes in society. This means that strategic litigation cases are as much concerned with the effects that they will have on larger populations and governments as they are with the end result of the cases themselves. When successfully used, strategic litigation can bring groundbreaking results. It can spring a government into action to provide basic care for its citizens, guarantee equal rights for minorities, or halt an environmentally damaging activity.

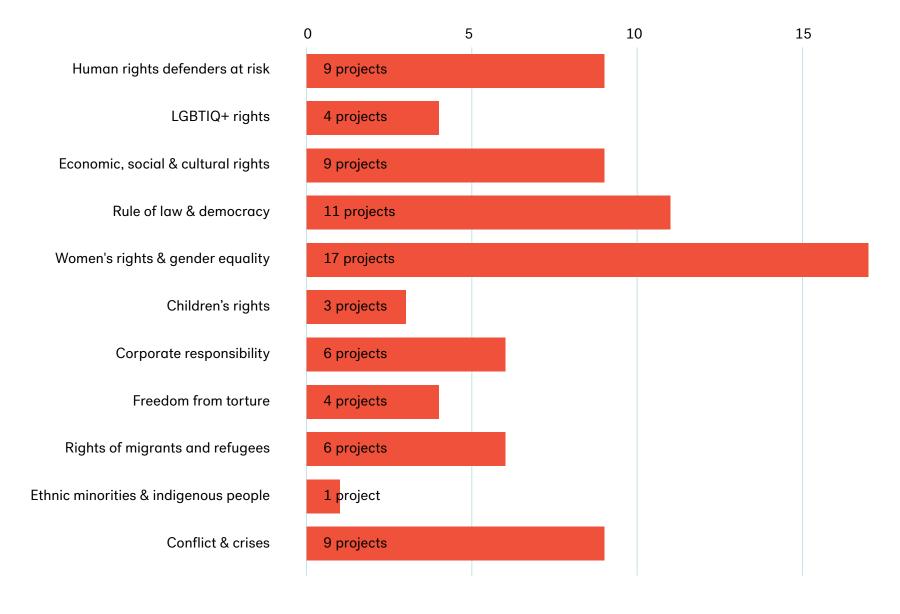
KIOS funding in 2019

KIOS project funding: 733 917 €



*The distribution of funds in 2019 does not directly relate to the scope of operations in a specific country.

The main themes of KIOS-funded projects



^{*}There were 46 KIOS-funded projects on-going in 2019. Some projects may have several themes.



Nepal: Dalit women getting ready for future leadership

Dalit women have been discriminated because of their cast and gender for centuries. Recent political reforms in Nepal have lifted many Dalit women into local governments. KIOS partner Feminist Dalit Organisation (FEDO) is training Dalit women to be ready for future leadership.

t has been more than a decade since Nepal transformed from a Hindu monarchy to a federal republic. Although discrimination based on caste is prohibited by law, Nepalese people continue to be divided into so-called high caste and low caste.

"Many Hindus believe that 'higher caste' people originated from God's mouth, arms, or thighs. Instead Dalits are believed to originate from the feet. Some 'high caste' Hindus avoid even touching a Dalit", said Umita Bishwokarma, a Dalit woman and a former Maoist rebel to the Diplomat Magazine.

Dalits, also known as untouchables, are at the bottom of the caste system, and they remain the poorest of the poor. According to the International Dalit Solidarity Network, almost half of Nepal's Dalits live below the poverty line. Because of centuries of discrimination, they are landless and their life expectancy as well as literacy rate are lower than the national average.

The biggest victims of the system are Dalit women, who are subjected to both caste and gender-based discrimination. According to FEDO, Dalit women and girls are often victims of human trafficking. They often face physical, sexual and psychological abuse, child marriage, accusation of witchcraft and domestic violence. They are also economically dependent of their husbands.

Even though Umita Bishwokarma is a Dalit, she is also a member of parliament. This is possible because of the country's new constitution, which ensures that at least 33% of all members in parliament are women. At the local level, at least 40% of the political roles should be filled by women. Furthermore, there is a provision of proportionate representation; therefore, Dalits reserve seats as per their proportion.

Due to these reforms, many Dalit women have risen to leading positions. In 2017, out of the 14,339 women elected to local governments, 6,795 were Dalit women. This is an opportunity



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- Umita Bishwokarma, a Dalit woman and member of parliament

to improve the situation of the Dalit women.

KIOS is currently funding FEDO to increase awareness among Dalit women representatives on human rights. FEDO also documents human right violations against Dalit women and helps them to get access to justice.

"Ensuring equality between Dalits and non-Dalits may take over 50 years", says Umita Bishwokarma, but luckily the change has already begun.



Uganda: Preventing the disappearance of newborns through litigation

Jennifer Musimenta's newborn baby disappeared at the Mulago Hospital in Uganda. Baby stealing and switching is a systemic problem in the public health care system, but KIOS partner CEHURD aims to put an end to this.

n 2012, Jennifer Musimenta was admitted to give birth at the Mulago National Referal Hospital, the largest public hospital in Uganda. Although she expected to have one child, the midwives told her there would be twins. Musimenta was anaesthesized and taken to have a C-section. When she woke up, she was given only one child, whilst the documentation indicated she gave birth to two children.

Baby stealing and swapping is not uncommon in Uganda, but no-one knows exactly how widespread it is. Poverty, corruption and weak laws have made Uganda a target for child traffickers. Police suspects that the staff at hospitals may be colluding with childless Ugandan couples, while other babies are possibly being sold to foreigners.

Jennifer Musimenta was told that her other twin had died. Musimenta rejected the story, and

the DNA test of the dead baby body later proved she was right. Musimenta and her husband Mubangizi reported to the police and sought legal help from the Center for Health, Human Rights and Development (CEHURD).

"There are so many cases of mothers who have gone to hospitals to give birth, especially this particular hospital, and their babies are not given to them", told Nakibuuka Noor Musisi from CEHURD to IPS news Agency.

CEHURD took the case to court, and in the beginning of 2017, the High Court decided that there had been a violation of the right to health and of the right to access to information of the couple. The court ruled police to investigate the case, and to find those responsible. In addition, the court ruled that the Mulago hospital should improve the security of babies and report the improvements in this matter. The court ordered

the hospital to provide psychosocial therapy for the victims, and 85 million Ugandan shillings, around 20 000 euro, in compensation for their sufferings.

The case received a lot of attention in the media, and thus put pressure not only on the Mulago Hospital but also on the Ministry of Health.

"The court decision is life changing for the plaintiffs and will be for families giving birth in Uganda generally. Most importantly, it has the potential to create an additional wave of maternal health care improvements", says Musisi from CEHURD.

The tragedy of one family has revealed serious loopholes in the public healthcare system. CEHURD is monitoring the ordered improvements at the Mulago hospital, but at the same time Musimenta and Mubangizi still don't know the truth about their baby.

"I'm always thinking about what happened to her. I don't know whether she was kidnapped," said the father Mubangizi to the IPS news Agency.

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> -Noor Nakibuuka Musisi, Director of Programmes at CEHURD



Kenya: "None of us is free until everyone is"

"None of us is free until everyone is", declared Kenyan LGBTIQ+ activist Njeri Gateru who visited Helsinki during the Pride week. KIOS funds her organisation's legal battle to decriminalize homosexuality in Kenya.

n Kenya, the Pride week cannot be publicly celebrated. The colonial-era criminal law in Kenya forbids homosexual relations with a maximum sentence of 14 years. Although sentences are rare, discrimination of sexual and gender minorities is common.

"People have been denied health services because of their sexual orientation and pupils have been expelled from school", tells Gateru, a lawyer and a human rights activist from the National Gay and Lesbian Human Rights Commission (NGLHRC).

The law gives the police, health care officials, employers, property owners and ordinary citizens an excuse for discriminating sexual and gender minorities. Sexual, physical and emotional abuse against LGBTIQ+ persons is daily in Kenya.

KIOS funds the National Gay and Lesbian Human Rights Commission, which offers free legal aid for sexual and gender minorities in Kenya. Furthermore, the organisation aims to repeal the sections of the penal code, which criminalize homosexuality.

In May 2019, the Kenyan High Court decided to uphold sections 162 and 165 of the penal code. However, the legal battle is not over, and NGLHRC has appealed the ruling. NGLHRC with two other organisations argues that the sections are unconstitutional, because the Kenyan constitution forbids discrimination.

"I believe that a legal battle can change people's opinions as well", Gateru said in Helsinki.

There are 73 jurisdictions around the world that still criminalize private, consensual sexual activity between adults of the same sex. Many of these jurisdictions are in Africa.

In 2019, the African LGBTIQ community got a glimmer of hope, when Botswana and Angola overturned the laws that criminalized homosexuality.

"In ten years, homosexuality will be definitely decriminalized in Kenya too. I believe and hope that by then we have shifted from protective rights to positive rights such as right to adoption", says Gateru hopefully.



I believe that a legal battle can change people's opinions as well.

- Njeri Gateru, human rights lawyer and activist



Snapshots from 2019 in Finland

"Defending rights" video series

KIOS made the video series "Defending rights" together with Amnesty International Finland and the Finnish Ecumenical Council. Six brave women human rights defenders share their stories and tell about their work towards justice and equality. The videos can be found on Youtube, Instagram and Facebook.

KIOS at the Helsinki Pride festival

The KIOS team and Kenyan rainbow activist Njeri Gateru marched for LGBTIQ+ rights and equality at the Helsinki Pride festival. "I am excited to be in a space where my queerness is affirmed without a question. I just need to walk outside and there are rainbow flags and messages of love. It shows my dreams are not invalid. This can happen", Njeri Gateru said in Helsinki.

KIOS event in Helsinki: Love Is Legal - LGBTIQ+ rights in Kenya

KIOS organised the event "Love Is Legal – Lgbtiq rights in Kenya" as a part of the Helsinki Pride Week official program. Guest speaker Njeri Gateru spoke about the struggle to decriminalize homosexuality in Kenya. Finnish actor and journalist and former Member of Parliament Jani Toivola hosted the event. Sakris Kupila and Annika Ojala from Seta – LGBTI Rights in Finland joined the speakers' panel.

Seminar on women human rights defenders in Helsinki

Amnesty Finland, in cooperation with KIOS, held a seminar in August called "Supporting women, protecting rights". The topic of the seminar was the risks human rights defenders face and how the EU could support them more effectively. Human rights defender Memory Bandera from KIOS longtime partner organisation DefendDefenders (East and Horn of Africa Human Rights Defenders Project) was one of the speakers.

KIOS partners advocating for human rights at the EU foreign ministers' gathering

In 2019 Finland held the presidency of the Council of the European Union. EU foreign ministers gathered in Helsinki for the informal "Gymnich" meeting, and for the first time in EU history, human rights defenders and members of civil society were invited for an informal lunch meeting with the foreign ministers. KIOS partner Memory Bandera from Uganda met Foreign Minister of Finland Pekka Haavisto and the High Representative of the Union for Foreign Affairs and Security Policy Federica Mogherini at the Finlandia Hall.

DIGNITY NON-DISCRIMINATION RIGHTS DEMOCRACY FREEDOM OF SPEECH EQUALITY WOMEN'S RIGHTS FREEDOM JUSTICE PEACE LGBTIQ+



Lintulahdenkatu 10 00500, Helsinki, Finland kios@kios.fi kios.fi











@kiosfoundation