



**Report from CIVICUS and RESOCIDE Regional Workshop on Enhancing the Capacity of Human Rights Defenders to Monitor Public Policy and Respond to Threats in West Africa, Burkina Faso, 2 to 3 July 2012**

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## 1. Introduction and context

CIVICUS: World Alliance for Citizen Participation and RESOCIDE jointly organised a workshop on enhancing the capacity of human rights defenders to respond to threats in West Africa in Ouagadougou, Burkina Faso from 2 to 3 July 2012. The workshop which brought together participants from Burkina Faso, Cote d'Ivoire, the Gambia, Nigeria, Senegal, South Africa and the USA, aimed at identifying specific threats faced by civil society and human rights activists in West Africa and creating a network to facilitate timely and proactive responses to these threats. At the close of the meeting, participants agreed to create a West African Network for human rights defenders which they named Africa Rights Defenders. The meeting was made possible by the financial support of Irish Aid.

At the start of the workshop, participants presented country experiences on human rights issues. It was clear that Civil Society Organisations (CSOs) and human rights defenders continue to work in restricted spaces despite improved legal frameworks for democratic governance and different levels of political transitions experienced by countries in the region. Even though the constitutions of most West African countries make provisions for the respect and protection of human rights, and countries are signatories to or have ratified several regional and international human rights conventions, governments often lack the will to implement these commitments.

Most country experiences indicate that human rights defenders, journalists and civil society activists are often victims of physical assaults, kidnappings, enforced disappearances, torture, judicial harassments and pre-trial detentions. Family members of and lawyers for activists are regularly threatened while some human rights defenders have been assassinated in the line of duty. In Senegal for example, close to 20 activists died in prison during the tenure of the former president while citizens and human rights defenders were attacked, harassed and tortured as they led protests against attempts by the president to amend the constitution to extend his stay in office.

In The Gambia, very few organisations focus on human rights as the government repeatedly targets CSOs that do so. The situation is compounded by pronouncements from key government officials, including the president, threatening human rights activists with death for compromising the stability of the state. In Nigeria, human rights defenders working in some regions are subjected to threats and harassment when they attempt to expose corrupt practices and violations of the rights of citizens. Women human rights defenders face particular difficulties in the north, south and south east of Nigeria as they challenge religious, traditional and culturally rooted stereotypes.

Countries experiencing transitions from war face serious threats, as in Cote d'Ivoire, where perpetrators act with impunity, and the judiciary is perceived to be biased, making it difficult to heal the ethnic and political differences that were at the heart of the country's conflict. In some countries, intelligence agents infiltrate meetings organised by civil society while posing as representatives from CSOs, and in other countries, such as Burkina Faso, the whereabouts of some activists in prison remain unknown, while other activists are victims of malicious campaigns and propaganda in the media. Activists have been monitored and trailed when travelling abroad for conferences, and governments impose restrictions on the media, political and electoral processes and on civil liberties. A long period of stability in Burkina Faso has given rise to formal democracy but while the institutional dimension is almost complete, the rights of ordinary citizens are not

respected. The Government has created thousands of fictitious CSOs to occupy the public space and prevent human rights defenders and civil society activists from doing their work.

## **2. Engaging African and international institutions**

Participants discussed the efficacy of engaging regional and global institutions mandated to protect human rights in order to challenge actions by governments and elicit responses on violations in their countries or sub-regions. Key institutions and processes identified include the African Commission on Human and People's Rights, African Court on Human and People's Rights and the ECOWAS Court of Justice.<sup>1</sup> Engagements with international institutions such as the UN Human Rights Council can be done through a range of processes, which include treaty bodies, thematic procedures, Universal Periodic Reviews and different complaints procedures.<sup>2</sup> When operational, the network for human rights defenders – see below – will make use of these institutions and processes.

## **3. The West African network for human rights defenders**

A West African network for human rights defenders will be established, and will be called Africa Rights Defenders. Africa Rights Defenders will be a transnational network with the objective of monitoring threats to human rights defenders and civil society in countries in the region and responding effectively to the threats. It aims to generate greater awareness about restrictions on civil society space and enhance the effective dissemination of reliable and accessible information on civil society in the region. The network will begin its work in West Africa, create links with other networks and expand to include other countries and regions as the need arises in the future.

Members of the network will work with a set of indicators (see Annex 1 below) against which they will measure and respond to threats. Threats include direct attacks, harassment and intimidation of human rights defenders and civil society activists, and restrictive policies and legislation. Participants agreed that restrictive policies and legislation must be monitored and responded to before they are implemented, as it is difficult to revise them once they come into force. To do this effectively, members of the network should have the capacity to know the aspects of the law that need to be revised. Concerned parties will also liaise with other CSOs and government departments to obtain drafts of policies or legislation while they are still under consideration in parliaments and other legislative bodies. This will enable human rights defenders and civil society activists to intervene proactively and highlight specific concerns and recommendations before laws are promulgated.

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<sup>1</sup> For more information on the African Commission, African Court and ECOWAS Court of Justice see <http://www.achpr.org>; <http://www.african-court.org/en>; <http://www.courtecowas.org>.

<sup>2</sup> For more information on the UN Human Rights Council and processes see <http://www.ohchr.org/EN/HRBodies/HRC/Pages/HRCIndex.aspx> and <http://www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx>.

#### **4. Responding to threats**

Members of the network will monitor media sources, official statements, and decisions from courts and reports from civil society, governments and intergovernmental organisations. Information will be shared with others in the network and statements, petitions and press releases will be put together to raise awareness and prompt governments to take action. Solidarity missions will be organised as the need arises. Efforts will be made to bring violations of human rights and restrictive policies to the attention of regional and global institutions, and special rapporteurs will be informed about threats to civil society and human rights defenders. Efforts will also be made to provide support to human rights defenders and civil society activists in exile. Participants agreed to have regional meetings and workshops on the state of human rights in the region and to discuss specific cases where violations occur.

#### **5. Monitoring threats - instruments for monitoring**

**5.1 Media monitoring:** Network members will monitor local, regional and international media. In cases where the mainstream media is highly controlled, alternative media will be monitored. In monitoring the media, members of the network will take into account the political affiliation of the media outlet, if any, and the owner.

**5.2 Monitoring official publications and statements:** This will include government websites, parliamentary reports and official publications (such as newsletters and gazettes). In case of legislation or new policies, it is imperative to have adequate information while legislation or policies are still under discussion. Broad proposals to introduce new legislation are more difficult to obtain and so contacts with political parties, government officials and CSOs monitoring the situation should be considered.

**5.3 Monitoring of civil society reports:** This will include thematic reports, books, articles, news and analytical bulletins and briefs produced by civil society on issues that affect civil society.

**5.4 International reports (both civil society and government) and general observations from the ground:** International reports will be from selected governmental, intergovernmental and civil society sources. Information garnered from general observations will be double checked to verify its authenticity.

#### **6. How the network will function**

The network will take into account similar networks currently in place in West Africa and other parts of the continent and collaborate when there are threats to civil society and in cases where experiences need to be shared. Participants have agreed that a great deal can be done at this stage without the need for a formal structure. Identified people from the network will work on a draft of the network's vision statement, road map, rules of engagement and memorandum of understanding. These will guide the operations of the network. For the network to achieve its objectives, it was agreed, members must be active and fully engage in its activities.

In the initial stages, RESOCIDE will coordinate the activities of the network and serve as the central point for receiving information and disseminating it to members. When the formal structures are finalised, members will assume positions of responsibility to ensure

the effective coordination of the network. CIVICUS will provide advice, support and oversight. Members of the network who are bilingual will endeavour to circulate messages in French and English and solicit the services of translators for larger documents and for Portuguese translations.

A list serve will be set up to facilitate communication between members, and on a regular basis members will conduct research on public policy reforms and assess if these reforms are in line with basic human rights standards. The findings of this research, and other aspects of the work, will be published and disseminated. Members also agreed to consider having a label for easy identification within the human rights community.

Once the network is set up, funding for its activities will be sought from donors, and members will make use of international networks and contacts for funding opportunities. Conscience International (CI) of the Gambia, *Action pour la Protection de Droits de L'Homme (APDH)* of Cote d'Ivoire and CIVICUS were given the respective responsibility of drafting the memorandum of understanding, developing the rules of engagement, proposing a draft of a plan of action and creating a common email.

## Annex 1

### Reporting on threats to human rights in West Africa - template

Indicator	Description of events	Source and date	Persons or organisations affected	Level of urgency (A,B or C)	Actions suggested
<b>I. External threats or restrictive influences</b>					
1. National security concerns					
2. Fear of foreign influence					
3. Influence of neighbouring countries or allies					
4. Agreements with other governments, international or regional bodies					
<b>II. Threats and restrictions to CSOs</b>					
5. Questioning of CSO credibility					
6. Targeting of individual civil society actors					
7. Unwarranted official restrictions on civil society					
8. Questioning of political impartiality of CSOs					
<b>III. Threats and restrictions to civil and political rights</b>					
9. Media restrictions					
10. Political and electoral processes					
11. Restrictions on civil liberties and other basic rights					
<b>IV. Restrictive influence of AND threats from non-state actors</b>					
12. Influence of private sector					
13. Threats from non-state actors					
<b>V. Miscellaneous</b>					
14. Negative events					
15. Positive changes and achievements					

## Annex 2 – list of participants

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