



**PEACE BRIGADES INTERNATIONAL**

International Office

Development House, 56-64 Leonard Street

Tel: 44 (0)20 7065 0775 London EC2A 4LT

Email: [admin@peacebrigades.org](mailto:admin@peacebrigades.org)

Website: [www.peacebrigades.org](http://www.peacebrigades.org)

**Protection needs of human rights defenders  
in Africa**

**An assessment of the potential for protective  
accompaniment**

**External report**

**Peace Brigades International**

**March 2010**

## Contents

Introduction.....	3
Acknowledgements.....	3
Executive Summary .....	3
Brief overview of the project .....	6
Peace Brigades International and the protection of human rights defenders .....	6
Who does PBI protect?.....	7
Opportunities for protective accompaniment in Africa.....	8
Criteria used to select countries.....	8
Chad.....	10
DRC.....	14
Gambia.....	18
Kenya.....	21
Morocco and Western Sahara.....	25
Swaziland.....	28
Tunisia.....	33
Uganda.....	36
Concluding comments.....	40
Appendix 1. Project personnel.....	41
Appendix 2. Outcome of initial survey of each country in Africa.....	42

## Introduction

Since 1981, Peace Brigades International (PBI) has protected human rights defenders and other organisations in many different countries to allow them greater freedom to work. However, despite receiving several requests and carrying out an assessment of the potential to work in Chad in 1993, PBI has never established a field project in Africa. In order to inform its future organisational strategy, PBI decided to carry out this study.

PBI recruited a volunteer Working Group, a group of associates and a Project Coordinator (see Appendix 1 for details) to carry out an assessment of the protection needs of human rights defenders in Africa. We carried out an initial survey of the whole of the continent and then undertook more detailed research on eight countries. This included field visits to five countries.

It is important to stress that the views expressed in this report are those of the project's Working Group, not of PBI itself. The fact that this report suggests that protective accompaniment could be effective in a particular country does not necessarily mean that the organisation will establish a field project there.

## Acknowledgements

The project was funded by the Swedish Amnesty Fund, without whom the work would not have been possible and who showed great flexibility in allowing us to make alterations to the way in which we used the project funding.

The project benefited from the support and assistance of a great number of people who very generously shared their time and knowledge with members of the project but who it is impossible to name individually here. However, the Working Group would particularly like to thank the following:

- Staff at the PBI International Office, particularly Cinzia Cimmino, Laura Clarke and Jacqueline Nightingale who provided crucial practical and moral support throughout. Laura was also instrumental in ensuring that PBI supported this work;
- Liam Mahony, author, with Luis Enrique Eguren, of *Unarmed Bodyguards*, a book that has inspired several members of the project team and who provided valuable insights and support throughout the project;
- Rory Hodgson, PBI's Online Communications Coordinator for very kindly developing a dedicated web space for the project team
- Margaret Sekaggya, Special Rapporteur on the Situation of Human Rights Defenders, Office of the United Nations High Commissioner for Human Rights for sharing her knowledge with members of the project team.

## Executive Summary

- The project was undertaken to assess protection needs of human rights defenders in Africa and to identify countries where protective accompaniment may be possible.

- A volunteer Working Group and a Project Coordinator were recruited in June 2009. We first carried out a relatively brief initial assessment of each African state based on desk research and communication with country experts. Following this, we identified a smaller group of countries where we felt further research would be appropriate and carried out field visits to and additional desk research on:
  - Gambia
  - Kenya
  - Morocco
  - Swaziland
  - Uganda
- In addition, we carried out in-depth desk research including contact with human rights defenders and country experts on:
  - Chad
  - Democratic Republic of Congo (DRC)
  - Tunisia
- We used criteria and key questions to underpin our analysis. These are explained in full in the main report but we considered the need for protective accompaniment and also how effective it would be in deterring acts of aggression against human rights defenders. Headline findings for each of the countries studied are:

**Chad:** there are reports of high levels of repression of human rights defenders from state actors. The security situation is extremely volatile in parts of the country

**DRC:** protective accompaniment could be effective in certain regions and enhance a human rights movement already under great pressure in a situation that is expected to deteriorate markedly

**Gambia:** a small and fragile human rights community would welcome an international accompaniment organisation but there may be an initial limited demand for accompaniment and it may be a challenge to attract support and funding

**Kenya:** in a worsening human rights situation, Kenyan defenders and the international community would strongly support an accompaniment project

**Morocco and Western Sahara:** civil society organisations in Western Sahara face particular threats but the political sensitivity of the situation would pose a significant challenge for any international human rights organisation seeking to work there

**Swaziland:** defenders are enthusiastic about the potential impact of protective accompaniment. The limited international attention on the country may present a challenge but there does appear to be sufficient interest from key players in the international community for such a project

Tunisia: defenders appear to be increasingly under attack but obtaining the necessary permission and international support to work here may present a significant challenge

Uganda: accompaniment may not have an immediate significant impact on the human rights movement in Uganda given the ways of working that have developed historically. We did not feel that Uganda should be a priority for protective accompaniment at this point.

## **Brief overview of the project**

A Project Coordinator, a volunteer Working Group and a number of associates were recruited in June 2009. The Working Group was the decision-making body for the project and used consensus decision-making throughout. Associates carried out research and also participated in one of the field visits.

The project was divided into two key phases.

### **Phase 1**

The aim of Phase 1 was to carry out a brief initial survey of the whole of Africa to identify countries that would be suitable for more in-depth research. We were particularly interested to identify countries where there was a clear, demonstrable need for protection among human rights defenders and other civil society organisations. However, our initial research was also designed to establish whether protective accompaniment would be appropriate or effective in each country's context. During Phase 1, we carried out desk research and communicated with country experts to produce an initial assessment of each state in Africa. The findings were used to inform our choice of countries for Phase 2 and a very brief summary of findings for each country is included at Appendix 2.

### **Phase 2**

Eight countries were selected for further study in Phase 2 using a clear set of criteria that are explained later in this report. We decided to undertake field visits to five of these countries and, again, based our decision on clear criteria. We developed a research methodology that set out the key questions we would address for each country. For both the field visit countries and those for which in-depth desk research was carried out, we communicated directly with human rights defenders and other civil society organisations. In addition, we also consulted with members of the international diplomatic community and a range of country experts as well as carrying out a literature review and other desk research. We then identified key opportunities and challenges for each country relevant to setting up an accompaniment project there.

## **Peace Brigades International and the protection of human rights defenders**

PBI was established in 1981 and has carried out a range of activities in many different countries to protect human rights defenders and civil society organisations and also to promote the non-violent resolution of conflicts. PBI currently has field projects in Colombia, Guatemala, Indonesia, Mexico and Nepal and although it has previously worked in several other countries, it has never established a field project in Africa. The organisation also has 16 country groups, predominantly in European, North American and Australasian countries.

PBI is perhaps most well known for its use of protective accompaniment whereby PBI volunteers physically accompany those who are threatened because of their

human rights work. PBI believes that this physical accompaniment is effective because field projects communicate openly and regularly with authorities at all levels in the country so that the organisation's role and activities are very well understood. Furthermore, PBI has established a global political support network that can be mobilised at very short notice to react and exert political pressure should those PBI accompanies, or PBI volunteers themselves, come under particular threat. Communicating effectively with this global network is also a crucial part of PBI's day-to-day work.

This method has been extremely successful in deterring acts of aggression against human rights defenders even in countries where political violence is commonplace. The potential for political pressure to influence an aggressor is a key factor in deterring violence and informs the choice of countries where PBI has established field projects. PBI believes that its method will only be successful in those countries where those who threaten human rights defenders are sensitive in some way to international political pressure. So, in the context of this project, it was crucial to not only identify countries where human rights defenders are under threat but to develop an understanding of how effective PBI's particular methods would be.

PBI's mandate is wider than simply providing protective accompaniment and field projects have delivered peace education and other training on nonviolent conflict resolution in countries including Haiti and Indonesia.

Whatever the services provided in field projects, PBI always uses the following key principles:

- Nonviolence. PBI only works with organisations committed to nonviolence
- Nonpartisanship. PBI does not get involved in or seek to influence the work of organisations it accompanies. PBI does not take sides in a conflict and refrains from publicly campaigning or criticising different parties
- International character. PBI uses international volunteers and a global political support network to deter acts of aggression against human rights defenders
- Nonhierarchical functioning. PBI uses consensus decision-making throughout the organisation

## **Who does PBI protect?**

PBI has accompanied a wide variety of organisations and individuals, including, but not limited to:

- lawyers
- human rights organisations
- organisations of indigenous people
- community organisations
- women's groups
- trade unionists
- victims' groups
- humanitarian organisations

- environmental organisations
- lesbian, bisexual, gay and transgender (LGBT) organisations

In this project, we aimed to identify the protection needs of a whole range of civil society actors who are working nonviolently to promote human rights of all kinds in their country.

## **Opportunities for protective accompaniment in Africa**

The following section provides summaries of our findings but it is first important to explain how we arrived at the final selection of countries.

Any project of this nature has finite resources, both financial and human, and we chose to focus on eight countries. This should not be taken to mean that these are the only eight countries in Africa with human rights problems or, indeed, that they have the most significant human rights problems in the continent. These countries seemed to us to offer the greatest possibility to carry out protective accompaniment.

There are countries, such as Sudan, Somalia and Zimbabwe, with tremendous human rights needs but where we felt it would not be possible for international protective accompaniment to operate successfully in the near future. There are others such as Burundi and Cameroon where there may be strong arguments for establishing a protective presence but which we were not able to consider due to the resources available to us. We used the criteria described below to help us choose a group of countries where we felt protective accompaniment could work effectively.

### **Criteria used to select countries**

We agreed on a common research methodology and used clear criteria upon which to base our research and analysis.

The methodology reflected the belief that effective protection using its methods is only possible where potential aggressors are sensitive to international pressure and where it would be possible to communicate effectively with them. Our analysis therefore included an assessment of the conditions for human rights defenders in order to establish the level of need for protection but also, crucially, a consideration of the nature of the threats and the internal political dynamics of each country. We also considered practical and logistical questions relevant for deploying field teams, such as the languages spoken in the country.



### Criteria used to select countries for in-depth research

Criteria	Higher priority	Lower priority
Repression faced by defenders	<ul style="list-style-type: none"> <li>Defenders have experienced physical threats</li> </ul>	<ul style="list-style-type: none"> <li>Physical threats to defenders are rare</li> </ul>
State of the local human rights movement	<ul style="list-style-type: none"> <li>Weak or fragile movement</li> <li>Significant numbers of defenders have gone into exile or</li> <li>Defenders restrict their activity to avoid repression</li> </ul>	<ul style="list-style-type: none"> <li>Active human rights movement able to work freely</li> </ul>
Direction of change	<ul style="list-style-type: none"> <li>Situation is worsening</li> </ul>	<ul style="list-style-type: none"> <li>Situation is improving</li> </ul>
Strength of existing protection mechanisms	<ul style="list-style-type: none"> <li>Weak or ineffective mechanisms</li> </ul>	<ul style="list-style-type: none"> <li>Strong mechanisms already in place</li> </ul>
Defenders' perceptions of international accompaniment	<ul style="list-style-type: none"> <li>Defenders may be open to accompaniment</li> </ul>	<ul style="list-style-type: none"> <li>Defenders are unlikely to request accompaniment</li> </ul>
Potential aggressors' sensitivity to international political pressure	<ul style="list-style-type: none"> <li>Aggressors would be sensitive to international pressure</li> </ul>	<ul style="list-style-type: none"> <li>Aggressors are unlikely to be sensitive to international pressure</li> </ul>
Potential aggressors' hierarchy	<ul style="list-style-type: none"> <li>Aggressors have an effective hierarchy with which to communicate</li> </ul>	<ul style="list-style-type: none"> <li>Lack of an effective hierarchy with which to communicate</li> </ul>
Ability to work freely in the country	<ul style="list-style-type: none"> <li>Accompaniment organisation is likely to be able to enter and work in the country</li> </ul>	<ul style="list-style-type: none"> <li>Accompaniment organisation unlikely to be allowed to enter and work in the country</li> </ul>
General security situation	<ul style="list-style-type: none"> <li>Accompaniment field teams likely to be able to mitigate security risks</li> </ul>	<ul style="list-style-type: none"> <li>Accompaniment field teams would find it difficult to mitigate security risks</li> </ul>

Using these criteria, we initially agreed to carry out in-depth research on nine countries. Human resource and financial limitations meant that it was not possible to undertake a field visit to each of these countries so it was necessary to further refine this list using additional criteria, some of which reflected the practical considerations of carrying out a field visit.

We did consider the relative costs of visiting and eventually working in different countries although this was not a determining factor in our final choices.

### Criteria used for final selection of field visit countries

Criteria	Higher priority	Lower priority
Ability to carry out field research	<ul style="list-style-type: none"> <li>Group members could enter the country and work freely</li> </ul>	<ul style="list-style-type: none"> <li>Group members would find it difficult to enter the country and work freely</li> </ul>
Availability of information	<ul style="list-style-type: none"> <li>Difficult to build up a picture without visiting the country</li> </ul>	<ul style="list-style-type: none"> <li>Information easily available from published sources and telephone interviews</li> </ul>
Language of the country	<ul style="list-style-type: none"> <li>Group members can speak languages used</li> </ul>	<ul style="list-style-type: none"> <li>Group members cannot speak languages used</li> </ul>

Following this exercise, we decided to carry out field visits to:

- Gambia
- Kenya
- Morocco and Western Sahara
- Swaziland
- Uganda

In-depth desk research was carried out on the following countries:

- Chad
- Democratic Republic of Congo (DRC)
- Guinea-Bissau
- Tunisia

Subsequently, we decided not to carry out further work on Guinea-Bissau due to difficulties in gathering detailed, reliable information.

The next section contains a summary of the key findings for each of the countries where we initially felt there could be a need for accompaniment and where PBI's methods could be effective. Each of the country summaries identifies key opportunities and challenges for carrying out protective accompaniment and which would need to be considered in greater depth in any subsequent assessment. Population statistics are taken from the United Nations website and information on languages from the CIA World Factbook.

## Chad

There appears to be an active human rights community, largely based in the capital N'Djamena, that reports high levels of repression from the state. In several parts of the country, the security situation is so volatile that there is little human rights activity. Although Chad has strong links to several foreign governments, particularly France, building international pressure to protect defenders may be somewhat challenging. It proved extremely difficult to consult directly with human rights

defenders and other civil society actors in Chad which makes it difficult to reach any clear recommendation.

### **Key facts**

Population: 11 million

Languages spoken: French and Arabic are official languages. Over 100 other languages are spoken.

Location: Chad is located in the northern part of central Africa and has borders with Libya, Niger, Nigeria, Cameroon, Central African Republic and Sudan.

### **The context**

President Idriss Déby came to power following a coup in 1990 and his authority has been challenged on several occasions by armed opposition groups who have attacked cities in the east around the Sudanese border and who launched a major but unsuccessful attack on the capital, N'Djamena, in February 2008. Following the attack, the government decreed a state of emergency.

The internal conflict and conflicts in neighbouring countries have resulted in the presence of over 250,000 refugees from Sudan, over 50,000 from Central African Republic and over 150,000 internally displaced people, predominantly in the east but also the south of the country. UN troops have been deployed to the country to facilitate the distribution of humanitarian aid under the MINURCAT mission since March 2009 replacing an EU force that had been authorised in late 2007. The general security situation is extremely volatile in the south and east where the government appears to lack effective control over its territory and is reported to provide funding and arms to local tribal groups to combat opposition fighters.

The presence of oil is increasingly significant in Chad. The World Bank has assisted the development of the sector and the construction of a pipeline from Chad to the Atlantic Ocean, via Cameroon. It is reported that the President has used oil revenues to increase government military spending to tackle rebel forces in the east so that the military is now one of the best equipped in sub-Saharan Africa.<sup>1</sup> Chad is perceived to be one of the most corrupt governments in the world.<sup>2</sup>

PBI carried out a field visit to Chad in 1993 but was unable to reach consensus on establishing a field project in the country.

### **The human rights community**

Chad appears to have a relatively active and vibrant human rights community, largely based in the capital N'Djamena. The security situation and presence of a variety of armed groups appears to preclude the vast majority of defenders from working in most of the east and south of the country.

---

<sup>1</sup> Chad's military spending rose from US\$14 million in 2000 to US\$315 million in 2009 (Krosiak, Daniela, *A power keg ready to explode*, France 24, April 20<sup>th</sup>, 2009).

<sup>2</sup> In 2008, Transparency International placed the country in eighth place in its ranking of government corruption.

Defenders monitor political institutions, for example, the use of money earned through oil revenues. Lawyers carry out high profile cases including those demanding justice for alleged human rights violations attributed to former dictator Hissene Habre. Women's rights organisations aim to empower women and tackle practices such as female genital mutilation and forced marriage. Women are also highly visible in victims' organisations such as a group demanding to know what happened to their military officer husbands who were arrested by the security forces in 2006 after an attack on the capital by armed opposition groups.<sup>3</sup>

Independent journalists are also active in criticising the government and arguing for greater transparency.

### **Threats experienced by human rights defenders**

There are frequent reports of repression of defenders in Chad. The incidence of repression appears to be linked to the relative strengths of the government and the armed opposition. Attacks on human rights defenders are reported to increase following opposition offensives such as the attack on the capital in 2008 when those who are critical of the government are regarded as part of the enemy against whom it is legitimate to use force.

During the state of emergency in 2008, political opponents and civil society organisations were allegedly victims of arbitrary arrests, detention, torture, rape and extrajudicial execution. There are reports that the presidential guard carried out many of these violations but also that the government used a Sudanese rebel group (The Justice and Equality Movement) in these attacks.<sup>4</sup>

The most prominent opposition figure in Chad, Ibni Oumar Mahamat Saleh, disappeared in 2008 after the attack on the capital and has not been seen since. Opposition figures believe that he was tortured and killed.

A government decree issued in 2008 severely restricts press freedom and there are reports that a prominent radio station was closed down and over 14 independent journalists went into exile.<sup>5</sup> Shortly before the decree, a journalist for Radio France International, the only foreign correspondents based permanently in the country, was expelled.<sup>6</sup>

Those human rights defenders who do operate in the east and south have experienced a variety of threats but these are perceived to be carried out by criminal gangs or bandits and are not perceived to be political in nature.

---

<sup>3</sup> Amnesty International, *Chad: More than 14 army officers and civilians arrested in April 2006 still held incommunicado*, Index: AFR 20/007/2007, 2007.

<sup>4</sup> OMCT/FIDH, *Steadfast in protest: The Observatory for the Protection of Human Rights Defenders Annual Report*, 2009.

<sup>5</sup> Committee to Protect Journalists, *Lone foreign correspondent forced out of Chad*, March 21<sup>st</sup>, 2008, New York.

<sup>6</sup> Reporters sans Frontières, *Reporters sans frontières "consternée" par le retrait de l'autorisation de travail de la correspondante de RFI*, March 20<sup>th</sup>, 2008.

### **Protection and deterrence**

There are examples of the government in Chad responding to international pressure. For example, after international criticism, it announced the establishment of a Commission of Enquiry that would examine alleged human rights violations during the aftermath of the coup attempt in February 2008. It is not yet clear what practical impact the Commission has had.

Seventeen countries have embassies in Chad including France, which is perhaps the most politically influential member of the international community in the country. France intervened militarily on three occasions during the 1970s and 80s to prevent an invasion from Libya and continues to maintain a military presence in Chad, largely designed to prevent Sudanese-backed rebel groups from overthrowing the regime and potentially destabilising the region.

Given the strategic position of Chad in a volatile region, building international political support and then translating this into effective political pressure may be a significant challenge for any organisation seeking to promote human rights in the country.

### **Other practical factors**

There have been many cases of international humanitarian workers kidnapped by criminal gangs<sup>7</sup>, particularly in the south and east, but the situation within the capital is much more stable.

French and Arabic are the main working languages in Chad.

### **Summary**

It has been extremely difficult to speak directly to human rights defenders in Chad. As a result, further research would be necessary to gauge their opinion about the potential for protective accompaniment in the country.

There appears to be a relatively active human rights movement, particularly in the capital and reports suggest that defenders experience politically motivated repression carried out by state actors. The government has shown some signs of sensitivity to international pressure.

One key challenge for establishing protective accompaniment in Chad would be to build sufficient political support among the international community to put pressure on the government over human rights while the current regional instability persists.

Another challenge for an accompaniment organisation would be to understand how it could deter threats against human rights defenders from civilian militia groups, allegedly acting on behalf the government.

---

<sup>7</sup> Fort, Patrick, *Tchad: l'insécurité des travailleurs humanitaires fait polémique*, Agence France-Presse, Liberville, November 11th, 2009.

It would appear to be extremely difficult and risky for an accompaniment organisation to work in certain areas of the country, particularly the south and east, in the current security environment.

## **DRC**

Despite a volatile security situation in parts of DRC, it appears that accompaniment could play a significant role in supporting human rights defenders who are increasingly under threat. Many believe that defenders will come under increasing pressure in the near future so an accompaniment organisation could help the movement here to withstand this. The Katanga region could be particularly suitable for a PBI field project.

### **Key facts**

Population: 63 million

Languages spoken: French is the official language with numerous other local languages including dialects of Swahili spoken in different parts of the country.

Location: DRC is in Central Africa and has borders with Angola, Zambia, Tanzania, Burundi, Rwanda, Uganda, Sudan, Central African Republic and Congo.

### **The context**

DRC is arguably the most complex country in Africa with its large population, land area and over 450 different ethnic groups. DRC's recent history has been one of internal conflict and it has also found itself at the centre of a regional armed conflict involving up to 10 different African states.

The first elections since 1960 were held in 2006 and saw former rebel leader Laurent Kabila elected as President. However, the hopes of a more positive future have yet to bear fruit and the country remains extremely unstable, particularly in the east where a number of different armed groups from both within and outside DRC are active. Elections are scheduled for 2011 and there are fears that this will lead to a further closing of political space. The post of Minister for Human Rights was removed in a government restructuring in February 2010.

The UN maintains its largest peacekeeping force (MONUC) in DRC with 20,000 troops, mostly in the east. The force has a mandate to protect human rights defenders but is drawing up a withdrawal plan.

The International Criminal Court is hearing cases arising from one of the conflicts in the east of DRC and is believed to be likely to expand its work in that part of the country.

### **The human rights community**

There are a large number of NGOs operating in DRC although the majority struggle for adequate funding and lack resources. Human rights defenders are predominantly based in the capital Kinshasa, in the east of the country and in Katanga where human rights violations linked to large-scale mining operations carried out by multinational corporations are a particular focus of interest.

Grassroots defenders do vital work in remote areas gathering information, which they then pass to larger organisations both within and outside DRC. There still remain some independent media, although increasing levels of intimidation have led to a large degree of self-censorship.

NGOs are required to register with the government but do not always receive a response when they do so. In 2008, the government declared that even NGOs who had a provisional permit were working illegally.

MONUC has carried out some protection activities for individual defenders such as security training and the provision of a limited amount of internal flights for evacuation, but their mandate does not include field accompaniment.

Some NGOs are members of the regional human rights defenders network for central Africa (REDHAC), but this is a relatively new initiative and has achieved few positive results to date.

Protection International and Front Line have delivered security training for defenders in DRC. Protection International has plans to open a protection desk in Bukavu, in the east of DRC.

### **Threats experienced by human rights defenders**

Defenders rarely experience serious physical violence but carry on their work against a backdrop of persistent low-level intimidation and harassment including anonymous threats over the telephone; frequent office visits by authorities to check paperwork and visits to offices or homes by armed actors making threats. However, defenders have been killed directly due to their work. Two prominent journalists were murdered in Bukavu (Serge Maheshe in 2007 and Didace Namujimbo in 2008). Others have received death threats.

Despite the relatively secure environment, defenders based in Kinshasa do report harassment and intimidation. Robert Ilunga, president of Les Amis de Nelson Mandela pour la Défense des Droits de l'Homme (The Friends of Nelson Mandela for the Defence of Human Rights, ANMDH) was illegally detained by the police for nine days in August 2009.<sup>8</sup>

In Katanga, Golden Misabiko, president of the local section of the African Human Rights Association (Association Africaine des Droits de l'Homme, ASADHO), was sentenced to a one year suspended prison sentence in September 2009. His organisation had published a report alleging state complicity in illegal mining at a uranium mine. Lawyers and other civil society organisations working on the case have reported harassment and intimidation.

---

<sup>8</sup> *Human rights defenders under attack in the Democratic Republic of Congo*. Amnesty International. February 2010.

Grégoire Mulamba, a member of Centre pour les Droits Humains et le Droit Humanitaire (Centre for Human Rights and Humanitarian Law, CDH) reports being arbitrarily arrested on several occasions and was abducted in October 2009, threatened and dumped on the edge of Lubumbashi, the capital of Katanga.

Lambert Mende, Minister of communication and the media, frequently criticises civil society organisations in the media and denounces their activities. NGOs have been labelled as “humanitarian terrorists”.

Civil society organisations that monitor and denounce human rights violations and support victims’ claims appear to be those who face the greatest level of threat, particularly in the east of the country. Those engaged in development issues, humanitarian aid or human rights promotion appeared to be less threatened.

Female defenders can be subject to additional threats and attacks. Family or community members can pressure them to stop their activities, particularly when it involves tackling sexual violence. Some have developed specific strategies to protect themselves.

### **Protection and deterrence**

Defenders consulted during this research perceived that protective accompaniment would be extremely valuable and effective in DRC. A number of international NGOs feel that an international presence could be effective in deterring threats against lawyers and human rights defenders in Katanga. There are examples of protection work already carried out, for example by MONUC and Protection International even in the relatively unstable east of the country.

While there are a number of armed groups in DRC, defenders perceive that the vast majority of threats towards them emanate from state actors. There is a complex web of security services under the control of the President and government. The organisation most feared by defenders is the *Agence Nationale de Renseignements* (ANR), the civilian intelligence agency.

The armed forces appear to lack a clear command and control structure in parts of the country, particularly the East, and an accompaniment organisation might find it challenging to communicate effectively with them. There are a large number of Congolese and foreign armed groups operating in the east of DRC. Although they do commit acts of violence against the civilian population contacts did not perceive that they engage to any great extent in politically motivated violence against human rights defenders. However, defenders who do work on child soldiers have faced threats from such groups, particularly as this issue is at the heart of several cases before the ICC. Protective accompaniment is unlikely to deter violence from such actors.

In areas such as Katanga, there are much clearer hierarchies so that communication with authorities would be more straightforward.



The international diplomatic community has not consistently put pressure on DRC for its human rights record, partly because the protection of defenders falls within the mandate of MONUC so individual governments have relied on UN personnel in this respect. Nevertheless, sources believe that the most significant international actors in DRC (the USA, UK and EU) have sought to put pressure on DRC over human rights on occasion in recent years. DRC is building closer links with China, which may be less interested in the country's human rights record.

DRC has responded to international pressure on certain occasions. For example, it has set up a Liaison Committee to strengthen human rights cooperation between the UN, the government, and the security services and human rights activists, following a resolution of the UN Human Rights Council in 2009. On individual cases, international human rights organisations feel that DRC does respond to concerns and that protection efforts can often be successful.

DRC has occasionally reacted strongly to international criticism and deported a Belgian diplomat who spoke out about alleged corruption in the country and also appeared to declare in January 2010 that the EU's Commissioner for Development and Humanitarian Aid Karel de Gucht was a persona non grata after he said that EU aid had limited impact in DRC because of the weakness of the state.<sup>9</sup> There are reports of international journalists and business people experiencing harassment from the authorities in the Katanga region.

### **Other practical factors**

International organisations perceive it to be relatively safe to work in major urban centres. However, the general security situation is much more difficult in the East where there have been numerous attacks on national and international humanitarian organisations, some resulting in staff being killed. Travel is very time-consuming and difficult around the country. Communication can be difficult outside of major urban centres.

Sources have suggested that volunteers from the USA and UK might not be well received given that their governments are perceived to have supported Rwanda in regional conflicts. However, the USA and UK do have two of the most influential embassies in the country. Volunteers from countries involved in the regional war such as Uganda, Tanzania and Rwanda may find it extremely difficult to be accepted by authorities. Sources perceived that volunteers from Francophone countries in Africa would be less controversial.

French is widely spoken, although it may be necessary to either speak local languages or work through translators to communicate with the general population, lower ranking officials and members of the security services.

International organisations report that it can take an extremely long time to gain authorisation to open an office.

---

<sup>9</sup> <http://www.europeanvoice.com/article/2010/01/de-gucht-barred-from-drc/66823.aspx>

## **Summary**

There already appears to be a clear need for protection and it is likely that this will increase in the near future with the withdrawal of the UN mission, the ICC hearings and the forthcoming elections in 2011.

It would seem to be more feasible for an accompaniment organisation to be effective in Kinshasa and a region such as Katanga where the environment is more predictable, there are human rights defenders doing important work and experiencing threats. The deterrence effect of international accompaniment is perhaps questionable in the east.

Some sources perceived that it could be difficult to build an effective political support network but there are significant voices in influential parts of the international community, such as the USA, UK and the EU, that strongly support human rights initiatives in DRC.

## **Gambia**

The human rights community in Gambia is extremely weak and fragile as a result of severe repression over many years. Civil society organisations do exist but journalists are perhaps the most active and vocal supporters of human rights. There appears to be widespread support for a protective presence in Gambia, which could give much-needed moral and practical support to defenders. Many of the preconditions for an accompaniment project all seem to be in place although there is the risk that, due to the small scale of the human rights community, there may be a limited demand for protection. This may grow if accompaniment was successful in creating space for defenders to work.

### **Key facts**

Population: 2 million

Languages spoken: English is the official language. Many local indigenous languages are also spoken.

Location: Gambia lies on the West African coast and is completely surrounded by Senegal.

### **The context**

Gambia was seen as an island of good governance in West Africa under its first post independence leader, President Jawara, and the permanent secretariat of the African Commission on Human and People's Rights was set up in Gambia in 1989. Current president Yahya Jammeh came to power in a coup in 1994 and has won every election since, holding large majorities.

Gambia still enjoys relative security but the situation for human rights defenders has worsened dramatically. An attempted coup in 2006 was particularly important in this respect as political freedoms and space for dissent decreased significantly. In September 2009, the President reportedly declared on television that he would kill anybody who tried to destabilise the country and particularly threatened human rights defenders and anybody associated with them.

Gambia was recently criticised during its Universal Periodic Review in the UN Human Rights Council for violating freedom of the press and for the arbitrary detention and execution of human rights defenders and political prisoners. The Minister of Justice has not yet acknowledged the concerns.

### **The human rights community**

Persistent repression of human rights defenders has created a situation where the human rights community in Gambia is extremely weak and fragile, although poverty and low levels of education mean that civil society has rarely been vibrant. Some defenders work only on international issues while the majority of those with a domestic focus concentrate on relatively non-controversial topics. Repression, intimidation and surveillance have led many defenders to leave Gambia.

Independent journalists are perhaps the most active human rights defenders in Gambia at present and the Gambian Press Union provides crucial support for individual journalists as well as campaigning in its own right. A new group, Journalists for Human Rights, is currently being set up with support from the US embassy and has links with the Press Union. Despite these efforts, many experienced journalists have gone into exile.

Two leading women's organizations are WODD and GAMCOTRAP. Both implement economic empowerment and civic education programmes and health education related to female genital mutilation and HIV/AIDS.

A small number of lawyers continue to work on human rights cases, a great contrast to the extremely active Bar Association of the 1980s and 90s.

Some Gambian defenders have links with the West Africa Human Rights Defenders Network based in Togo, but the organisation is relatively new and lacks capacity. The International Federation of Journalists, which has an office in Senegal, and the Ghana-based Media Foundation for West Africa have provided support for Gambian journalists.

As a historical legacy of its previous good human rights record, several African human rights institutions are based in Gambia. However, the Institute for Human Rights and Development in Africa is reportedly reconsidering its position.

### **Threats experienced by human rights defenders**

Journalists are perhaps the most prominent and active defenders and, as such, have perhaps experienced the highest levels of repression. Reporting on more serious human rights violations has resulted in severe responses. The Daily Observer journalist, Chief Ebrima Manneh, disappeared in 2006. The ECOWAS Community Court of Justice ordered Gambia to release him and pay damages to his family. Gambia has yet to comply with this order and it is now believed that he is dead. The former editor of The Independent newspaper, Musa Saidykhan, was also allegedly

tortured by the National Intelligence Agency and has an ongoing case with the ECOWAS court.

Seven journalists, four of whom were members of the Gambian Press Union, were sentenced to two years in jail for “seditious publication” in August 2009. They had criticised the president for refusing to admit any government involvement in the murder in 2004 of Deyda Hydera, the editor in chief of The Point newspaper, and also criticised the harassment and intimidation of other journalists. The seven were released by a presidential pardon in September 2009.

Amnesty International staff and a local journalist were arbitrarily detained in October 2007 while on a research mission. They were initially released after two days and this was made unconditional after five days.

It appears that women's organisations have sought to manage their security using careful communication with local leaders and limiting their activity to relatively non-controversial areas. When female defenders have been more vocal or critical they have faced threats from the state but also from local (male) community leaders who may feel that their authority is undermined. The President responded to a campaign against female genital mutilation by saying that defenders would not receive any protection from the state should there be any reprisals from within the community.

### **Protection and deterrence**

Gambian society is highly controlled by the current President and defenders attribute repression directly to state actors. It appears that the Gambian military and police are well organised and do have an effective hierarchy with which an accompaniment organisation would be able to communicate.

Virtually all of the defenders consulted felt there was a need for more protection of human rights defenders and that protective accompaniment would be effective. However, one women's group felt that association with foreigners could undermine their security strategies.

There are examples where international political pressure may have influenced the Gambian government. In the case of the journalists imprisoned for "seditious publication", international pressure is believed to have contributed substantially to their release.

Particular care would need to be taken to communicate PBI's principle of non-partisanship to the Gambian authorities in order to increase the likelihood of a PBI field project being given permission to base itself in Gambia.

More generally, Gambia is heavily dependent on the international tourist industry and is keen to maintain its image as a stable, safe holiday destination.

Sources in Gambia perceive that volunteers from certain countries in West Africa may not be well received and may find it difficult to gain diplomatic support from

their embassies. However, volunteers from other parts of the continent, Europe and North America were perceived to be able to generate the kind of deterrence found in other PBI field projects. Looking to the future, Gambia is developing closer relationships with states such as Taiwan and Libya, which may be less willing to build pressure for the respect of human rights.

### **Other practical factors**

In general, Gambia is a safe and secure country. The US Peace Corps maintains around 100 volunteers in various parts of the country.

Although English is the official language and is widely spoken among the better educated, it is estimated that only around 20% of the population speak it. In order to communicate effectively with the general population and lower ranking officials it will be necessary to speak local languages or work through interpreters.

Many foreign governments do not maintain a diplomatic presence in Gambia but are based in nearby Dakar, Senegal. Therefore, their ability to directly influence counterparts in Gambia may be somewhat reduced and this would require an accompaniment team to develop means of communication other than meeting face-to-face on a regular basis. Dakar would provide an excellent alternative base should a field team need to evacuate from Gambia or wished to provide protection without actually being based in the country.

### **Summary**

The human rights movement in Gambia appears to be extremely weak and fragile so any project may be able to play a significant role in increasing political space and the strength of the movement. In its early stages, any field project may need to consider offering accompaniment to journalists as these are the most active defenders working in Gambia. Given the size of the human rights community in Gambia, the demand for accompaniment may initially be limited.

Some sources suggested that a protection organisation could offer support and advocacy for Gambian defenders without being based in the country. Although this was not considered explicitly in this study, assisting the West African Human Rights Defenders Network working from Togo to build its protection capacity could also have practical benefits for the security of defenders in Gambia and other parts of the region.

### **Kenya**

The already limited political space for human rights defenders decreased dramatically in 2007 as widespread violence engulfed Kenya following a disputed election. An active human rights movement is facing high levels of repression and there are fears that the next few years will see the situation worsen further. Defenders and the international diplomatic community would welcome the deployment of a protection organisation in Kenya and believe that PBI's methods

would create more space for human rights work. Any organisations working on the ground in Kenya would need to develop a clear understanding of how to operate safely in areas where civil militias are active.

### **Key facts**

Population: 38 million

Languages spoken: English and Kiswahili are the official languages with many other local languages also spoken.

Location: Kenya lies on the Eastern Africa coast and has borders with Somalia, Ethiopia, Sudan, Uganda and Tanzania.

### **The context**

Kenya had largely been regarded as a bastion of stability in East Africa until the re-election of President Kibaki's Party of National Unity in 2007. Widespread clashes following the election left 300,000 people displaced and over 1000 dead. Shortly afterwards, a power-sharing agreement was reached between the President and the main opposition party.

A subsequent enquiry found that violence had been orchestrated by political parties along ethnic lines. It appeared that security forces had applied excessive force towards civilians protesting about the result, engaged in extrajudicial killings, looting, rape and had failed to intervene in more organised violence. The International Criminal Court launched an investigation that is still ongoing when the government failed to take any practical action after this enquiry.

Large-scale military and police operations against armed civil militias in the west and north east of Kenya have also been associated with human rights violations. Several militia groups are still active.

The ICC investigation and presidential elections scheduled for 2012 lead many defenders and observers to be extremely concerned about further restrictions of political space in the near future in Kenya.

### **The human rights community**

Kenya has a strong tradition of human rights activism and there is a vibrant community, although one that is somewhat diminished and increasingly under threat. Organisations working on extrajudicial killings and corruption have a longer history of dealing with threats and harassment whereas those that focused on economic, social and cultural rights saw their ability to work decrease dramatically following 2007.

In Nairobi, there are a number of highly professional, relatively large and high profile human rights organisations. Such organisations include the Kenya National Human Rights Commission (KNHRC), which works relatively independently despite being a government body, the Kenya Human Rights Commission (KHRC), the Independent Medico-Legal Unit (IMLU), the Kenyan International Commission of Jurists, the Citizen's Coalition for Constitutional Change and AFRICOG.

There are also numerous grassroots organisations, many of which operate in more remote areas that document violations, support the work of larger organisations based in Nairobi and provide support to victims. These include Mwatikho Torture Survivors, Western Kenya Human Rights Watch, Kenya Human Rights Network, Western Kenya Centre for HR and Democracy and the Catholic Truth and Justice Commission. Bunge la Wananchi, based in Nairobi, also has a grassroots approach and horizontal structures. Such organisations are typically limited in their capacity and funds and have little access to training, central government contacts, foreign institutions and the media.

There are two main coalitions of human rights defenders. The Campaign against Impunity is a platform that was launched by Release Political Prisoners to press for accountability for past violations and monitor elections and government activity generally. The National Coalition is a new initiative prompted by the East and Horn of Africa Human Rights Defenders Programme. It aims to build bridges between the more professional and grassroots organisations, ensure greater visibility of defenders and assist in particular strategic cases.

Women are active in women's groups but also as defenders working on a range of issues. They appear to face sexual violence from both security forces and the community due to general attitudes about the subservient position of women within Kenyan society.

Journalists are also at risk, reporting threats and intimidation by state agents in relation to their coverage of abuses carried out by security forces and issues of corruption. In addition they are also facing restrictions on their freedom of expression due to repressive legislation.

### **Threats experienced by human rights defenders**

Defenders have faced severe repression, particularly since 2007. Some organisations have continued to work as before but others have restricted their activity and many defenders have temporarily left the country.

Oscar Kamau King'ara and John Paul Oulu, members of the Oscar Foundation Free Legal Clinic, were shot to death on 5th March 2009, it is reported, by police officers. The organisation had documented cases of extra-judicial killings during a police operation against the Mungiki militia and had presented a report to a UN representative and to the Kenyan parliament. Only hours before the killings, a government spokesman accused the Foundation of being a front for the Mungiki.

In 2008, notable human rights defenders including Ms. Muthoni Wanyeki, (Executive Director of KHRC), Ms. Gladwell Otieno (Africa Centre for Open Governance) and Maina Kiai (then KNHRC Director) received death threats following their declarations about irregularities in the elections.

Some organisations (for example, KNHRC) have stopped doing casework as some of its members have been threatened and left the country to relocate temporarily in Europe. Some grassroots defenders have stopped documenting cases, which means that larger organisations often lack information.

Defenders working in rural areas appear to be particularly vulnerable as they are less visible and high profile than counterparts in the capital and also lack the funding and organisational capacity to develop effective security strategies. For example, defenders report being warned not to speak to a UN representative in February 2009 during a field visit to western Kenya and several temporarily left the country as a result.

### **Protection and deterrence**

We found an overwhelmingly positive response from local defenders and other country experts to the possibility of protective accompaniment in Kenya.

Kenya is believed to be highly concerned to improve its international image since the events of 2007, particularly due to the importance of international tourism to the economy. Kenya also receives large amounts of humanitarian and military assistance from a variety of governments and international institutions.

Kenya is reported to have been obstructive and uncooperative during a UN visit in February 2009 to investigate alleged extrajudicial killings and also denied permission for Medecins sans Frontières to visit parts of the country in 2007. Both had criticised the Kenyan regime so a nonpartisan stance may make it easier to build a positive working relationship with authorities.

We found that the international diplomatic community would welcome moves to enhance the protection of defenders in Kenya and there is a particular opportunity to build political support for human rights protection. The EU has been very active in promoting its guidelines on human rights defenders and several other major embassies have been active in promoting human rights generally. Finnish, Swedish and Dutch diplomats have carried out informal accompaniment and the Finnish Embassy has funded protection and security training for human rights defenders.

There appears to be a clear and effective hierarchy throughout the police and military. However, a complicating factor here is the presence of civil militias such as the Mungiki and the Saboat Land Defence Force (SLDF) that operate in certain parts of the country, particularly the West and North East. There are reports that the government has used civil militias to carry out human rights violations. There is a complex relationship between the state, individual politicians and these militias with suggestions that some groups are allied to the state whereas others have been the target of large-scale military missions. These relationships seem to shift over time. The experience of deploying accompaniment teams in other countries where militias operate would be useful in developing a strategy here.



Some defenders have criticised militias that have no links to the state and received threats as a result. In addition, some defenders have reported attacks from the local community who they feel have been manipulated by governments to view human rights defenders as an enemy. International protective accompaniment is unlikely to deter such acts.

Some of the larger organisations, particularly those in Nairobi, have links with the East and Horn of Africa Human Rights Defenders Project and Protection International. Nonviolent Peaceforce held training and internal meetings in Kenya, has member organisations based in the country, but has not established a project in Kenya.

### **Other practical factors**

There are many international NGOs based in Nairobi and the city has been a regional hub for humanitarian organisations for many years. In the capital, there are no significant security concerns that an accompaniment organisation would be unable to mitigate. The activities of civil militias mean that there may be more significant security risks in other parts of the country such as the northeast.

English is widely spoken in Kenya although it may be necessary to communicate in local languages at times.

### **Summary**

We heard significant concern that Kenya is at a critical juncture and that the once vibrant and active human rights movement may be significantly undermined and would benefit from support in the near future.

The indications are that there is a high level of demand for protective accompaniment in Kenya from defenders themselves and that such an initiative would receive the backing of the international diplomatic community. It would seem that the state security services have an effective hierarchy and that the government would be sensitive to international political pressure, although it would be important to fully analyse the implications of working in regions where civil militias are active.

## **Morocco and Western Sahara**

Even though Morocco has taken great strides to improve its human rights record over recent years, defenders continue to experience harassment and threats. Morocco has occupied Western Sahara since 1975 and the situation for organisations campaigning for self-determination is particularly difficult. While there is a demand for a protective presence, there would be significant obstacles to developing a field project that addressed the needs of Sahrawi civil society organisations.

### **Key facts**

Population: 31 million (Morocco), 480,000 (Western Sahara)

Languages spoken: Arabic is the official language, but French is widely spoken. Varieties of Arabic and some Spanish are spoken in Western Sahara.

Location: Morocco is located on the North African coast and a border with Algeria. Western Sahara is also on the coast to the south west of Morocco and has a border with Mauritania.

### **The context**

Morocco has taken significant and important steps towards increasing respect for human rights and allowing human rights defenders to work over recent years. However, there are increasing concerns about a deteriorating human rights situation, levels of impunity for human rights violations and a less tolerant attitude towards dissent. Morocco is a monarchy, governed by King Mohammed VI.

Morocco occupied Western Sahara in 1975 and continues to do so despite a number of UN resolutions calling for a peaceful settlement. Hundreds of thousands of Sahrawis live as refugees in Algeria or in camps for displaced people within Western Sahara. The UN has a presence in Western Sahara in the form of the United Nations Mission for the Referendum in Western Sahara (MINURSO). Those arguing for independence or self-determination for Western Sahara increasingly face repression. The Polisario Front considers itself the government in exile of Sahrawi Arab Democratic Republic in exile, has membership of the African Union and is based in Algeria.

### **The human rights community**

There are a number of extremely large human rights organisations in Morocco such as the Moroccan Association for Human Rights (*Association Marocaine des Droits Humains*, AMDH) that has more than 10,000 members, The Moroccan Forum for Truth and Justice (*Forum Marocain pour la Vérité et la Justice*, FMJ) with 4000 members, the Moroccan Centre of Human Rights (*Centre Marocain des Droits Humains*, CMDH), with nearly 30 local branches, and the Moroccan Organisation for Human Rights (*Organisation Marocaine des Droits Humains*, OMDH). Despite their large scale, many defenders lack funding and office facilities.

In Western Sahara, there are very few organisations working openly on human rights, except for the AMDH section in Laayoun. The local branch of OMDH is awaiting its official registration. Unregistered organisations do exist such as the Sahrawi Collective of Human Rights Defenders (*Collectif des Défenseurs Sahraouis des Droits de l'Homme*, CODESA) although this places limits on their work. Many Sahrawi organisations have adopted a low-profile approach to their work due to difficulties in registering officially.

Some Sahrawi human rights organisations appear to focus on campaigning for independence or self-determination for Western Sahara. The Moroccan human rights community does not unanimously support the Sahrawi campaign for self-determination and the role that human rights organisations play in this.

### **Threats experienced by human rights defenders**

It seems clear that civil society organisations working in or on Western Sahara face a significantly higher level of repression than others in Morocco.

Since October 2009, the Moroccan authorities have obstructed visits by foreigners, including Spanish journalists and human rights lawyers, to the homes of Sahrawi activists in Western Sahara. This is a new development as such visits had merely been closely monitored in the past.

Aminatou Haidar, President of CODESA, was deported to Lanzarote in November 2009 when she returned to Western Sahara after a trip to Spain. She was only allowed to return to Western Sahara in December following international pressure.

Defenders working in cities such as Rabat and Casablanca are able to work relatively freely but, nevertheless, there are frequent reports of threats and repression towards defenders. Four members of AMDH were arrested following a visit to Sahrawi refugee camps in Algeria in October 2009.

In November 2009, Chakib El-Khayari, President of the Rif Association for Human Rights (*Association du Rif des Droits de l'Homme*, ARDH) and member of the Federal Council of the World Amazigh Congress (*Conseil fédéral du Congrès mondial amazigh*, CMA), was sentenced to three years in prison and a fine of 750,000 Dirham (about €68,500) for having revealed to foreign sources information about senior state officials, and for having opened a bank account in Spain without official permission.<sup>10</sup>

In December 2009, the president and vice president of AMDH were accused by a senior prisons official of “betraying their country” and were “advised” to leave Morocco “if they were not happy”. AMDH had recently published two letters criticising the conditions in jails in Casablanca and Settat.<sup>11</sup>

### **Protection and deterrence**

Defenders perceive that threats towards them are orchestrated and carried out by state actors who have a very clear and effective hierarchy. It would appear to be relatively straightforward to identify and meet with relevant authorities.

Many defenders said that they believed protective accompaniment could be effective in Morocco and that they would be interested in exploring this further. There is also a demand for capacity building and security training.

Morocco is perceived to be extremely sensitive to its international image and to international pressure. The fact that Aminatou Haidar was readmitted to Western Sahara following international pressure is one recent example of this. Sources revealed that Morocco often responds to letters of concern issued by international human rights organisations and generally allows such organisations to visit. Reports critical of the situation in Western Sahara are often dismissed as “pro-Polisario” so a nonpartisan approach may be viewed much more positively by the authorities.

<sup>10</sup> See Urgent Appeals MAR 001/0309/OBS 044, 044.1 and 044.2 of the Observatory for the Protection of Human Rights Defenders (OMCT-FIDH).

<sup>11</sup> See Urgent Appeal MAR 004/1209/OBS 184 of the Observatory for the Protection of Human Rights Defenders (OMCT-FIDH).

However, it may be challenging to influence the international community to put pressure on their Moroccan counterparts over human rights. Morocco is regarded as a key strategic partner in North Africa by many Western governments.

Morocco seems, at times, willing to take strong action against foreign governments who challenge its position on Western Sahara. For example, a Swedish diplomat had to leave the country in November 2009 after passing confidential documents to Sahrawi NGOs. It would be helpful for any international organisation seeking to work in the country to have a very clear nonpartisan approach.

### **Other practical factors**

Arabic is Morocco's official language and, although French is widely spoken, it would be necessary to be able to communicate in Arabic. Spanish is also spoken in Western Sahara.

They would not appear to be any significant safety or security problems in either Morocco or Western Sahara.

Morocco legislation requires that NGOs register with the government but many carry out work without doing so. Sources perceived that international organisations may experience difficulty or delays in completing this registration process and may find it difficult to gain the authorities' permission to provide accompaniment for defenders who are not officially registered.

### **Summary**

There appears to be a clear need and demand from human rights defenders and other civil society organisations for protection, particularly in Western Sahara. However, international organisations may find it very difficult to gain the necessary administrative permission to be based there and would certainly need the support of key members of the international community to be able to enter. Furthermore, an international organisation would need to stress its nonpartisanship principles in order to be able to accompany Sahrawi activists who overwhelmingly are working for independence. An accompaniment organisation would also need to address possible difficulties that may arise from working with organisations that are not officially registered to work legally.

One potential option may be to first establish a presence in Rabat and develop accompaniment relationships there. Team members could visit Western Sahara on a regular basis and perhaps develop accompaniment relationships with Sahrawi organisations with physical accompaniment carried out at particularly sensitive times.

## **Swaziland**

Swaziland has largely been off the radar for the international community despite widespread harassment of human rights defenders who enthusiastically welcomed

the possibility of protective accompaniment. While the current limited international attention could be a challenge, there is apparently sufficient interest from some key players such that the presence of an international accompaniment organisation could be significant in making space for a currently isolated civil society, which has the potential for effecting social change. Accompaniment could make a big difference in such a small state.

### **Key facts**

Population: 1 million

Languages spoken: English and siSwati are official languages.

Location: Swaziland is in southern Africa and has borders with South Africa and Mozambique.

### **The context**

Swaziland has the highest prevalence of HIV/AIDS in the world and one of the lowest life expectancies. Swaziland is governed under an absolute monarchy by King Mswati III who has ultimate authority under the 2006 constitution, which also does not allow for opposition parties to participate in the electoral process. Traditional authorities govern through systems of customary law, deference and loyalty to clan groups.

The general human rights situation in Swaziland has deteriorated through 2008 and 2009, as government agents are reported to continue to commit or condone serious abuses such as excessive use of force against demonstrators, arbitrary arrests, torture and beatings of detainees, arbitrary interference with privacy and home, restrictions on freedoms of association and speech, and harassment of civil society activists.<sup>12</sup> After an attempted bombing near the King's residence in September 2008, the government banned certain political organisations under the recently enacted Suppression of Terrorism Act and continues to use the Act to target political opponents generating a chilling effect on civil society more broadly.<sup>13</sup>

### **The human rights community**

Civil society organisations are concentrated in the two major cities, Mbabane and Manzini. Trade unions are particularly important and receive support from counterparts in South Africa and via the International Labour Organisation. Civil society organisations have formed reasonably cohesive coalitions to work together for democratic reform and, for example, issued the Manzini Declaration in 2009 that laid out a platform for change.<sup>14</sup>

---

<sup>12</sup> U.S. Department of State (Bureau of Democracy, Human Rights and Labor), *2008 Country Reports on Human Rights Practices: Swaziland* (February 25, 2009); Amnesty International, "Swaziland" in *Amnesty International Report 2009*.

<sup>13</sup> Amnesty International, *An Atmosphere of Intimidation: Counter-Terrorism Legislation Used to Silence Dissent in Swaziland*, AI Index AFR 55/004/2009 (May 2009).

<sup>14</sup> *Manzini Declaration* (18 July 2009) at <<http://www.sydafrika.dk/files/the%20Manzini%20Declaration.pdf>>.

Whereas the banned political party PUDEMO has publicly endorsed the use of violence as a means to further political aims, this is not considered a legitimate tactic by others in civil society.

The Swaziland Coalition of Concerned Civic Organisations (SCCCO), which brings together NGOs, churches, business groups and unions was established in January 2003 in response to the rule of law crisis arising out of the refusal of the government to abide by various court rulings. Among other activities, it operates a civic education program and seeks to hold the government accountable through press statements, lawsuits and civil society campaigns.<sup>15</sup>

The Coordinating Assembly of Non-governmental Organisations (CANGO) is a grouping of over 70 different NGOs which, according to its own estimates, reaches some half-million Swazi citizens.<sup>16</sup> It aims to provide a forum to facilitate capacity building and dialogue for promoting a human rights culture.

The work of women human rights defenders in Swaziland is quite visible and dynamic, especially considering the patriarchal nature of the society in which they operate. For example, Lomcebo Dlamini who is the Swaziland National Coordinator of Women and Law in Southern Africa (WLSA), which aims to improve the legal status of women in the region, also plays a leadership role in the SCCCO. Siphwe Hlophe, the Director of Swaziland for Positive Living (SWAPOL), organised a successful demonstration by rural women against the King's wives' annual shopping trip<sup>17</sup>.

Trade unions are particularly important for civil society activism and receive support from counterparts in South Africa and via the International Labour Organisation. Swaziland has two federations of trade Unions: the Swaziland Federation of Labour (SFL) and the Swaziland Federation of Trade Unions (SFTU).

Churches, particularly through the Council of Swaziland Churches (CSC), have been active on implementation of the new constitution and on the electoral process, and members have been targeted when they criticise the government.

There are extensive restrictions on the media and targeting of journalists.<sup>18</sup> While there are some critical voices, these seem either to be tolerated because of their

<sup>15</sup> See, for example, *Swaziland Coalition of Concerned Civic Organisations Analysis of PM's Report to Parliament on the Implementation of the Directive Principles of State Policy* (December 2009) at <<http://www.scribd.com/doc/23964812/SCCCO-Response-to-Swaziland-PM-Statement-on-State-Policy-December-2009>>.

<sup>16</sup> Coordinating Assembly of NGOs, "Current Membership list" at <[http://www.cango.org.sz/index.php?option=com\\_content&task=view&id=8&Itemid=3](http://www.cango.org.sz/index.php?option=com_content&task=view&id=8&Itemid=3)>; T. Simelane, *Times of Swaziland*, "CANGO claims to be blacklisted" (November 25, 2009) at <<http://www.times.co.sz/index.php?news=12404>>..

<sup>17</sup> IRIN, "SWAZILAND: We are dying, they are flying!" (22 August 2008) at <<http://www.alertnet.org/thenews/newsdesk/IRIN/417a3cefed96a18d8aee4564402d5a21.htm>>.

<sup>18</sup> U.S. Department of State, *ibid*.

limited reach or face harassment and intimidation, even being forcibly shut down. The Media Institute of Southern Africa (MISA) Swaziland Chapter is one of the more outspoken non-governmental organisations in its criticism of government suppression of freedom of the press and expression. It made recent submissions on proposed restrictive government media legislation and regularly issues alerts on threats to journalists and the press.<sup>19</sup>

### **Threats experienced by human rights defenders**

Defenders have experienced a range of repression and threats including physical violence. Lower key forms of intimidation are particularly prevalent. Concepts such as "human rights" are frequently characterised by the authorities as alien to Swazi culture. Perceived challenges to traditional custom and systems in Swaziland can quickly lead to marginalisation within the community, and the authorities often threaten human rights defenders in this way to intimidate them.

Police regularly conduct physical surveillance, monitor telephone conversations and harass human rights defenders. Especially since the recent adoption of the Suppression of Terrorism Act, police are reported to have arbitrarily detained and arrested a number of persons, including journalists, political activists, and trade unionists.<sup>20</sup> There are regular reports of police and other security forces using excessive force to disperse demonstrators and strikers resulting in numerous injuries.<sup>21</sup>

The environmental organisation Yonge Nawe has advocated on behalf of families living next to game reserves who have been evicted and whose family members have been murdered and maimed.<sup>22</sup> The family and employees of the main games park company in Swaziland have been implicated in the murders and are reported to operate with impunity.<sup>23</sup> The Yonge Nawe offices were broken in to and their Director, Thuli Makama was the target of a threatening media campaign, and her family members have also been threatened.

Gugu Malandzisa, the former Assistant Secretary-General (now HIV/AIDS Coordinator) in the Swaziland Federation of Labour and a SCCCO civic educator,

<sup>19</sup> IFEX, *Alert: MISA expresses concerns over the Draft Media Commission Bill* (22 October 2009) at <[http://www.ifex.org/swaziland/2009/10/22/media\\_commission\\_bill/](http://www.ifex.org/swaziland/2009/10/22/media_commission_bill/)>.

<sup>20</sup> U.S. Department of State (Bureau of Democracy, Human Rights and Labor), *2008 Country Reports on Human Rights Practices: Swaziland* (February 25, 2009); Amnesty International, "Swaziland" in *Amnesty International Report 2009*; Amnesty International, *An Atmosphere of Intimidation: Counter-Terrorism Legislation Used to Silence Dissent in Swaziland*, AI Index AFR 55/004/2009 (May 2009).

<sup>21</sup> U.S. Department of State, *ibid.*; International Trade Union Confederation, *Internationally Recognised Core Labour Standards in Botswana, Lesotho, Namibia, South Africa and Swaziland*, Report for the WTO General Council Review of Trade Policies of the Five Countries of the Southern African Customs Union (SACU) (Geneva, 4 and 6 November 2009).

<sup>22</sup> See Friends of the Earth International, *Execution of Local Communities in the Name of Conservation* at <<http://www.foei.org/en/get-involved/take-action/archived-cyberactions/execution-of-local-communities-in-the-name-of-conservation>>.

<sup>23</sup> M. Nkambule, *Times of Swaziland*, "'King gave me powers to shoot to kill'" (November 29 2009) at <<http://www.times.co.sz/index.php?news=12502>> ; R. Rooney, *Swazi Media Commentary Blog*, "Swazi cops let man be executed" (September 25, 2008) at <[http://swazimedia.blogspot.com/2008\\_09\\_01\\_archive.html](http://swazimedia.blogspot.com/2008_09_01_archive.html)>.

reports extensive police interference with their governance, human rights and democracy workshops. She was also abducted by police along with other trade union leaders after a border blockade protest.

Wandile Dlodlu, the President of the Swaziland Youth Congress (SWAYOCO) was unlawfully detained and allegedly tortured by police. Along with other activists and journalists, he was beaten by prison security officers 17 days later while awaiting PUDEMO leader Mario Masuku's release in September 2009 after his acquittal on terrorism charges.<sup>24</sup>

Most recently, in January and February 2010, the police reportedly responded with excessive force against protests organised by the Swaziland National Union of Students, abducting the student leaders and charging one student journalist with terrorism.<sup>25</sup>

### **Protection and deterrence**

Defenders perceive that their security has been enhanced on the limited occasions when international pressure has been mobilised on their behalf, and they believe that international protective accompaniment could be effective in Swaziland.

Repression of human rights defenders and civil society is believed to be primarily carried out by state actors, with more subtle threats also coming from traditional authority figures. The security forces are apparently well controlled by the government and have an effective hierarchy with which to communicate. There may be elements within the government that are more responsive to human rights concerns.

Many sources believe that Swaziland is sensitive to international pressure, although diplomats and international NGOs were reportedly refused permission to visit Mario Masuku, the PUDEMO President, while he was in prison before his acquittal. Many believe that repression will continue to worsen in the run-up to the elections in 2013.

The limited international attention on Swaziland could be a challenge for attracting strong support from the international community. However, there are key players (such as the USA, UK, EU, South African civil society, the ILO and Amnesty International) who have expressed a clear willingness to support Swazi civil society. South Africa is perhaps Swaziland's most important international partner, but sources perceived that the current South African government is unlikely to apply pressure on Swaziland over human rights because of President Zuma's own political

---

<sup>24</sup> Amnesty International, Public Statement, *Swaziland: Amnesty International condemns use of excessive force against media workers and political activists by prison officials*, AI Index: AFR 55/006/2009 (29 September 2009).

<sup>25</sup> H. Ndlovu, *Swazi Observer*, "Students union executive members detained" (February 11, 2010) at <<http://www.observer.org.sz/index.php?news=11082>>; Z. Sukati, *Times of Swaziland*, "Teargas fired as police, UNISWA students clash" (January 29, 2010) at <<http://www.times.co.sz/index.php?news=13998>>.



investment in notions of traditional authority, as well as his personal relations with King Mswati III.

Several major Western governments including the UK and Germany do not have a diplomatic presence in Swaziland, although the Scandinavian nations, Netherlands and the USA do. Governments without a presence in the country generally have a base in either nearby Pretoria (South Africa) or Maputo (Mozambique) and make regular visits to Swaziland so it would be possible to develop relationships with them. Foreign embassies tend to perceive the Swaziland situation as less serious than in some other countries in the region.

### **Other practical factors**

There are no significant security concerns for a field project in Swaziland, and nobody consulted believed that an international human rights organisation would find it difficult to gain permission to work in the country.

English is widely spoken in urban areas, although it would likely be necessary for volunteers to either speak siSwati or use interpreters to communicate in rural areas.

### **Summary**

Swaziland's relatively fragile and vulnerable human rights movement is enthusiastic about the possibility of protective accompaniment, particularly as repression is likely to continue to worsen in the run-up to elections in 2013. In such a small and isolated country, accompaniment has the potential to facilitate a significant national impact.

Swaziland is not a priority country for many foreign governments. An accompaniment organisation may face challenges in generating effective political support and funding, although there is apparently sufficient interest in supporting Swazi civil society from some key players in the international community who feel that protective accompaniment would be beneficial.

## **Tunisia**

Conditions for human rights defenders worsened significantly in 2009, particularly around the presidential elections. Defenders have long experienced harassment and intimidation, but physical attacks have become more frequent. There are signs that the international community is becoming more interested in Tunisia's human rights record. Government regulation and administrative obstruction is a particular problem for defenders and many feel that it could be difficult for an international organisation to receive permission to set up a field project in Tunisia.

### **Key facts**

Population: 10 million

Languages spoken: Arabic is the official language but French is widely spoken.

Location: Tunisia is located on the North African coast and has borders with Algeria and Libya.

### **The context**

Tunisian president Zine al-Abidine Ben Ali has been in power since 1987 and was re-elected in 2009. There has been international criticism of the conduct of the elections but the regime seems to be well entrenched in its position of power.

### **The human rights community**

While there are numerous human rights and civil society organisations working in Tunisia, very few are formally registered to do so.

The Tunisian League for Human Rights (LTDH) and the Democratic Women's Association, in addition to Amnesty International Tunisia, are the only officially registered independent human rights organisations. It appears that there are good networks and levels of co-operation between different human rights organisations.

Defenders are largely based in the capital Tunis although they travel throughout the country. Human rights work is very much focused on civil and political rights and there are several women's organisations. There are also a number of journalists doing important human rights work, publicising violations both within Tunisia and to the outside world.

### **Threats experienced by human rights defenders**

Defenders frequently face intimidation and surveillance. Physical attacks do happen, but are relatively rare. However, as the country prepared itself for the presidential elections in 2009, the situation for human rights defenders deteriorated. A number of defenders experienced physical attacks and reported arbitrary arrest and mistreatment.

In October 2009, the car of human rights defender and lawyer Abdelraouf Ayadi was tampered with when inflammable and explosive materials were put in the petrol tank. In the same month, the journalist Slim Boukhdar was forced into a car by five men in plain clothes and beaten. He was then stripped of his clothes. The incident took place two hours after he gave an interview to the BBC in which he criticised the lack of press freedom in Tunisia.

In June 2009, Radhia Nasraoui, Abdelraouf Ayadi, and Abdelwahed Maater, returned from a conference held in Geneva where they had denounced human rights violations in the country. They were forced to undergo a full body search and their luggage and documents were searched. The three were verbally abused and physically attacked.

Trade unionists from the Gafsa region, in the south-west region of Tunisia, were convicted in 2008 of leading protests and "forming a criminal group with the aim of destroying public and private property" and "armed rebellion and assault on officials during the exercise of their duties" following a series of demonstrations about inequality and poverty in Tunisia. They were all released in 2009 following a presidential pardon.

Defenders appear to face administrative obstruction. In order to work legally, civil society organisations must register with the government but their applications are not always acknowledged. For example, the National Council for Liberties in Tunisia (CNLT) has not been able to register since it was founded in 1998. This means that any public meeting or event would be rendered illegal. In 1999, CNLT challenged this but their case has yet to be heard.

There are examples of state security agents physically blockading the offices of human rights organisations such as the cases of the Association for the Support of Political Prisoners (AISPP) in 2007 and Amnesty International Tunisia in 2009.

Female defenders have been criticised in the state-controlled media, often in campaigns using sexual connotations. For example, members of the Tunisian Association of Democratic Women have been described as lesbians (a term considered offensive in Tunisia) and human rights defender Sihem Bin Sedrine has been accused of “acting like a prostitute”.

### **Protection and deterrence**

Defenders expressed a clear interest in protective accompaniment at particularly sensitive times or for particular events. The concept of accompaniment is not well known in Tunisia and would need to be communicated clearly.

Defenders believe that repression is planned and carried out by state actors, mostly by plain clothed police. Defenders believe that these attacks are ordered by the Ministry of the Interior.

Historically, embassies have not taken a strong stance on human rights in Tunisia but it was noticeable that the US did not officially congratulate President Ben Ali on his recent re-election and, in fact, expressed some concern about the conduct of the election. Defenders believe that there is a need to increase awareness of human rights violations among the international community. Defenders believe that Tunisia is very keen to maintain a positive image abroad where it is generally seen as one of the most moderate countries in North Africa. However, Tunisia may not be viewed by the international community as a priority country for work on human rights in the region given the records of other states.

Especially around key moments for the Tunisian government, the authorities seem to become extremely sensitive to criticism of the regime’s human rights record and have been willing to take action against international organisations that are critical of it. In 2006, a representative of Amnesty International Switzerland was arrested and deported from Tunisia while attending a meeting held by the local chapter. While Tunisia was hosting the World Summit on Information Society in 2005 a French journalist was physically attacked when his newspaper published his article containing details of attacks on human rights defenders.

### **Other practical factors**

Representatives of international human rights organisations visiting Tunisia often report intense surveillance but the general security situation would not present any problems for an international organisation.

French and Arabic are the working languages in Tunisia. It would be possible to communicate effectively using only French but having Arabic speakers would be a distinct advantage.

International organisations may face administrative difficulties in registering to work in Tunisia and several defenders commented that they felt it would not be possible to set up a new field project in the country.

### **Summary**

Tunisian human rights defenders appear to be increasingly under pressure with the levels of intimidation having increased markedly in 2009. There is a clear interest in accompaniment, although the concept is not well known in the country. There are signs that the international community is beginning to become more critical of the human rights situation in Tunisia, which may create an opportunity for develop political support for a field project in the country. However, the international community may not initially view Tunisia as a priority country for human rights work in Africa.

The lack of human rights organisations that formally registered may present an administrative obstacle and it may well be difficult for an international human rights organisation to register to work in the country.

## **Uganda**

Although many of the preconditions for successful accompaniment are present in Uganda, it is not clear that there is a strong demand or that it would significantly increase the effectiveness of the local human rights movement. Many defenders already have access to significant international support and protection mechanisms. LGBT organisations are facing particular threats, but newly proposed legislation may make it difficult to provide protective accompaniment for them if it were enacted in its current form.

### **Key facts**

Population: 31 million

Languages spoken: English is the official language but a variety of local languages are also spoken.

Location: Uganda is located in East Africa and has borders with Sudan, DRC, Rwanda, Tanzania and Kenya.

### **The context**

Following the overthrow of Idi Amin in 1979, Uganda experienced several years of instability until the National Resistance Army took control of the country and was

credited with improving its security and human rights record. However, conflict in the north of the country between the government and the Lord's Resistance Army (LRA) has occurred since the early 1990s and resulted in thousands of deaths and 1.5 million displaced people. The International Criminal Court has issued arrest warrants for several LRA leaders. The general security situation has improved in recent years as the LRA have moved to bases in other countries. Elections are scheduled for 2011.

Large oil reserves have recently been discovered which is likely to result in the country becoming less dependent on aid and other support from abroad.

### **The human rights community**

There are several human rights networks notably the Human Rights Network (HURINET), the Foundation for Human Rights Initiative (FHRI), the Non Governmental Organisations Forum (NGO Forum) and the National Women's Organisations in Uganda. Uganda is also notable for its lesbian, gay, bisexual and transgender (LGBT) organisations.

Decades of repression have had an impact on Ugandan civil society organisations. Observers perceive that Ugandan civil society organisations are somewhat less proactive and self-censor more than those in countries such as Kenya or Zimbabwe, choosing to focus on relatively non-controversial topics such as children and women's rights or limiting campaigns in scope and duration. For example, the major human rights networks have declined to join a coalition that is seeking to overturn newly proposed legislation that would criminalise homosexuality or to support LGBT activists who have experienced repression.

Historically, many civil society organisations have worked closely with government and received funding to deliver government programmes and this may have made it difficult for them to criticise state actors.

Many defenders in Uganda have adopted a low-profile approach to their work and generally refrain from public criticism of the government. Some have chosen to try to influence the government by building good working relationships with departments and ministers. Alternatively, they may pass information to organisations such as Amnesty International, the African Commission on Human and People's Rights and the African Court.

International organisations such as Amnesty International and Protection International maintain offices in Kampala and Uganda has historically been seen as a place of refuge for exiles from other countries in the region. However, protective accompaniment is not within the mandate or capacity of any of the international organisations based in the country.

### **Threats experienced by human rights defenders**

The relative lack of outspoken human rights work may be, in part, due to levels of repression. The situation facing human rights defenders in Uganda continues to

deteriorate, with arbitrary arrests, detentions and use of legislation. Minority rights activists, notably members of LGBT organisations, continue to be harassed and subjected to verbal and legal attacks by the authorities and authority figures within civil society. Freedom of expression and the media have been under attack as well as the freedom of association and assembly, with restrictions imposed on activists in exercising these rights. With the upcoming Presidential and Parliamentary elections in 2011, the space within which civil society can operate is expected to reduce further.

Staff of the NGO Forum branch in Masindi were physically attacked by people in plain clothes after passing evidence of corruption by local leaders to the police. Local authorities also prevented them from appearing on local radio, saying it could incite violence.

In 2008 staff from The Independent magazine were arrested and interrogated following the publication of a story alleging torture in government detention centres.

The state has increasingly used legislative pressure to restrict political space and laws on sedition have been used against human rights defenders.

### **Protection and deterrence**

Some defenders would welcome protective accompaniment, although others felt that there was a greater need to increase defenders' capacity and knowledge of security strategies, possibly working in partnership with Protection International. There were concerns expressed by sources that accompaniment in Uganda may not lead defenders to become more active and outspoken given their position and role over recent years.

Defenders perceive that the vast majority of intimidation against them is carried out by state actors. However, the existence of numerous branches of the security forces can make it difficult to identify the source of the threat. There are reports of over 50 different security agencies, only some of which are within the police structures. Many are reported to operate clandestinely, using unmarked cars and carrying out operations wearing civilian clothes. There are reports of suspects being held in illegal detention centres and being tortured by members of such groups.<sup>26</sup> Deterring such groups may present a significant challenge for an accompaniment organisation and it could also present difficulties in identifying the source of threats or acts of violence.

LGBT activists have experienced threats from state actors but also from local communities who hold strong views about homosexuality. These views can be exploited by state actors but not all of the threats towards these activists originate from within the state. An accompaniment organisation would need to be clear about whether it could deter such threats.

Historically, the Ugandan government has been highly dependent on Western aid and very sensitive to international concerns. The President recently delayed

---

<sup>26</sup> Human Rights Watch; 'Open Secret'; available at <http://www.hrw.org/en/node/82072/section/3>

implementation of the legislation on homosexuality and publicly commented that he had received personal communication from Hillary Clinton and Gordon Brown on this issue. Many believe that the discovery of oil in Uganda will mean that the government is less sensitive to international pressure in future. However, Uganda continues to allow international human rights organisations such as Amnesty International and Protection International to work freely within the country.

#### **Other practical factors**

There do not appear to be any significant security problems associated with working in Uganda. English is widely spoken, although it may be necessary to either speak local languages or use translators.

#### **Summary**

Our research suggested that accompaniment might not have an immediate significant impact on the human rights movement in Uganda given the historically established ways of working. There is already a significant international human rights presence in Uganda and the country is perhaps not an immediate priority for protective accompaniment work given the needs in other countries.

## Concluding comments

This project has gathered a large amount of information about the protection needs of human rights defenders in Africa. Some of the countries we have looked at are high on the agenda of international human rights organisations whereas others are rarely mentioned or reported upon. In fact, one of the positive outcomes of this work has been to shine a light on countries that rarely crop up in debates about human rights in Africa and to highlight some of the information gaps that exist.

Another striking outcome has been to remind us that Africa is an extremely diverse continent. The protection needs of human rights defenders in a country can best be understood by looking at its particular political context and dynamics and we have found far more diversity than uniformity. We are reluctant to point to any particularly "African" protection needs and believe that each country needs to be considered individually.

Indeed, rather than African states having common protection needs that require similar strategies, human rights protection work in Africa could learn important lessons from field projects in other parts of the world. An attempt to negotiate access to Western Sahara might wish to share learning from PBI's Indonesia Project that has experience of working in provinces with active independence movements where other international organisations were denied entry. PBI Colombia has extensive experience of working in an environment where multiple armed actors are present, some of whom may not be sensitive to international pressure, and the strategies it has developed could be extremely useful for work in countries such as DRC and Kenya.

Having said that, some common threads have emerged. For example, the build up to parliamentary or presidential elections in several countries seems to have led to increasingly harsh repression of critical voices. In most states, the timetable for elections is well known in advance so local defenders and international human rights organisations might wish to use this knowledge as an early warning system and to prepare security and protection strategies accordingly.

Looking to the future, many African countries are developing new international partnerships and becoming less reliant on their former colonial powers. States such as China and Taiwan are becoming increasingly influential in the region. International human rights organisations who have sought to mobilise pressure from the diplomatic community to achieve change may need to consider how they will engage such states to promote good practice in human rights at the international level. This may be a global trend, not one limited to Africa.

In the meantime, we believe that international human rights protection work can continue to play an important role in creating space for civil society to create positive change in Africa.



## **Appendix 1. Project personnel**

Project personnel were recruited in June and July 2009. The aim was to create a volunteer Working Group of 9-10 people that, within its membership, provided practical experience of PBI work, expert knowledge of different parts of Africa and the ability to speak English, French or Arabic. The Working Group was the decision-making body for the project and used consensus decision-making throughout.

It was not possible to invite all those who applied to join the Working Group but people with significant PBI or Africa expertise were invited to join the project as associates and participate in research and field visits.

### **Working Group**

- Nicola Busse
- Camille Coleman
- H el ene Desodt
- Emanuela Ferrari
- Alexis Kontos
- Tessa MacKenzie
- Eleanor Openshaw
- Delphine Reculeau
- Sally Sami el Bayoumi
- Arjan van der Waal

### **Associates**

- Cinzia Cimmino
- Sarah Hoad
- Simeon Mawanza
- Penny Mbabazi
- Pierre Lucien Michelet
- Tabitha Netuwa
- Kate Omstead
- Gilles-Phillipe Pag e
- Anuradha Rao

### **Project Coordinator**

- Stuart Bowman

## Appendix 2. Outcome of initial survey of each country in Africa

In the first phase of the project, we carried out a brief initial survey of each country in Africa in order to identify a smaller number upon which to focus in the second phase. This table provides a very brief overview of our reasons for not carrying out further research on particular countries. It is not intended to be a summary of the protection needs of human rights defenders in each country.

Given that the project had finite financial and human resources, it was necessary to make some difficult choices in selecting the final group of countries for in-depth research during Phase 2. There are certainly other countries that we would have wished to examine in greater detail as will be clear from the table below. In addition, there are a number of countries where defenders experience high levels of repression but where we felt that protective accompaniment would not be effective due to a lack of effective state structures and where threats came from actors who we felt would not be sensitive to international pressure.

There were several countries where it was extremely difficult to find detailed, reliable information on the situation of human rights defenders and other organisations may wish to take account of this in future research work on Africa.

Country	
Algeria	The small human rights community Algeria does have protection needs but we perceived that these were lower than in other countries.
Angola	Defenders appeared to have some protection needs. We perceived that entering and operating effectively in the country could be challenging and that Angola's sensitivity to international pressure may be somewhat limited.
Benin	Defenders appear to work relatively freely.
Botswana	The limited information available indicated that human rights defenders were able to operate relatively freely without significant protection needs.
Burkina Faso	Defenders did appear to face a certain level of threat but we perceived that this were less significant than in other countries.
Burundi	An active defenders community does have significant protection needs but we felt that the need for accompaniment was more pressing in other countries.
Cameroon	An active defenders community does have significant protection needs but we felt that the need for accompaniment was more pressing in other countries.
Cape Verde	We found no evidence of protection needs.
Central African Republic	The limited available information suggested that the relatively small human rights community does not experience the level of threat to justify an accompaniment project.
Chad	See the main body of the report.

Comoros	The limited information available indicated that human rights defenders were able to operate relatively freely without significant protection needs.
Congo	The nature of threats towards human rights defenders does not appear to require the presence of an accompaniment project.
Democratic Republic of Congo (DRC)	See the main body of the report.
Djibouti	It appears that there is not a sufficiently large community of human rights defenders with whom an accompaniment project could work.
Egypt	We perceived that the protection needs of Egypt's vibrant human rights defenders community are less significant than those in other countries.
Equatorial Guinea	There seems to be little space for human rights work in Equatorial Guinea where there are high levels of repression and the state appears to be relatively insensitive to international pressure.
Eritrea	We could not evidence of independent human rights defenders working in Eritrea.
Ethiopia	Although we found clear evidence of protection needs in Ethiopia, we perceived that forthcoming legislation will severely curtail defenders' activity and make it extremely difficult for an international organisation to enter the country.
Gabon	It was not possible to obtain in-depth information about the situation of human rights defenders in Gabon in order to justify selecting the country for further research.
Gambia	See the main body of the report.
Ghana	We found little evidence of human rights defenders experiencing repression or threats.
Guinea	We felt that the protection needs, while significant, were less than those in the countries selected for Phase 2.
Guinea-Bissau	We did perceive clear protection needs but were concerned that the government may not be sufficiently sensitive to international pressure. Unfortunately, we were unable to obtain further details and reliable information.
Ivory Coast	There are certainly protection needs but perhaps not as significant as those in other countries and we felt that the government may not be sufficiently sensitive to international pressure.
Kenya	See the main body of the report.
Lesotho	The limited information available indicated that human rights defenders were able to operate relatively freely without significant protection needs.
Liberia	Defenders in Liberia certainly have protection needs but the situation appears to be improving, certainly compared to other states in Africa.
Libya	We were unable to find information about human rights defenders

	working in Libya.
Madagascar	Human rights defenders appear to operate relatively freely in the country without significant protection needs.
Malawi	We did find information about some protection needs among defenders, and, although the situation could well deteriorate, we felt that the need was less immediate than in other countries.
Mali	We perceived that defenders' protection needs were less significant than those in other countries.
Mauritania	A small defenders community certainly experiences threats but we perceived that the extremely limited political space could make it very challenging for an accompaniment organisation to enter the country and work effectively.
Mauritius	The information available did not suggest that human rights defenders have any protection needs.
Morocco (including Western Sahara)	See the main body of the report.
Mozambique	Most human rights defenders are able to work freely in Mozambique although some observers perceive that defenders have come under more pressure recently.
Namibia	While we did find evidence of mostly verbal threats towards Namibian defenders, it appears that they have the capacity to manage these and continue to do their work.
Niger	While defenders did experience threats, we do not have enough information about the situation after the February 2010 coup d'état.
Nigeria	Defenders appear to work relatively freely in parts of the country and we perceived that an accompaniment organisation would find it difficult to overcome a very challenging security situation around the Niger Delta region where the protection needs are higher.
Rwanda	Political space has been extremely limited for a long period of time resulting in self-censorship by the human rights movement and an environment where it would be extremely difficult for an accompaniment organisation to operate effectively.
Sao Tome and Principe	The very limited information we identified suggested that defenders do not experience the level of threat to justify a PBI field project.
Senegal	The level of threat experienced by defenders did not appear to justify selecting Senegal for further research.
Seychelles	The information available did not suggest that human rights defenders have any protection needs.
Sierra Leone	The situation in Sierra Leone appears to have improved significantly in recent years and we did not perceive that defenders experienced the level of threat that would justify an accompaniment project.
Somalia	The volatile security situation and the lack of effective state

	structures lead us to believe that an accompaniment organisation would not be effective in deterring acts of aggression, largely carried out by militias, against the very small human rights community.
South Africa	The level of threat experienced by defenders did not appear to justify selecting South Africa for further research.
Sudan	Due to the volatile security situation and government's attitude towards international organisations, we did not perceive that it would be possible for an accompaniment organisation to work in the areas where human rights defenders most require protection and also noted that Protection International has recently begun to work in Sudan.
Swaziland	See the main body of the report.
Tanzania	Although we found evidence that defenders do have protection needs, we perceived that these were significantly lower than those in other countries and that we should not prioritise Tanzania.
Togo	Defenders did appear to face some threats, but significantly less than in other states.
Tunisia	See the main body of the report.
Uganda	See the main body of the report.
Western Sahara	See the main body of the report in the section on Morocco and Western Sahara.
Zambia	Human rights defenders appear to operate relatively freely in the country without significant protection needs.
Zimbabwe	An active human rights movement with strong international support continues to function and experience repression but we did not perceive that it would be possible for an accompaniment organisation to operate effectively in the near future.