At the heart of the action: women defending human rights

A mandate devoted to supporting human rights defenders in Africa

In December 2005, Mrs Reine Alapini-Gansou, a lawyer from Benin, was appointed Special Rapporteur for Human Rights Defenders at the African Commission on Human and Peoples’ Rights (ACHPR).

In 1998, the United Nations General Assembly adopted the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally-recognised Human Rights and Fundamental Freedoms (the Declaration on Human Rights Defenders). In August 2000, Mrs Hina Jilani, from Pakistan, was appointed the first Special Representative of the Secretary-General on the situation of human rights defenders. As concerns Africa, the Declarations of Grand Baie (1999) and Kigali (2003) reaffirmed the commitment of the African Union to take measures for the implementation of the UN Declaration on Human Rights Defenders and to recognise the important part played by human rights defenders in the promotion and protection of democracy and human rights. In June 2004, Mrs Jainaba Johm was nominated first Special Rapporteur on Human Rights Defenders in Africa. She was succeeded in December 2005 by Mrs Reine Alapini-Gansou.

EDITORIAL

May I remind you that in December 2005, I assigned the watchwords “action through synergy” to my mandate.

Two years later, the Rapporteur’s Newsletter is born, an additional instrument intended to further the synergy that exists between human rights defenders and other actors involved in the promotion and protection of human rights. It is a tool for human rights defenders in Africa as well as a key element in the strategy to implement the mandate which has been entrusted to me: a mandate for the promotion and protection of democracy and human rights.

The Rapporteur’s Newsletter certainly does not pretend to be able to provide all the academic and intellectual knowledge available in the field of human rights, but it does hope to become a real platform for exchange for human rights defenders across the African continent.

The Rapporteur’s Newsletter offers its readers relevant, up-to-date information. It is a tool designed to be both informative and educational for civil society.

We are convinced that the Rapporteur’s Newsletter is the beginning of a long road towards greater recognition of the rights of human rights defenders. It will enable better knowledge of their day-to-day reality. It also intends to draw governments’ attention to the need for protecting and supporting the activities of human rights defenders in their countries.

Finally, the Rapporteur’s Newsletter enables us to promote the mandate of the Special Rapporteur for Human Rights Defenders, her day-to-day activities and her collaboration with those involved in the defence of human rights in Africa and the rest of the world.

This bi-annual newsletter hopes to become the place where human rights defenders will come to draw a little more strength and inspiration in order to succeed in their difficult but exciting work – in a world where unfortunately they are not always very well understood.

Long live the Rapporteur’s Newsletter.

Reine Alapini-Gansou
The mandate of the Special Rapporteur can be summarised as follows:

- to seek out, receive, examine and act upon information concerning the situation of human rights defenders in Africa;
- to present a report, at each ordinary session of the African Commission on Human and Peoples’ Rights (ACHPR), on the situation of human rights defenders in Africa;
- to establish cooperation and dialogue with member States, national human rights institutions, intergovernmental organisations, international and regional mechanisms, human rights defenders and other partners;
- to formulate and recommend strategies to further the protection of human rights defenders and ensure follow-up on these recommendations;
- to promote and raise awareness of the implementation of the UN Declaration on Human Rights Defenders in Africa.

The Special Rapporteur’s key mission is to ensure the protection of human rights defenders in Africa. Her job is to protect defenders themselves, the organisations they work for, and the right to defend human rights.

Her responsibilities are numerous. She is at the disposal of human rights defenders to receive information about violations they suffer. She publishes urgent appeals and puts out press releases on cases brought to her. She conducts official missions to evaluate the situation of human rights defenders in a particular country. She makes recommendations on how States can implement the UN Declaration on Human Rights Defenders and takes part in meetings and conferences on issues relating to the defence of human rights.

The Special Rapporteur encourages non-governmental organisations (NGOs) and human rights defenders across Africa – who could be in danger due to the nature of their work – to take ownership of this mandate which was created for their protection and in recognition of their work.

SPECIAL FEATURE

Defending women defending human rights

“In the African context, we must never forget that the weight of social and cultural norms, the problems of poverty and women’s daily reality add up to more issues for women human rights defenders than we might at first think”. Reine Alapini-Gansou, in a statement made in Lomé on 19 September 2007 at the launch of a campaign poster in support of the rights of women defenders.

Women human rights defenders are active throughout the world in promoting the protection and defence of human rights, including the human rights of women. They campaign against all forms of violence against women. They are behind all efforts to ensure that those close to people tortured or killed by government forces, or ‘disappeared’, obtain justice. And they denounce political, economic and social discrimination such as the lack of access to education or basic health services.

Although all human rights defenders – whether men or women - can be subjected to violence, women are particularly vulnerable due to their gender. They face different types of risks such as:

- collective risks, as commonly incurred by human rights defenders everywhere and regardless of gender;
- gender-specific risks, such as sexual abuse, harassment, and violence perpetrated against them in the private or professional domain (in addition to those perpetrated by State actors);
- risks linked to their involvement in the defence of women’s rights.

Some women’s rights are almost exclusively defended and protected by women defenders. The defence and the protection of women’s rights can constitute an additional risk for women defenders since claiming some of these rights is perceived as a challenge to the patriarchal order and a destabilising factor in relation to cultural, religious and social customs. Women defenders who struggle for the recognition of women’s rights are therefore particularly vulnerable. Defending women’s right to life and freedom has led to several women defenders’ own right to life and freedom being threatened. These threats can range from sexist insults to rape to other forms of sexual
violence, which can result in pregnancies and sexually transmitted diseases such as HIV/AIDS.

‘Sexuality baiting’ is mentioned as a major worry in debates on women human rights defenders. The term covers a whole range of practices which are based on prejudices with regard to women’s sexuality to intimidate, humiliate, embarrass and silence women and discourage them from working on human and sexuality-related rights and from organising around such issues. Used against women human rights defenders, this ‘baiting’ can take several forms. Women activists are labelled as lesbians, sexual deviants and enemies of God and religion. They are accused of promoting ‘western’ or ‘foreign’ cultures. Or, more insidiously, they are blamed for splitting up families. Such manoeuvres are designed to undermine the importance of women defenders’ work and discredit women committed to the struggle for human rights.

Frequently, when confronted with hostile and sometimes violent reactions, activists choose, consciously or unconsciously, to water down their claims or deny violations of sexual rights, because of fear of retaliation. This type of self-censorship and the internalisation of fear can become so pronounced that it becomes very difficult to break the wall of silence.

The situation of women defenders in Africa

The specific difficulties experienced by African women defenders are inevitably linked to the socio-cultural context in which they find themselves. We have to understand that women activists come from a context where women have reproductive as well as productive responsibilities. Theirs is a double challenge: they get involved in a struggle which is not without dangers and have to fight preju-

How did you get involved in the protection and promotion of human rights?

I went through difficult times during the armed conflict which affected my country. I was able to observe the negative impact on children, women, old people, journalists, nurses and their patients. All were victims of rape, violence, arbitrary arrest, massacres, torture or looting. It was this painful experience which made me decide to get involved in the promotion and defence of the rights of victims and more specifically the protection of women defenders.

Can you describe, briefly, what your work as a human rights defender consists of?

The aim is to achieve a lasting peace based on the respect of the person, at the national and sub-regional levels. I work in collaboration with representatives of the State as part of a programme to strengthen the protection of women defenders. I take part in regional lobbying and advocacy activities for the protection of women defenders as well as in the production of reports on violations of their rights. I also contribute to strengthening the Coalition of Women Defenders of South Kivu, through the organisation of regional consultations, the aim of which is to formulate appropriate protection strategies.

As a woman defender, what are the challenges you are currently facing?

To my mind, there are a number of challenges: the lack of legislation to specifically protect women defenders; the weight of customs and cultural traditions; the reactionary attacks on women defenders and their marginalisation; poor access to information, training and resources; the lack of experience in making use of mechanisms for the protection of human rights; the low level of commitment of diplomatic missions; insecurity and, lastly, the absence of freedom of speech.

On 1st May, you received the 2007 Front Line prize for human rights defenders in high-risk situations in Dublin. What does this prize mean to you? Do you think women human rights defenders are sufficiently rewarded for their work?

I was delighted to get the Front Line prize in Dublin last May. This prize is the fruit of the work of the last few years. But it is also a recognition of the various violations which I had to endure (intimidation, extended police custody, illegal searches, my children being arrested, etc…).

The prize also belongs to all women defenders who struggle day in day out for the protection and promotion of human rights in our communities. Too often, the work of these women is invisible. It would be good to have more initiatives like Front Line to encourage them.

What is the use of creating national and regional networks of women defenders?

By acting and strategising together, women defenders feel stronger and can more effectively face the problems caused by the lack of security. Networking is crucial in facilitating communication between them. Together, they are defining their role in relation to political, security, legislative and judicial issues as well as within civil society.

What do you think of the fact that the Special Rapporteur, Madame Alapini-Gansou, supports the campaign for women defenders?

I congratulate and thank the Special Rapporteur for her support for the campaign for women defenders because it is all too often an issue which is neglected by our governments. The Special Rapporteur does a lot to encourage women defenders to get involved in the campaign launched in Colombo in 2005.
An international campaign for the rights of women defenders

Launched in April 2004, the international campaign for the rights of women human rights defenders is an international initiative for the recognition and protection of women working towards making human rights for all a reality. Led by a coalition of NGOs from all over the world, it highlights the fact that women defenders are facing specific threats to their rights.

There are four major aspects to the campaign: the need to recognise women defenders as a specific group that requires special protection; the need to resist State violence which, in spite of international legislation, still constitutes a serious threat; the need to promote a sense of responsibility among non-State actors (women defenders are often unwilling to publicly denounce violations perpetrated by members of their family or community, fearing the social and economic consequences as well as consequences for their families); and finally, the need to make human rights for all a reality through the formulation of common strategies, inter-organisational collaboration, capacity building, and advocacy.

The aim of this campaign is therefore that the experience and knowledge accumulated by women in their various roles and responsibilities should serve as the basis for precise and strategic interventions to increase the protection of human rights activists.

As part of this campaign, Claiming rights, claiming justice: a guidebook on women human rights defenders has just been published for women defenders. It introduces a gender perspective into the documentation of human rights, it brings greater credibility and recognition to women defenders and their work, and it sets out to strengthen solidarity networks among women defenders throughout the world. It can be downloaded from www.apwld.org and should be translated into French very soon.

The campaign in Africa

Since the campaign was launched, several activities have been organised in Africa with the aim of improving the protection of women activists.

In November 2004, a seminar was held in Dakar on women human rights defenders. The African Centre for Democracy and Human Rights Studies, the Observatory for the Protection of Human Rights Defenders and the International Service for Human Rights worked together to assess the situation of women defenders in Africa in order to draft a first strategy for the promotion and protection of their rights. The Special Rapporteur on Human Rights Defenders in Africa was one of...
the key actors in this event and encouraged participants to make better use of the procedures provided by the ACHPR in the course of their work.

In December 2004, The Great Lakes Human Rights League and the International Service for Human Rights organised a training and consultation event in Gyseni for the benefit of women human rights defenders from the Great Lakes region. The aim was to help them develop self-protection strategies and to identify synergies in order to develop and strengthen collaboration between organisations.

In spring 2006, a national consultation of women defenders organised by the Togolese Coalition of Human Rights Defenders concluded that the campaign was little known not to say inexistent in Togo. The issue was therefore to make a start towards building a national campaign for the respect of women defenders’ rights. As a result, Mrs Alapini-Gansou was able to participate last September in the launch of a campaign poster.

Last July, a seminar for human rights defenders from the Mano River Union region also dealt with the problems faced by women defenders. Participants discussed international and regional standards, conventions on and mechanisms for the protection of women’s rights, as well as structures and international and regional mechanisms for the protection of women human rights defenders.

It is essential, nowadays, to recognise the specific risks and violence faced by women defenders in the course of their human rights activism because of their gender or sexual identity. This is all the more crucial in a world where women’s dignity and equality are still all too often denied and where contempt for human rights in general, and in particular for women’s rights, remains endemic.

Several systems exist nowadays for the protection of women defenders. The establishment of a rapid response mechanism to support women defenders at risk, the development of national and regional campaigns and the creation of an urgent action fund for African women defenders are just a few examples. Furthermore, the NGO Front Line provides a phone line open 24 hours a day (+ 353 1 21 00 489), which can provide support and rapid international action in cases of emergency.

Regional and international mechanisms can also constitute, in some cases, an effective means of recourse. Violations of the rights of women defenders can be reported to the United Nations Special Rapporteurs (urgent-action@ohchr.org) or to the secretariat of the African Commission on Human and Peoples’ Rights (achpr@achpr.org).

**NETWORKS**

**Defenders networks: challenges and prospects**

**Diallo Abdoul Gadiry, coordinator of the West African Human Rights Defenders Network**

The original meaning of ‘net-work’ relates back to the idea of a sort of contraption designed to trap and capture certain prey. Progressively, the term began to be used to designate the distribution circuits for certain goods and services (like water and electricity) or information (telephone and radio, communication and intelligence networks between partners rallied to the same cause, etc.).

As time went on, networking became part of a strategy to build solidarity between individuals or organisations working on specific issues, to guarantee their protection, contribute to the smooth running of their activities, and help develop effective, rapid means for disseminating information between them.

As an open structure, a network can be compared to a chain composed of a number of links. It is characterised by:

- its informal dimension: as soon as some of the links become inactive, the network is in danger of disappearing;
- its flexibility: respect for the diversity of opinions of its members is at the basis of the network and members are not asked to enter into long term commitment;
• its complementarity: networks provide a space for exchange and collaboration between participants whose participation is voluntary.

At its best, a network is based on a flexible and effective information circuit which enables regular contact between members. It needs to be horizontally managed, which excludes any possibility of centralisation as this would seriously risk compromising the participation of members in the process of decision-making. Existing only as a space for communication and collaboration between a diversity of players, a network owes its survival to the transparent management of its resources.

Communication tools, whether traditional or modern, have always been used to create links between members of a network. In traditional African societies, we have often used percussion or wind instruments as a means of communication between communities, depending on the importance of the message to be communicated.

With the advent of New Information and Communication Technologies (NICTs), exchanges between members of the same network are improving and getting easier. ICT tools, essential to the functioning of networks, take the form of email and video-conferences as well as shared mailing lists, bulletins and other channels.

Towards the establishment of a West African Human Rights Defenders Network

The idea of setting up a West African Human Rights Defenders Network (WAHRDN) goes back to a meeting in Johannesburg in November 1998. The so-called Jo’burg declaration which came out of this meeting, organised by Amnesty International, encouraged human rights defenders to do all they could to implement the UN Declaration on Human Rights Defenders. As part of this process, the “Estates General” of human rights defenders opened in Paris on 10 December 1998.

Since 1990, a deadly civil war was plunging families into mourning in Liberia and Sierra Leone. A massive flux of refugees made their way towards neighbouring countries. Among them, human rights defenders who had often been targeted during confrontations between warring factions. With the means available to them, organisations defending human rights established mechanisms to bring out and take care of defenders at risk in countries of the sub-region (Guinea, Ivory Coast, Senegal, Gambia, Ghana, etc). According to the principles agreed in Jo’burg, a sub-regional workshop was organised in Dakar in 2001 on how to implement the conclusions of the Paris “Estates General”. This marked the beginning of a process which led to the establishment of the West African Human Rights Defenders Network (WAHRDN), launched in May 2005 in Dakar.

The partnership established between the WAHRDN and the UN and African special mechanisms for the protection of human rights defenders enabled the network to benefit from the experience of the Special Representative of the Secretary-General on the situation of human rights defenders (via the 2001 Dakar workshop) and of the Special Rapporteur for Human Rights Defenders of the ACHPR (through workshops on capacity building for the coalitions that make up the network, close collaboration with the network during sessions of the ACHPR, the organisation of country visits to the West African sub-region, etc).

On the basis of agreements with Catalan and Basque NGOs ADANE and International Solidarity, the WAHRDN set up a capacity building programme for the national coalitions that make up the network. Togo has already benefited from this programme and will be followed by Liberia, the Ivory Coast and the Gambia. Working visits have been planned to the Catalan and Basque regions in 2008, by the Chair of the network and the Special Rapporteur of the ACHPR. The network’s website, created thanks to Catalan funding, should, in the short term, facilitate exchanges between the network and coalition members.

The multiple socio-political crisis which wrecked Togo in 2005 and Guinea between 2006 and 2007 and the persecution of journalists and other human rights defenders in the Gambia, Niger, the Ivory Coast and Senegal have led to the reactivation of mechanisms to bring out defenders at risk (from Guinea and Togo) and to engagement in advocacy with heads of State of countries where human rights defenders are in danger (Ivory Coast, Niger, Gambia, Senegal). Having recourse to African mechanisms for the protection of human rights defenders has often made it possible to adopt resolutions and recommendations on the most serious cases.

Future challenges and prospects could be summarised in one phrase: the need to optimise the activities of the network. In order to achieve this, the WAHRDN should focus on:

• institutional capacity building of the national member coalitions;
• the setting up and equipping of the regional secretariat;
• the development of communication links between national coalitions and the regional secretariat.
REPORT

The rights of human rights defenders: the need for synergy

Strategy

The strategy of the Special Rapporteur revolves around four activity areas:

- **working in synergy** and regrouping around her mandate all key actors involved in protecting the rights of human rights defenders - such as human rights defenders themselves, governments, national institutions and development cooperation partners;

- promoting among governments and other key stakeholders, through constructive dialogue, a **sense of responsibility** for the protection of defenders;

- improving the **visibility** of the Special Rapporteur’s mandate through activities to promote and publicise it at the national, regional and international levels;

- the **duty of accountability** through the presentation of bi-annual reports at ordinary sessions of the ACHPR.

Communications

One of the ways in which the Special Rapporteur sets out to protect human rights defenders is through letters addressed to States where violations of defenders’ rights are alleged to have taken place. These letters are the first step in engaging in dialogue with the government concerned, as part of the promotion and protection of the rights of human rights defenders in Africa.

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<td>Tunisia (2), Algeria, Nigeria</td>
<td>Police harassment, threats, intimidation</td>
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<td>3</td>
<td>Egypt, Somalia, Zambia</td>
<td>Violations of freedom of expression and freedom of association</td>
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<td>5</td>
<td>Algeria, DRC, Rwanda, Zimbabwe, Sudan</td>
<td>Excessive charges, arbitrary arrest and detention, ill treatment</td>
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<td>Ivory Coast, Tunisia</td>
<td>Vandalism, destruction of property</td>
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<td>DRC</td>
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<td>Central African Republic</td>
<td>Enforced disappearance</td>
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Letters sent between May and October 2007

Concluding observations

These give an idea of the achievements of the Special Rapporteur’s mandate and of the challenges faced.

- The main objective of the Special Rapporteur’s mandate is to facilitate the emergence of a culture of respect for the rights of human rights defenders in Africa. Although this mission is not a permanent one it requires a sustained effort. In order to succeed, it requires human, financial and material resources. These, however, are not necessarily forthcoming [...].

- Cooperation with counterpart organisations has begun well, but would gain from becoming a permanent feature and from being expanded to include all regional organisations.

- If, during the past two years, informal country visits have multiplied, formal country visits, for which the procedure is more complex and which require financial means which are not always available, have been rare. The information obtained as a result of these informal visits reflects a lack of critical and objective analysis of the situation of human rights defenders in the countries concerned.

- Furthermore, State actors have not always been open to the dialogue proposed by the Special Rapporteur, though there are grounds for hope following the handful of responses to some communications [...].

- African networks of human rights defenders are getting stronger and are strengthening the links between them. The Special Rapporteur is delighted to note the existence of such networks in West and East Africa, in the Horn of Africa and in the Great Lakes region. She encourages the creation of such networks in other parts of Africa [...].

- Human rights defenders encounter difficulties in carrying out their functions, in particular in conflict zones. War remains a scourge which is having serious humanitarian consequences on Africa [...].

- For the great majority of Africans, economic, social and cultural rights such as the right to food, shelter, health and education are not meaningful in practice.
Prospects

- The activities undertaken by the Special Rapporteur and their impact on the situation of human rights defenders in Africa justify her wish to work in synergy [...].
- The future should also be about [...] “increasing knowledge in order to increase effectiveness”. [...] To that end, the support of partners in building intellectual, material, human, institutional and organisational capacity is essential.
- To achieve such capacity building, it is vital to pursue dialogue and continue with country visits [...].
- There are plans to conduct a study on human rights defenders [...] from a gender perspective [...], to continue to build the capacity of human rights defenders and raise the awareness of State actors and national human rights institutions. [...]
- There is hope, given the results already obtained, that these prospects will become reality and will make it possible to perpetuate the mission of the Special Rapporteur to support the rights of human rights defenders in Africa.
- Inter-organisational cooperation, synergy with civil society, maintaining dialogue with governments and the support of partners at all levels remain major assets for the success of the mandate.

Recommendations

To the African Union:

- to take all necessary measures to formulate a standing invitation to all special mechanisms, including that of the Special Rapporteur, concerned with the rights of human rights defenders;
- to involve the Special Rapporteur in negotiations on cases involving countries in conflict, including the parties involved in the Darfur conflict, so that better account is taken of the situation of human rights defenders.

To States that have ratified the African Charter on Human and Peoples’ Rights:

- to take all appropriate measures to ensure the enforcement of legal instruments;
- to take all appropriate measures to ensure the effective implementation of the resolution of May 2007 on the protection of human rights defenders during elections;
- to facilitate the adoption of laws on the legal right of organisations for the defence of human rights to exist;
- to support the Special Rapporteur’s mandate by providing material, financial and human resources;
- to reply to the questionnaire sent by the Special Rapporteur on the situation of human rights defenders;
- to respond, where appropriate, to communications from the Special Rapporteur on alleged violations of the rights of human rights defenders.

COMMENTS

Dear human rights defenders,
This section is where you can leave messages and share your ideas and opinions. We are keen to be as accessible as possible and await therefore your own contributions to this newsletter. Do not hesitate to send emails to cha@iap.org.
OUR THANKS TO...

At the beginning were Musa Gassama, Clément Voulé and Chantal Mutamuriza, all human rights activists. Following many conversations on the subject, the idea of a newsletter that would focus on the mandate of the Special Rapporteur for the defence of human rights defenders gradually took shape for all of us. Some time later, a draft was sent to Clément then submitted to Inmaculada Barcia who, won over by the project, made it one of her concerns at the International Service for Human Rights (ISHR).

Elise Magnenat then joined the group and offered her expertise for the production of the Rapporteur’s Newsletter.

We are keen that these names should be mentioned so that we can express our gratitude and loyalty to the people concerned. They give a good idea, as does their effectiveness, of what the ISHR is about. “There is strength”, as we know, “in togetherness”.

We also wish to salute the selflessness of ISHR director Chris Sidoti.

Chafi Bakari devoted all his energies to re-reading the Rapporteur’s Newsletter. We express all our gratitude to him, as well as to his colleagues at the secretariat of the African Commission on Human and Peoples’ Rights. Finally, may we reiterate our thanks to Mr Magloire Gansou for his ever present support.

To all who, from near or from far, have contributed to the birth of the Rapporteur’s Newsletter, we say THANK YOU.

May they know fulfilment beyond their expectations.

Reine Alapini-Gansou

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