

# Enhancing the recognition and Protection of Human Rights Defenders in Africa

### **Final report to the Belgian Ministry of Foreign Affairs**

Your reference: D2.5/HJ/2020/MUL.09.02.04/

Period covered by the report: November 2020-October 2021

1.		Approved project objectives	2
2.		Progress towards Goal 1	3
	1.1. and	Support the application of HRD laws and the functioning of protection mechanisms in N Burkina Faso	ali, 3
	1.2.	Support to national processes of enactment of new HRD protection laws	4
	1.3.	Support HRD engagement with ACHPR and UN human rights mechanisms	10
	1.4.	Establishment of an informal African network of legal experts	12
2.		Progress towards Goal 2	14
	2.1. indu	Provide financial and technical support to national HRD networks to document Covid ced violations	14
	2.2.	Report assessing the impact of COVID-19 measures on HRDs	16
	2.3.	Advocacy paper on HRD protection in times of Covid	16
	2.4.	Regional event to share experiences and good practices in HRDs in Covid contexts	17

#### 1. Approved project objectives

#### General objective:

The overall objective of this project was to guarantee the protection of human rights defenders in the context of COVID-19, ensure that legal achievements of African countries are maintained, and, support African civil society efforts to ensure the implementation at the national level of the UN Declaration on Human Rights Defenders (HRDs).

#### Specific objectives:

More specifically, the project sought to:

#### Component 1 - protect HRDs at the national level

- Support the application of HRD laws and the establishment and functioning of protection mechanisms in Mali and Burkina Faso
- Support continued advocacy in countries where there is an ongoing process towards the adoption of a defenders' law
- Provide technical support to all relevant national actors in the drafting of a defenders' law and support national Civil Society Organisations (CSOs) to adopt relevant strategies to national processes of enactment of new HRD protection laws
- Continue to engage with international and regional human rights mechanisms to push for a safe work environment for defenders in the Sahel region and beyond

#### Component 2 - Protecting defenders during COVID-19

- Ensure the resilience and sustainability of civil society to champion human rights
- Collect data on the impact of the measures adopted by States on the work of defenders in countries where there is an existing legal framework protecting defenders to analyse its implementation or lack thereof
- Identify, document and share good practices and lessons learned on States' measures and the work of HRDs in times of crisis
- Continue to engage with international and regional human rights mechanisms to ensure
  States are held accountable in relation to the measures adopted

#### 2. Progress towards Goal 1

## 1.1. Support the application of HRD laws and the functioning of protection mechanisms in Mali, and Burkina Faso

#### A 2-day coordination meeting

While the meetings were originally planned to take place as workshops with ISHR, the authorities and our partner over the course of 2 days, the global travel restrictions related to COVID-19 meant that it was no longer possible for ISHR staff to travel. Instead, the meetings were held in person between the partners and the authorities, whereby our partner advocated for the implementation of the HRD laws in both Mali and Burkina Faso.

#### • A 2-day training (on-site or online) for at least 15 national HRDs

Throughout the course of this project ISHR organised workshops with civil society in Burkina Faso and Mali to strengthen their capacity for the implementation of the HRD laws adopted at the national level. Because of the travel restrictions, these activities were organised in a hybrid format with ISHR joining online and participants in the country participating in person.

On 17th and 18th May, in collaboration with the National Human Rights Commission (NHRC) and the Burkinabe Coalition of Human Rights Defenders (CBDDH), ISHR co-hosted <u>a workshop</u> which took place in Ouagadougou. It was an opportunity to discuss the concrete implementation of the law by defenders, especially their appropriation of its content and sharing experience of its use. The workshop was attended by 28 participants, including 11 women.



On 30 July 2021, ISHR organised a workshop jointly with the *Coalition Malienne des Défenseurs des Droits Humains* (COMADDH). The workshop aimed to train civil society on the content of the 2018 law for the protection of HRDs, share their experience on the use of the law so far and the challenges they have faced to use or push for the implementation of the law, including the establishment of the protection mechanism.

The workshop was attended by twenty-nine participants including nine women representing human rights organisations, the National Human Rights Commission (CNDH), the media and the regional coordinators of COMADDH.





Prior to the workshop, ISHR provided support to the Coalition to produce a set of <u>guidelines on the law</u> to facilitate its dissemination as well as its appropriation by all citizens, including defenders themselves and the implementing authorities. These guidelines, which were launched during the workshop, will enable all citizens to familiarise themselves with the rights contained in the Law on Human Rights Defenders and in the decree establishing the modalities of application of the law on human rights defenders. In addition to including the texts of the laws, these guidelines explain in concrete terms the rights included in these texts and how to use them.

#### 1.2. Support to national processes of enactment of new HRD protection laws

Organize one consultation in Senegal

On 8 and 9 April 2021, Senegalese civil society met in <u>a workshop</u> co-organised by Amnesty International Senegal and ISHR in Dakar to review and adopt the draft law for the promotion and protection of human rights defenders and its implementing decree.

During the workshop, participants had the opportunity to discuss the challenges they face in their human rights work. In particular, they mentioned the restrictions due to the obligation to obtain an express authorisation from the government for the organisation of any demonstration or the need for journalists to practice self-censorship.





 Support national NGO initiatives to monitor and support the adoption or implementation of HRDs laws.

For several years, ISHR has supported civil society in Africa with the implementation at the national level of the UN Declaration on HRDs. A growing number of countries have started the process towards the adoption of a national law for the protection and promotion of the rights of defenders and ISHR continues to provide its support. Because of the travel restrictions, ISHR provided subgrants to partners in several countries to support their advocacy activities towards the adoption of national laws for the protection and promotion of the rights of defenders.

**In Niger**, ISHR supported the *Collectif des Organisations de Défense des Droits de l'Homme et de la Démocratie* (CODDHD) which organised a consultation with parliamentarians to sensitise them on the importance of defenders especially as they received recommendations during their UPR review calling on the country to adopt a national law to protect defenders.



In June 2021, they also organised another meeting with parliamentarians, members of the government including the Ministry of Justice and the Permanent Secretary of the Inter-Ministerial Committee for the preparation of reports to treaty bodies and the UPR. This follow up meeting was part of the implementation of the recommendations made by international and regional human rights mechanisms urging Niger to adopt a specific law to protect human rights defenders in the exercise or on the occasion of the exercise of their functions.

These meetings facilitated these institutions to be more knowledgeable of international standards and lessons learned in promoting the rights of human rights defenders, for civil society to share the draft law on the protection of human rights defenders and for all Parliamentarians to internalise the draft law transmitted by the Government to the National Assembly for adoption.

**In DRC**, ISHR supported *SOS Information Juridique Multisectorielle*, the organisation which has been leading the process towards the adoption of a national law protecting HRDs in the country since 2016.

Between March and July 2021, our partner organised four meetings to advocate and enrich the draft HRD law with civil society, representatives of the Ministry of Justice, the Inter-ministerial Committee on Human Rights and the National Human Rights Commission in Kinshasa.

Following those meetings, together with the National Commission for Human Rights, our partner coorganised the workshop for the appropriation and endorsement of the draft law. During this session, member of parliament, Mr. Jean Paul Segihobe, agreed to officially carry the text within the national assembly. The new Minister of Human Rights, who was present at the meeting, promised to push the Government to quickly formulate its observations, as soon as the text was communicated to them by the office of the national assembly.

Our partner also reactivated the coalition of national CSOs working on the draft and together they worked on a document presenting civil society's arguments and suggestions which has been shared with M. Jean Paul Segihobe who will use it as a basis for his presentation of the text in front of the national assembly.

In Zambia, ISHR supported the Southern African Centre for the Constructive Resolution of Disputes (SACCORD) as well as the Chair of the Zambia Human Rights Defenders Network. In 2019, ISHR organised a consultation which brought together defenders from Zambia with experience and an interest in working for the promotion of the rights of human rights defenders and the protection of civil society space. During this consultation, defenders identified the lack of legislative protection of defenders as a gap and unanimously decided to start working on a draft HRD law.

Through this subgrant, SACCORD jointly with the members of the network, was able to develop terms of reference for the committee responsible to lead the drafting of the proposed Bill on the promotion and protection of defenders. The terms of reference, among other things, outline the composition of the team, the objectives, the deliverables and the timeline. They also worked with members of the Zambia Human Rights Defenders Network (ZHRDN) to carry out a preliminary desk review which consisted of identifying national relevant policies, administrative framework, legislation and comparing them with international instruments. Following this research, the ZHDRN, the Zambia Law Development Commission (ZLADC) and, SACCORD, jointly organised a consultation to produce a comparative study to review the legal and administrative frameworks from countries which have already adopted such legislation in Africa, to identify best practices. The consultation was held from 4<sup>th</sup> March to 5<sup>th</sup> March 2021 and included fourteen participants from the ZHRDN, SACCORD and the ZLDC.





**In Togo**, despite the restrictions that limited the work of civil society, our partner, the Togolese Coalition of Human Rights Defenders (CTDDH), was able to organise activities to continue advocating for the adoption of the draft law for the promotion and protection of human rights defenders in the country.

In August 2021, they organised an advocacy lunch that brought together around twenty human rights organisations as well as representatives of the Ministry of Human Rights and the National Human Rights Commission. During this lunch, they shared with the authorities the support expected from them by civil society and their strategy to advance the process towards the adoption of the law.



The government commissioned a consultant to collect the opinions and suggestions of organisations on the draft law that the government will coordinate. A meeting was organised by our partner to ensure that civil society could meet with the consultant.



In September, our partners organised a meeting at the Ministry of Human Rights with the Minister's Technical Advisor, Mr Kossi Odie, and the Director General of Human Rights, Ms Pauline Dokou. During this meeting, they discussed the expectations of civil society with regards to the content of the draft law and the importance of the Minister presenting the text to the Council of Ministers for adoption.



Finally, in October, the CTDDH organised a round table between MPs, representatives of the institutions of the Republic and civil society in order to discuss the process of adopting the law, and its importance particularly in light of the recommendations adopted by treaty bodies following the periodic review of Togo. Following this meeting, the MPs expressed their appreciation for the organisation of the meeting which allowed them to familiarise themselves with the recommendations calling on the State of Togo to strengthen the legal protection of human rights defenders through the adoption of a national law. MPs committed to listen to the concerns of civil society once the draft law has been transmitted to them.





In 2017, **in Benin**, under the leadership of the former Commissioner of the African Commission on Human and Peoples' Rights and current Honourable Judge at the International Criminal Court, Mrs. Reine Alapini Gansou, re-launched civil society on the process of adopting a law on the protection of human rights defenders at a regional meeting of African human rights defenders organised in Cotonou. Following this workshop, Beninese civil society organisations submitted to the government a first draft law on the promotion and protection of defenders.

Through this subgrant, our partner *Changement Social Bénin* was able to remobilise civil society and positively influence the environment for the advancement of a protective legal framework for human rights defenders.



In Sierra Leone, ISHR has been working towards achieving a better protection of defenders with the national Human Rights Defenders Network since 2015. In 2019 we were able to jointly organise a workshop with members of parliament to raise awareness on the need for an HRD law in Sierra Leone and secure their support in the process. One gap which was identified, was the lack of understanding and support from the society of the work of defenders. Through this subgrant the network developed and aired jingles on human rights defenders, the work they do and the positive impact they have on democracy in the country in four local languages. They also developed and distributed 160 posters on the promotion and protection of HRDs/WHRD and general human rights issues and, organised radio and TV programs on the need to protect HRDs/WHRDs, civic space and democratic governance.

The Network hired the service of an artist group to develop jingles in local languages (Mende, Temne, Limba and Creole) in order to sensitize the communities on the important role of HRDs and also influence government action on the protection of HRDs. 30 radio slots of the jingles in the four local languages were aired out on AYV Media Empire FM 101.7. This broadcaster has national, regional and international coverage; every community in the country can access the frequency. The jingles also

make communities understand the value of human rights defenders' work and the associated risk involved with promoting and protecting human rights.

In addition to the radio and TV programs, there has been continuous engagement with the office of the Vice President on the status of the human rights defenders protection bill. The Deputy Minister of Justice was also engaged and he organised a meeting between the HRDN-SL and the Attorney General and Minister of Justice to discuss the bill. During this meeting the Attorney General and Minister of Justice said the Network should review the draft bill and bring in the HRCSL to present the revised draft bill to his office. He expressed that the HRCSL is the constitutive body that should present to his office any bill relating to HRDs/WHRDs.

#### 1.3. Support HRD engagement with ACHPR and UN human rights mechanisms

The COVID-19 pandemic affected the work of international and regional human rights mechanisms and forced those mechanisms to conduct their sessions online. For this reason, ISHR was unable to support defenders' travel to attend those session but we reinforced our engagement with the African Commission on Human and Peoples' Rights (ACHPR) and UN mechanisms to ensure they are still connected to defenders, that their voices continue to be amplified and that States are held accountable for violating human rights in their fight against COVID-19.

#### - ACHPR

The 67<sup>th</sup> ordinary session of the ACHPR took place from 13 November to 3 December 2020. Ahead of the session of the Commission, the NGO Forum took place from 9 to 11 November 2020. In preparation for the latter, ISHR held numerous meetings as a member of the Steering Committee of the NGO Forum to continue to ensure civil society in Africa has a space to share their human rights concerns within the Forum. Both events took place online through zoom. See more details here. During the 67th ordinary session, ISHR delivered four statements with inputs from partners working all around Africa, on the situation of human rights in Africa, on defenders, women's rights and extractive industries.

As a member of the steering Committee of the NGO Forum, ISHR continued to co-organise the public sessions ahead of the African Commission's ordinary sessions. During the three sessions which took place during the reporting period, over 145 people participated in each session. ISHR facilitated the participation of 10 defenders from all around Africa for each session, especially defenders who rarely had the opportunity to participate during in-person sessions because of lack of funding.

Ahead of the 68<sup>th</sup> session, on 10 March 2021 ISHR organised a private meeting between the ACHPR Special Rapporteur on HRDs, the ACHPR Working Group on Extractive Industries and environmental defenders from Liberia. These defenders have documented cases of companies' wrongdoings as well as cases of defenders being threatened and prevented from doing their vital work. They used this opportunity to present their findings and raise their specific concerns to the Commission in hope that their mandates can support the needed changes in Liberia regarding policies surrounding the work of Agro-Business and other extractive industry companies in the country and the protection of those defending the rights of affected communities. During the 68th ordinary session, ISHR made statements on reprisals against defenders collaborating with the ACHPR and the criminalisation of defenders in Africa.

While accessibility to a reliable internet connection in Africa continues to remain challenging in some areas, ISHR was able to support a defender in Liberia to provide a written statement to the Working Group on Extractive Industries during the 68th ordinary session of the African Commission on Human and Peoples' Rights.

During the reporting period, ISHR submitted in collaboration with national partners <u>a shadow report</u> <u>to the African Commission</u> on the situation of human rights defenders in Benin and the situation of LGBTI persons in Namibia.

#### - United Nations mechanisms

In keeping with the ongoing practice, ISHR New York office was heavily involved in supporting the process of adoption of a dedicated resolution by the **General Assembly** on Human Rights Defenders. This year, the issue of Covid featured high at UNGA 76. Following weeks of negotiation, States supported a resolution led by Norway focusing on the COVID-19 pandemic and the important and legitimate role that human rights defenders have played in its response, as well as the challenges faced as a result. We're delighted that <u>our engagement with Norway and other cosponsors including Belgium</u> contributed to the adoption of the resolution by consensus.

Ahead of the adoption of a list of questions to Burundi by the **Human Rights Committee** in July 2021, we submitted <u>a shadow report</u> focusing on online threats faced by defenders from Burundi. The report includes a focus on online threats, including defamation and sexual harassment, faced by Burundian women human rights defenders. We're satisfied with the <u>questions subsequently raised by the Committee</u> to Burundi about human rights defenders (§ 23) and we look forward to engaging in the upcoming review.

During the reporting period, ISHR supported partners to engage during the 46th, 47th and 48th sessions of the Human Rights Council.

During the **46th session of the Human Rights Council** in Geneva, ISHR supported 3 defenders from several countries in Africa to deliver online oral statements:

HRC46: <u>Interactive dialogue (ID) with the Commission of Inquiry of Burundi</u> - ISHR and the Forum pour la Conscience et le développement (FOCODE) equally shared their concerns about the proliferation of ethnic hate speech, the ethnic census of civil servants and employees of the private sector, including non-governmental organisations.

HRC46: <u>Interactive dialogue (ID) with independent experts on Mali</u> - ISHR and *Femmes et Droits Humains* delivered a joint statement highlighting that many people, particularly women and girls, face poverty, hunger, violence and repression. Indeed, since 2012 and the occupation of the northern regions of the country, violence against women in these regions has increased especially regarding sexual slavery and forced marriages.

HRC46: <u>Enhanced ID on oral updates on Democratic Republic of the Congo</u> - ISHR and SOS Information Juridique Multisectorielle's (SOS IJM) joint statement delivered during the interactive dialogue emphasised that to achieve the rule of law and effectively fight impunity, the DRC needs to restore the independence of the judiciary and pass legislations effectively protecting the rights of human rights defenders, pro-democracy activists, whistleblowers and journalists.

During **HRC48**, ISHR supported five African defenders to deliver statements. Indeed, in collaboration with local partners, ISHR had submitted shadow reports for the UPR reviews of Sierra Leone, Niger and Mozambique. Because of the Covid-19 crisis, the review was postponed and took place in May 2021. Partners were able to make statements on the adoption of the report during the 48th session of the HRC.

HRC 48: <u>UPR adoption Niger</u> - ISHR and *the Collectif des Organisations de Défense des Droits de l'Homme et de la Démocratie* (CODDHD) highlighted that Niger only managed to partially lift the restrictions imposed on civic space since its last review.

HRC 48: <u>UPR adoption Sierra Leone</u> - ISHR and the Human Rights Defenders Network - Sierra Leone expressed their concern on the ongoing criminalization of agribusiness group opponents. They notably mentioned two land rights defenders, Mohamed Ansumana and Mustapha, who got shot dead by security forces during protests against SOCFIN Group palm oil plantations.

HRC 48: <u>UPR adoption Mozambique</u> - ISHR and the Centre for Democracy and Development shared their concerns on the situation of human defenders which remains sensitive as they face harassment, intimidation and threats. They called on Mozambique to ensure human rights defenders protection and to give full force to a proper national implementation of the UN Declaration on Human Rights Defenders.

In addition to statements under UPR adoptions, ISHR also supported two partners to make statements on Burundi and the DRC.

HRC 48: Enhanced ID on HC report on the Democratic Republic of Congo and final report of experts on Kasai - ISHR and SOS Information Juridique Multisectorielle's (SOS IJM) emphasised that to achieve the rule of law and effectively fight impunity, the DRC needs to restore the independence of the judiciary and pass legislations effectively protecting the rights of human rights defenders, pro – democracy activists, whistleblowers and journalists.

HRC 48: <u>ID with Commission of inquiry on Burundi</u> - ISHR and the *Forum pour la Conscience et le Développement* (FOCODE) shared their concerns about the denial by the government of several cases of enforced disappearances, hundreds of murders and the lack of distance between the newly nominated Burundian Independent National Commission on Human Rights and the government's narrative about the human rights situation in the country, including that they have not been informed of enforced disappearances in 2020.

ISHR also met with defenders from Burundi ahead of the ID on Burundi to discuss advocacy strategies towards the establishment of the new Special Rapporteur on Burundi.



#### 1.4. Establishment of an informal African network of legal experts

Following a long-standing request by civil society in Africa, ISHR hired a consultant to carry out research aimed at proposing an innovative model for a network of legal professionals in Africa that will primarily support the work of the ISHR in the recognition and legal protection of human rights defenders.

The main objective of this research was for the consultant to present to ISHR the viability of setting up an informal network of local legal experts in Africa in order to strengthen the legal analysis of national contexts in the drafting of various bills in Africa and occasionally to provide prompt legal support to

defenders whose rights have been violated, in accordance with the laws for the promotion and protection of defenders adopted in several African countries (Mali, Burkina Faso and Côte d'Ivoire). The report which analyses existing and previous similar networks proposes a format based on the learnings on what worked and what didn't from these networks as well as the needs to ensure there is no duplication with what currently exists. The network to be built will therefore have to take into account the strengths of the existing networks, while seizing the opportunities offered by a favourable context where, although there are already well-established actors, most of them are not systematically involved in HRD recognition issues at national level.

In order to gather final inputs from civil society on what they saw as essential for this network to fulfil their needs and ensure it is sustainable, ISHR organised an online consultation on 11 October 2021 which gathered 25 participants from countries where a HRD law has been adopted or is in the process of being adopted.

#### 2. Progress towards Goal 2

### 2.1. Provide financial and technical support to national HRD networks to document Covid induced violations

In Mozambique, with the degrading human rights situation in the Cabo Delgado province, the Centre for Democracy and Development (CDD) started with the needs assessment of women HRDs (WHRDs) in the field of Business and Human Rights who are the most at risk in Mozambique, with the conflict-ridden Cabo Delgado as an entry point. The CDD sent 25 questionnaires to people and organizations working on corporate accountability for human rights abuses in Mozambique with the aim of compiling information on the main attacks, risks, cases of judicial harassment, etc. faced by W/HRDs, with a focus on organizations based in Cabo Delgado.

On 12th November, 2021, in Pemba City, Cabo Delgado province CDD conducted a one day provincial workshop to share the results of the survey and gather more information on experiences of defenders working on corporate accountability in Cabo Delgado and their specific protection needs. The event gathered around 23 participants, from different organizations working in the defence of human rights. The workshop also allowed to gather more experiences and challenges that women human rights defenders face in the exercise of their activities.





Following the workshop, CDD started to draft a report compiling the findings of the survey and the workshop on the status of WHRDs in the field of Business and Human Rights in Cabo Delgado and their specific protection needs. The report will then be shared with relevant stakeholders at the national, regional and international level.

In Guinea, the process towards the adoption of a law for the promotion and protection of defenders has been ongoing since 2018. To ensure the participation of women human rights defenders, on 4 October the Association des victimes parents et amis du 28 septembre 2009 (AVIPA) worked with women defenders to adopt an advocacy document to ensure their needs were considered throughout the process of adoption of the law. In October, AVIPA organised two workshops with women defenders to discuss the work that has been done until now in Guinea on the protection of defenders, to share and sensitise them to the advocacy plan. However, due to the coup d'etat, the organisation wasn't able to include government officials or parliamentarians to these activities as initially planned.

In Mali, women human rights defenders have been particularly affected by the COVID-19 pandemic. In this context we supported the work of *the Association Femmes et Droits Humains* to contribute to the protection of women defenders in Mali by strengthening their protection in times of crisis and by ensuring the implementation of the national law for the protection of defenders. The Association *Femmes et Droits Humains* organised a workshop in Bamako, attended by 35 women to present the

research on the measures adopted by the Malian government against the spread of COVID-19. In addition, recommendations from the workshop were shared to ensure that the government takes a gender sensitive approach (linked to activity 2.2 below). During this workshop, women defenders took ownership of the recommendations and adopted an action plan to push the government towards implementation.



In Morocco, ISHR has been supporting Sahrawi human rights defenders who are arbitrarily detained for advocating the right to self-determination. We have notably contributed to document and highlight cases of reprisals against a prominent Sahrawi HRD, Enaama Asfari, who was subjected to a series of deprivations in prison following a ruling by the UN Committee against Torture in his favor. Asfari and his fellow HRD prison inmates were particularly vulnerable to Covid due to the difficulties in applying public health measures in prison. During the project period, ISHR worked with an informal coalition of INGO partners and private lawyers to prepare a new set of individual communications to UN human rights bodies on behalf of Sahrawi HRDs arbitrarily detained. Unfortunately, at least two members of the coalition had their personal phones hacked by Morocco with the Pegasus software. We were highly concerned that a communication on an instant telephone messaging application seems to have also been infiltrated through Pegasus as at least one of our interlocutors present on that group and based in Morocco was physically assaulted by plain-clothes Moroccan police in May 2021. His assault together with a wave of repression against Sahrawi HRDs in Morocco were documented and taken up by UN Special Procedures. As a consequence of this serious security breach, and ensuing wave of assaults against our interlocutors, security measures between members of the informal coalition, which includes inter alia International Federation for Human Rights (FIDH) and ACAT France, decided to take drastic security measures. Such measures included the anonymization of victims, use of encrypted emails instead of instant messaging phone applications, as well as the purchase of special and dedicated telephone handsets which will enable encrypted and secure communications with interlocutors and victims in Morocco.

#### 2.2. Report assessing the impact of COVID-19 measures on HRDs

The COVID-19 pandemic health crisis was coupled with significant ongoing challenges in Burkina Faso and Mali such as terrorism and poverty. Government measures taken to limit the spread of the virus were deemed to be restrictive, exacerbating the socio-economic and security vulnerabilities of groups at risk. These various measures have resulted in severe restrictions on public and individual freedoms and have had a significant impact on the activities of human rights defenders and a considerable reduction in civic and democratic space.

ISHR commissioned a research report in Mali and Burkina Faso in collaboration with 34 human rights organisations. The objective was to assess the impact of the different measures taken by the authorities since the outbreak of COVID-19, some of which are considered as violations of the public freedoms of HRDs; to identify the most restrictive measures for the activity of HRDs, to identify the strategies developed by HRDs in order to ensure the continuity of their activity, and to share good practices adopted during the pandemic in order to prevent future crises. Finally, to identify the provisions of national, regional and international instruments for the protection of HRDs' rights that have been violated by COVID-19 restrictions.

A questionnaire was developed by ISHR to guide the data collection and analysis on HRDs violations, and sent to the different organisations (34 in total) through the Coalition Burkinabé des Défenseurs des Droits Humains in Burkina Faso (CBDDH) and Coalition Malienne des Défenseurs des Droits Humains in Mali (COMADDH). The Mali and Burkina reports were subsequently integrated into a larger report covering Cote d'Ivoire, Niger and Sierra Leone too. That report is available on the ISHR website.

#### 2.3. Advocacy paper on HRD protection in times of Covid



The analysis of the data from the information collected on the impact of the measures taken to combat COVID-19; enabled ISHR to produce advocacy documents (04 per country, i.e. a total of 08 advocacy documents including the advocacy strategy addressed to the coalitions and organisations involved). The advocacy activities were undertaken by the CBDDH in Burkina Faso and COMADDH in Mali towards national authorities (Ministry of Justice and Human Rights, Ministry of Defence, Ministry of Health, Ministry of Territorial Administration, National Assembly, National Council for Human Rights, the Media...) in both countries. Through advocacy, each country sought to highlight how COVID-19 restrictions had impacted the rights of human rights defenders, to identify the legal instruments that have been violated, and finally, to recommend specific re-adjustments that better respect rights. Both

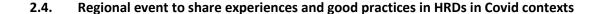
CBDDH and COMADDH also targeted the the special rapporteurs of the United Nations and the African Commission on Human and Peoples' Rights (ACHPR) in their advocacy.





Another advocacy action carried out by the coalitions was with the UN Special Rapporteur on the right to freedom of peaceful assembly and freedom of association, the UN Special Rapporteur on the situation of human rights defenders, and, the Special Rapporteur on the situation of human rights defenders and focal point on reprisals at the African Commission on Human and Peoples' Rights. This advocacy action consisted of an email of advocacy documents followed by a face-to-face meeting with the Special Rapporteurs in Abidjan, Côte d'Ivoire. The exchanges focused on discussing the restrictions on the rights and freedoms of human rights defenders identified during the research and making specific recommendations to facilitate the readjustment of government measures.

A <u>copy of the report of the research</u>, the advocacy document and a <u>compendium of good practices</u> produced for this purpose were given to each party during the advocacy.





From 18 to 20 October 2021 ISHR organised a regional consultation in Abidjan, Côte d'Ivoire, on experience sharing between regional groups, national coalitions and human rights defenders' organisations from Africa and the Sahel. At least 25 human rights defenders took part in this consultation. Also invited were the UN Special Rapporteur on Freedom of Peaceful Assembly and

Association, the UN Special Rapporteur on the Situation of Human Rights Defenders, who for health reasons <u>sent a video statement and was represented by her Special Adviser</u>, and the Special Rapporteur of the African Commission on Human and Peoples' Rights on the Situation of Human Rights Defenders, who sent their apologies. The opening ceremony included comments from the CNDH, ISHR, UN and ACHPR Special Rapporteurs, the <u>Ambassadors of Belgium</u> and Switzerland in Côte d'Ivoire and the representative of the Minister of Justice and Human Rights.



J'ai participé à une consultation régionale sur la protection de l'espace démocratique & des défenseurs des droits humains en période de crise, cofinancée par la Belgique

Pour une protection effective des défenseurs des droits @CNDHCI @ISHRglobal @AmbSuisseCl @minjustice dh



ISHR en français et 4 autres personnes

2:11 PM · 19 oct. 2021 depuis Côte d'Ivoire · Twitter for iPhone

8 Retweets 26 J'aime

Throughout the consultation, defenders discussed the impact of measures taken by the authorities to combat COVID-19 on the work of defenders and shared their experiences. They noted the restrictions that defenders have faced and the impact on their work, the cases of shrinking of civic and democratic space through the measures taken by the States and the good practices implemented by defenders and national authorities. Finally, they addressed recommendations to the authorities and the Special Rapporteurs.

In most African countries, the pandemic has aggravated violations of fundamental freedoms, including freedom of expression and of the press, freedom of association and peaceful assembly, freedom of movement, restriction of the right to work, the right to justice, etc. Government measures have been

extremely restrictive and have contributed considerably to the reduction of civic and democratic space.

The group discussions highlighted some of the key strategies that have been implemented by defenders to ensure continuity in their work:

In order to ensure the continuity of their work, defenders have taken practical and strategic measures, both individually and collectively, within their organisations to protect themselves from COVID-19. In addition to respecting barrier measures, they have developed new working methodologies: remoteworking, video-conferencing meetings, rotation of staff in the offices, distribution of protection kits, rescheduling of activities and reallocation of funds for activities. Suggestions were also shared with the authorities to strengthen the capacities of defenders in times of crisis and to support the government's action in the fight to manage the pandemic. The defenders suggested adjustments and amendments to state measures (depending on the context and the evolution of the pandemic), including free COVID-19 tests, and access to the vaccine for all. For the defenders, in order to safeguard civic space, to favour the continuity of the defenders' work and to improve the social climate, the authorities should, in collaboration with the defenders, urgently review the measures adopted and ensure that they are adapted to the country's context.

Throughout the process ISHR was in regular contact with the embassy of Belgium in Abidjan and other diplomatic posts. We're delighted with the important results of this regional event, which enabled us to strengthen our relations with national authorities in Cote d'Ivoire (i.e. we obtained for the first time meetings with the Minister of Justice, Minister of interior and Minister of defence), and that ultimately contributed to boost ongoing efforts for the establishment of a national protection mechanism for HRDs.

