

[Dispatch: Human rights defenders meet in advance of African Commission on Human and Peoples' Rights](#)

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(Banjul, The Gambia) - The criminalisation of human rights defenders, attacks on journalists, corporate accountability, and violence and discrimination against people on the grounds of sexual orientation and gender identity are among the primary issues that have been discussed by human rights defenders at a major meeting in The Gambia in West Africa.

Human rights defenders from across Africa have gathered together in Banjul over the last three days to identify priority issues for advocacy in advance of the 54th session of the African Commission on Human and Peoples' Rights. Those gathered include local, national, sub-regional, pan-African and international human rights advocates, including ISHR staff.

The lack of both physical and legal protections for human rights defenders, together with the criminalisation and stigmatisation of their work across the continent, has been a significant theme. Participants have shared evidence of gross violations against human rights defenders, including torture and ill-treatment, arbitrary arrest and detention (including incommunicado detention), enforced disappearances and even death. They have also provided examples of the use or misuse of laws, malicious prosecutions, unfair trials and judicial harassment to criminalise the legitimate and important work of defenders, including journalists.

While those who work to promote and protect rights face risks across the continent, it is clear that certain groups of defenders face particular risks and have particular protection needs. Women human rights defenders, for example, are often targeted by both State and non-State actors in retaliation for their work to challenge patriarchal cultures and traditions, as the malicious prosecution and imprisonment of Gambian anti-female genital mutilation activist and NGO Forum attendee Dr Isatou Touray is testament.

Human rights defenders who work on issues of sexual orientation and gender identity also face particular threats and challenges, with same-sex relations criminalised across much of the continent. The launch of a [new report by the Coalition of African Lesbians and AMSHeR](#) is important in this regard, documenting widespread

violence, attacks and discrimination against persons on the grounds of sexual orientation or gender identity, often perpetrated with impunity. The report calls on States not to provide "sexual minorities with special protection" but to recognise "that they are entitled to the rights all other citizens have - the rights to security, liberty, life, dignity and a fair trial".

Journalists also face particular threats across much of the continent, with [Article 19 East Africa](#) sharing disturbing examples of the recent killing of journalists in Somalia, Kenya, Uganda and Tanzania. The legal protection of the right to freedom of expression is precarious in many States, with counter-terrorism laws, criminal defamation provisions, and laws relating to interception of communications all deployed to silence journalists and other human rights defenders.

The Forum has also been addressed by members of the African Commission's expert Working Group on human rights and the extractive industries, including ISHR's [Clement Voule](#). The members highlighted the important role of human rights defenders in helping to identify, prevent, mitigate and remedy the adverse human rights impacts of business and the responsibility of business not to interfere with the work of defenders, including by respecting their rights to freedom of expression, association and peaceful protest. Participants heard testimony that attacks on human rights defenders who work on business issues include physical attacks, smear campaign, cyberattacks and legal harassment. Examples were cited from African States including Malawi, Zimbabwe, Kenya, Tanzania and the DRC. Dr Michael Addo, member of the UN Working Group on Business and Human Rights also acknowledged the need to interpret and further develop the UN Guiding Principles on Human Rights to better recognise and protect the work of human rights defenders.

While the NGO Forum is an important opportunity to share evidence and testimony regarding human rights violations, it is also a crucial opportunity for defenders to share strategies to ensure they are addressed.

In this context, there have been widespread calls for States to develop, enact and ensure the effective enforcement of specific national laws and policies which recognise and protect the work of human rights defenders. Such laws would not only give domestic legal effect to the international Declaration on Human Rights Defenders, but also contribute to ensuring a safe enabling environment for their work by publicly signalling the value, legitimacy and importance of such work.

Finally, the NGO Forum provides an important opportunity for human rights defenders to network, build new partnerships and relationships, and to celebrate success. In this context, the presentation of the inaugural [African Human Rights Defenders Awards](#) and the party that follows is sure to be a highlight!