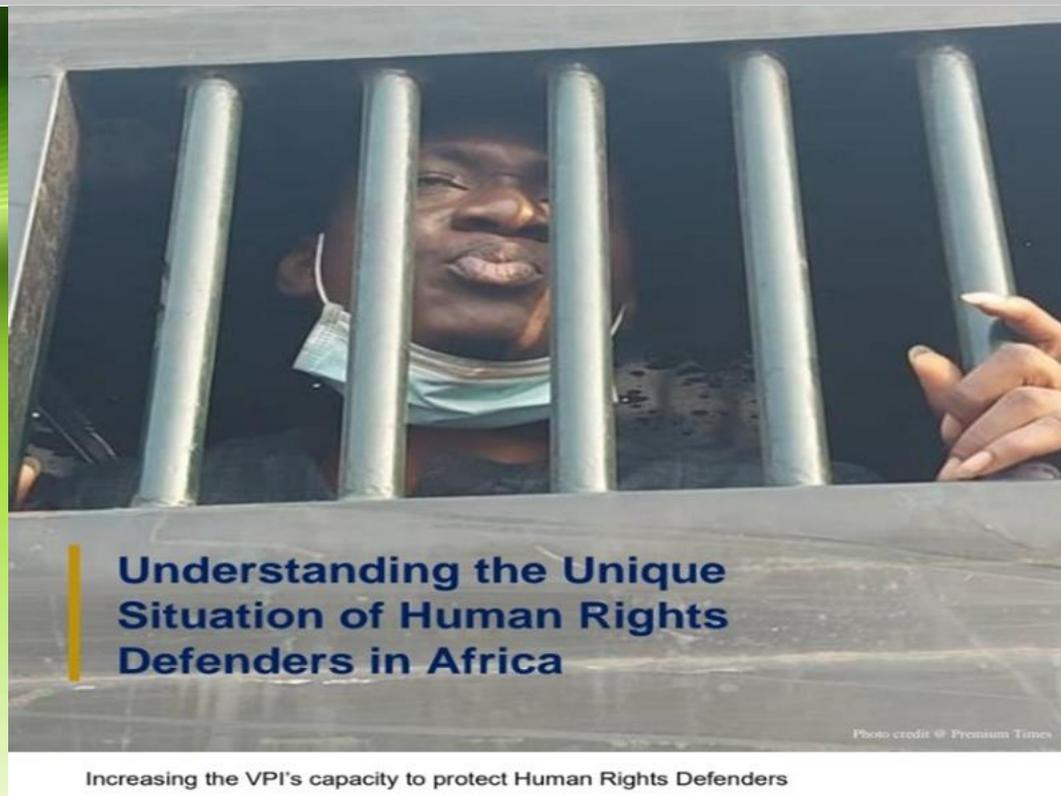


Human Rights Defenders Guidance

“Understanding the Unique Situation of Human Rights Defenders in Africa”

BY

Leadership Initiative
for Transformation and
Empowerment
(LITE-Africa)



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Methodology

- Mix of strategies were used to collect and create content including surveys and reviews to adapt or reference existing materials to fill-in gaps on human rights defenders in the VPs risk assessment framework.
- LITE-Africa collaborated with the VPI Secretariat, and In-country implementation working groups members to crowd source resources, set up consultative meetings including meetings with the Gender/vulnerable groups consulting team, interview with VPI members.
- Purposive interviews were conducted from samples drawn from among human rights defenders working in resource endowed countries in Africa
- Interviews with VPI members and observers

KEY FINDINGS

- ❖ The VPs' existing policies and practices did not specifically recognize human rights defenders, and the use of terms like "opposition NGOs" in the VPs documents seems archaic.
- ❖ Defenders hardly enjoy their right to peaceful assembly as they increasingly suffer arrest, detention, ex-judicial killings and administrative harassment.
- ❖ Excessive use of force by security providers against defenders is common place in the African region.
- ❖ Human rights defenders right to freedom of association is under serious threat due to administrative and judicial harassment that offers grounds for dissolution of human rights defender organizations.
- ❖ Strategic litigation against public participation (SLAPPs) suit and criminal investigations by extractives and agri-business against defenders in Nigeria, Ghana, and South Africa were identified.
- ❖ **Grievance mechanisms:** NGOs and defenders are not aware of formal processes for HRD to access company grievance mechanism except in the event of external pressures on companies mostly from INGOs, home government, diplomatic community, and international courts.
- ❖ **Training and deployment of military:** Poorly trained and ill-equipped security personnel was identified as the bane of excessive use of force and violence against defenders.
- ❖ **Consultation:** lack of consultations with critical stakeholder communities including defenders, youth, women, journalist, indigenous communities and other vulnerable groups on natural resource extraction, and absence of socially inclusive policies and programmes were identified as critical factors in heightened risk faced by defenders.

Challenges

- Unwillingness on the part of Human Rights Defender (HRD) to respond to survey instruments or grant interview due to state security surveillance on defenders. This explains the low number of persons interviewed.
- Inability of LITE-Africa personnel to travel to various countries of study also was a major challenge as this also comprise trust issues as potential respondents were not willing to talk about Human Rights issues through phone or respond to survey

Recommendations

- The VPI should explicitly acknowledge the vital role of human rights defenders in promoting human rights and sustainable development, in accordance with the Guiding Principles.
- The VPI pillar members should demonstrate commitment to protection of human rights defenders through specific policies or statements on human rights defenders to operationalize their human rights commitments.
- Company's policies and practices should deliberately guarantee fundamental freedom including providing safeguard for the unique and overlapping risks faced by human rights defenders in different situations adequate consultations and (SDG 16 & 17) actions that promote inclusive societies through organizational policies, and partnership with affected stakeholders.
- Extractives and agri-business should train security operatives on risks related to human rights defenders and provide necessary lawful equipment to prevent excessive use of force and violence against defenders by security personnel.
- To minimize risk faced by defenders' extractives and agri-businesses should undertake adequate consultations with critical stakeholder communities such as indigenous communities, human rights defenders on natural resource extraction, and mainstream social inclusiveness.
- Companies should establish formal processes for HRD to access company grievance mechanism and create awareness around it to potentially address grievances that often result in most defenders going to court with companies.
- Funding of capacity building programmes for human rights defenders around the two main frameworks relating to business and human rights defenders and the civic space is strongly recommended.



Thank you!