

# **Reprisals | New ISHR report: Reprisals related to engagement with the African human rights system must be addressed**

12.05.2020

**In order for the African human rights system to function to its fullest potential, human rights defenders must be able to share crucial information and perspectives regarding situations on the ground. However, many defenders still face unacceptable risks and are unable to cooperate safely with the African human rights system.**



[\*Version française\*](#)

[ISHR's new report to the Focal Point on Reprisals](#) of the African Commission on Human and Peoples' Rights demonstrates the need for the ACHPR and States to do more to prevent and ensure accountability for intimidation and reprisals against those who cooperate or seek to cooperate with the African human rights system. ISHR's report was prepared in response to the [call for submissions to the first annual report of the Focal Point on Reprisals](#), Commissioner Remy Ngoy Lumbu.

[ISHR's report](#) documents a disturbing pattern of intimidation and reprisals that must be addressed. Cases of intimidation and reprisals featured in the submission range from States maligning and stigmatising defenders to banning them from travel and detaining them. 'Such reprisals violate human rights and fundamental freedoms that regional and international systems are obliged to promote and protect. Moreover, they also seriously impede bodies and mechanisms' abilities to discharge their mandates effectively, threaten their integrity, and undermine the credibility of their work in the field of human rights', said Adelaide Etong Kame, ISHR Africa Programme Manager.

In Malawi and Cameroon, defenders engaging with the ACHPR are threatened, stigmatised, harassed and attacked. In Burundi, increased monitoring by regional and international human rights mechanisms has been met with increased risk, stigmatisation and harassment of defenders working with the mechanisms. In Mauritania, human rights defenders continue to be vilified by the government and accused of being terrorists. In Egypt, defenders engaging with the African human rights system have been maligned, intimidated, and detained.

[The report](#) also documents how recent hosts of ACHPR sessions, in particular Mauritania and Egypt, have hindered and restricted access to the sessions, through visa denials, intimidation, harassment, and undue restrictions at the sessions themselves. 'The free engagement of individuals and groups with the ACHPR is critical to its efficiency and effectiveness. We call on the ACHPR to seek assurances from prospective host States that they will guarantee free and unhindered access of civil society to the sessions of the ACHPR and the NGO Forum', said Etong Kame.

[ISHR's submission](#) also documents undue restrictions on accreditation, namely the case of the Coalition of African Lesbians (CAL), who have had their observer status to the ACHPR withdrawn, in violation of the rights of freedom of expression, association, and unhindered access to and communication with international bodies of CAL and its members, on discriminatory bases.

The primary duty to prevent and remedy reprisals lies with States—who must do more to prevent, investigate and ensure accountability for reprisals. 'In that regard, the task for the Focal Point and the ACHPR is now to take up these cases and ensure they are addressed with the perpetrating governments. Otherwise, reprisals 'work' to dissuade engagement, and perpetrators will be emboldened', said Etong Kame.

## **Background:**

The Special Rapporteur on human rights defenders of the ACHPR was appointed in 2014 as the Focal Point on

reprisals in Africa. At the last session of the ACHPR, the Focal Point, Remy Ngoy Lumbu, launched the policy and information note on how to communicate with his mandate regarding reprisals (linked here in [English](#), [French](#)), which gives more clarity on the work of the mandate and encourages defenders to engage with the mandate on this important issue. The Focal Point on Reprisals called for submissions to his first annual report (link to the call here in [English](#), [French](#)). The first report will be presented to the ACHPR in October 2020. The report will summarize main trends and contain a selection of cases brought to the attention of the focal point, with the decision to include cases made on the basis of the principles of do no harm and informed consent. The relevant reporting period is 12 May 2014 (when the mandate was originally created by a [resolution of the ACHPR](#)) until 12 May 2020. In subsequent years, the relevant reporting period will be the previous year.

**Link:**

[Ending intimidation and reprisals against those who cooperate with the African human rights system. Submission to the Focal Point on Reprisals of the African Commission on Human and Peoples' Rights, May 2020.](#)

**Contacts:**

*Adelaïde Etong Kame, Africa Programme Manager, ISHR, [a.etong@ishr.ch](mailto:a.etong@ishr.ch)*

*Madeleine Sinclair, Co-Director of ISHR's New York Office & Legal Counsel, [m.sinclair@ishr.ch](mailto:m.sinclair@ishr.ch).*

*Photo: ISHR*