



THE SITUATION OF HUMAN RIGHTS DEFENDERS IN WEST AFRICA

STUDY REPORT

GENDER CENTRE FOR EMPOWERING DEVELOPMENT (GenCED)



Gender Center for
Empowering Development
West Africa



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Pan-African Human Rights Defenders Network

WADEMOS
West Africa Democracy Solidarity Network

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Acronyms and Abbreviations

- HRDs** - Human Rights Defenders
- WHRDs** - Women Human Rights Defenders
- NHRIs** - National Human Rights Institutions
- AU** - African Union
- UN** - United Nation
- ECOWAS** - Economic Community of West African States
- IACHR**-Inter- American Commission on Human Rights
- WADEMOS** - West Africa Democracy Solidarity Network
- GenCED** - Gender Center for Empowering Development
- OHCHR** - Office of the High Commissioner for Human Rights
- WAHRDN**-West Africa Human Rights Defenders Network
- UDHR** - Universal Declaration on Human Rights
- CNN** - Cable News Network
- LGBTQI** - Lesbian, Gay, Bisexual Transsexual, Queer Intersexual
- PNDC** - Provisional National Defense Council
- MFDC** - Movement of Democratic Forces of Casamance
- CACIT** - Collective of Association Against Impunity in Togo
- SCRIC** - Central Intelligence and Criminal Investigation Service
- CEDAW** - Convention on the Elimination of all Forms of Discrimination Against Women

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Executive Summary

There is growing recognition of Human Rights Defenders (HRDs) as a critical population for promoting democracy and advancing social and political justice demands. Across the globe, HRDs play crucial roles in driving socio-economic and political change and ensuring the protection, respect, and fulfilment of the rights of others, sometimes at the peril of their own lives and families. Despite their importance to the democratic enterprise, HRDs have yet to live up to their full potential in certain parts of the world, especially in Africa.

In this regard, this study operationalizes Human Rights Defenders within context as used by the Office of the High Commissioner of the United Nations for Human Rights (OHCHR) as “people who, individually or with others, act to promote or protect human rights in a peaceful manner.” This definition, as adopted for this study, synthesizes with prevailing thought among practitioners and the global human rights community that HRDs stand up for causes essential to promoting and protecting the human rights of others from state and societal violations and abuse.

Windows of opportunities for the emergence of a vibrant HRD space have largely been lost due to their systemic and politico-structural exclusion from the democratic enterprise, shrinking the civic space in the process, on the one hand, and often their lack of organizational competencies and technical capacities to be functional in the spaces they operate. In the West African subregion, the human rights ecosystem is characterized by the steadfast dedication of HRDs who bravely defend individual rights in the face of several obstacles (Vanheule, 2023). However, like what pertains in many parts of the world, HRDs face a myriad of challenges, including threats, harassment, arbitrary detentions, torture, and even death, which highlights the seriousness of the dangers they voluntarily take on in the search for justice and accountability (Vanheule, 2023).

In efforts to document the situation of HRDs in West Africa, GenCED-West Africa, in collaboration with WADEMOS and African Defenders, conducted a study titled *The Situation of Human Rights Defenders in West Africa* in November 2023. Ten countries, Ghana, Sierra Leone, Nigeria, Cabo Verde, Guinea-Bissau, Burkina Faso, Togo, Guinea, Mali, and Senegal were purposively selected across the Anglophone, Francophone, and Lusophone language divide to allow for a more nuanced comparative analysis of the countries. The study was designed to identify and assess the challenges confronting HRDs in the region and to provide critical recommendations for reducing their vulnerability and risk from threats and harm.

This exploratory report attempts to identify the most pressing issues facing HRDs in the region and assess spaces where support and assistance can be provided. The overall findings are as follows:

I. The HRD space in the West African sub-region is heavily dominated by men. There is a deficit regarding women's participation in HRD activism within the region. The voices of WHRDs are marginalized in terms of programmatic activities undertaken by HRDs in the area.

II. A significant challenge HRDs face is the safety conditions under which they operate. For most participants, the conditions under which they work in their various countries are unfavorable. The comparative analysis among the language blocs indicated that HRDs in Francophone states were the most disappointed, with a record 66% safety non-favorability in their respective countries.

III. The effectiveness and sustainability of HRDs and their organizations within the region are largely impacted by limited resources, which account for their inability to fully engage professionals and hire permanent staff who can be remunerated to do the work. This has led to the reliance on a large pool of volunteers, who are not paid and have little to no commitment to the organizations they volunteer for.

IV. Increased digital surveillance and virtual attacks, physical harassment, verbal attacks, threats against self and family, intimidation, and arbitrary arrests accounted for the highest form of violations HRDs face in the region. Interestingly, the worst violators of HRDs' rights were members of political parties, at 51%, followed by private individuals (42% of cases) and national security/intelligence operatives (20% of cases).

V. HRDs believed that legal frameworks necessary to protect their rights and provide them access to justice were largely ineffective and unfavorable. Most opined that their countries' legal framework was weak and unfavorable to their line of work and advocacy. Respondents in Togo recorded a high 83% non-favorability ratio of the effectiveness of the legal framework in their country.

VI. A significant number of HRDs have experienced some form of abuse, violations, and threats to their lives in the last two years. However, when analyzed along the lines of gender, more female HRDs (56%) reported having experienced threats, abuse, and violations of their rights in comparison to their male counterparts. On the country level, Sierra Leone recorded the highest ratio of violations at 89%. In contrast, 100% of the HRDs from Cabo Verde have not suffered any violations in the past two years.

VII. HRDs believed that their rights to seek justice for violations, abuse, and threats against them were hampered by the apparent lack of access to redress mechanisms that were additionally unfavorable to their plight even when they existed.

VIII. HRDs believe that there is an incipient emergence of authoritarianism in their countries, leading to a decline in the practice of democracy. They also held the opinion that the highly centralized structures of political systems across the subregion, where power is consolidated heavily in the executive, lead to rampant abuse of the rule of law as executive members often tend to believe they are above the law. The findings underscore the nuanced and varied dynamics shaping human rights defenders' living situations and conditions in the West African sub-region. Additionally, it sheds light on the increasing spate of authoritarianism, the decline in democracy, and the gradual shrinking of the civic landscape across different countries. In reflection, these findings provide contexts for opportunities for potential planning for strategic intervention or advocacy in the subregion.

¹The United Nations Declaration on Human Rights Defenders (1998) defined HRDs as "...individuals or groups who act to promote, protect or strive for the protection and realization of human rights and fundamental freedoms through peaceful means", para.3

Background

The HRD landscape within the West African sub-region is a multi-diverse space encompassing a broad spectrum of individuals and organizations dedicated to promoting progressive human rights ideas while simultaneously holding duty-bearers accountable for protecting the rights of vulnerable populations in the region. These defenders operate independently or within various structures, such as grassroots movements, legal advocacy groups, or international NGOs. Areas of HRD focus pivot on championing women's rights, combating gender-based violence, striving for gender equality, and environmental activism, which involves addressing climate change, sustainable development, and environmental justice issues. Within the democracy space, HRDs confront the state regarding the excessive use of force and human rights abuses by security forces while advocating for accountability, transparency, and reform within law enforcement institutions.

Political instability occasioned in part by democratic backsliding or unconstitutional change of government creates unfavorable environments for HRDs as these instabilities undercut the rule of law and associated freedoms, including those of speech and expression, association and right to assemble, right to life, right to human dignity and privacy, religion, from torture and arbitrary arrests and other civil and political rights. In some cases, such as in Nigeria, Mali, Burkina Faso, and Guinea, HRDs operate in environments where there are armed conflicts and insurgencies. Violations of the rights of HRDs have resulted mainly from the issue(s) they defend, including those of advocacy for the protection of the rights of sexual minorities, which within certain climates expose HRDs to arbitrary arrests, defamation of character, harassment, intimidation, and cyberbullying. An example can be cited of the current Ghanaian environment surrounding the passage of the anti-LGBTQ+ Bill by the country's Parliament.

Considering the above challenges and in the effort to impact policies that respect, protect, and fulfill the rights of HRDs within the region, GenCED-West Africa, in collaboration with WADEMOS and African Defenders, commissioned and conducted this exploratory study in November 2023 to document the situations and lived experiences of HRDs in West Africa.

The Study

OBJECTIVES

The Situation of Human Rights Defenders in West Africa Study Report is specifically designed to document the experiences, challenges, and achievements of HRDs within the region.

It aims to do this by shedding light on the complex socioeconomic, cultural, and political realities that shape and impact HRDs' work and the broader human rights landscape in West Africa. Thus, it also informs strategies for strengthening human rights protection and advancing the rule of law and the cause of HRDs in the subregion. The study attempts to answer the following questions:

1. What is the current situation of human rights defenders in West Africa, including marginalized populations, particularly women HRDs?
2. What challenges and risks are faced by human rights defenders in the sub region?
3. Are existing legal frameworks and support mechanisms for human rights defenders in the sub-region adequate?

²Leila, a queer and HRD in Ghana was among 21 people who was arrested in March 2021 at a training event on LGBTI issues for paralegals. See <https://www.theguardian.com/global-development/2022/aug/03/ghana-anti-lgbtq-bill-blamed-for-rise-in-attacks>
See [You're an ugly, fat lesbian leading your fellow fools - Prof Gadzekpo attacked by internet trolls \(mynewsgh.com\)](#).

Existing Legal And Political Framework Protecting HRDs

Human Rights Defenders hold duty bearers accountable and advocate for protecting, respecting, and fulfilling human rights. To be effective as advocates, HRDs need functional political and legal environments that uphold the rule of law and civil, political, and socio-economic rights. Thus, the lack or absence of these conditions in any political system will undermine the work of HRDs. Regrettably, the legal and political environments within which this study was undertaken in West Africa are mainly unfavourable to the work of HRDs.

First, it must be acknowledged that many West African states' socio-political and organizational frameworks are intricately intertwined with their legal regimes. As the socio-political system goes, so goes the legal system. The sub-region's journey toward democratic governance has been checkered and marked by accomplishments and obstacles. During what Huntington (1991) described as the “Third Wave of Democratization” that swept across the region in the early 1990s, numerous countries embraced democratic principles and implemented political reforms. Both Ghana and Nigeria serve as exemplary cases where the military regimes either transformed into civilian governments after contesting and winning the election (Ghana, 1993) or peacefully transferred power to a civilian government (Nigeria, 1999), marking the end of a long period of military rule (BBC News, 2019). Senegal also experienced a significant milestone in democratic governance with the peaceful transfer of power from one civilian government to another in 2012. This peaceful transition demonstrated the stability and commitment to democratic values within the country (Freedom House, 2022).

Nevertheless, it is essential to acknowledge that the region has encountered various challenges throughout its democratic journey. Instances of coups, civil wars, and electoral fraud have tested the stability and integrity of democratic systems in West Africa. These challenges have posed significant setbacks to democratic consolidation, undermining the citizenry's trust in democratic processes and

institutions (International Crisis Group, 2022). Thus, West Africa's history of democratic governance reflects a mix of successes and challenges. While the region has witnessed significant milestones in transitioning from military to civilian rule, it has also faced obstacles such as coups, civil wars, and electoral irregularities.

Second, HRDs in the ECOWAS/West African sub-region operate within a complex and diverse legal framework that influences their work and protection. Various legislative instruments, such as national constitutions, laws, policies, and regional and international treaties, provide the basis for protecting and respecting human rights and the role of HRDs in the sub-region. Some of the regional and international instruments include the African Charter on Human and Peoples' Rights, the ECOWAS Protocol on Democracy and Good Governance, International Covenant on Civil and Political Rights (ICCPR), International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on the Elimination of all Forms of Discrimination Against Women (CEDAW), UN Declaration on Human Rights Defenders, and the UN Guiding Principles on Business and Human Rights.

While a stable political framework underpins the rule of law, respect for human rights, and protection of the work of HRDs, stability is often undercut by political instability and the unwillingness of local courts to hold accountable perpetrators who violate and abuse the rights of HRDs working in the region. In this regard, HRDs have resorted to bringing cases of violations of their rights to the Community Court of Justice of the Economic Community of West African States (ECOWAS Court) for redress and provision of an effective remedy. In several of the cases, HRDs have filed before the Court for alleged violation of their human rights, the ECOWAS Court has adjudicated cases, sometimes holding for the HRDs as the facts and the law – application of ECOWAS protocols, instruments, African Charter on Human and People's Rights, and international law, may lead the Court. As an example, the ECOWAS Court held that The Gambia violated the right to freedom of expression and freedom from torture of four journalists and ordered The Gambia to pay Six Million Dalasis to the journalists.

Not only cases that personally violate HRDs' rights can be filed before the ECOWAS Court. Sometimes, a case concerning the alleged violation of community rights can be filed for adjudication. For example, a CSO, AfricTivistes, and two journalists filed a case against the Senegalese government for shutting down the Internet in June, July, and August 2023.

While the ECOWAS Court adjudicates cases and sometimes holds for HRDs, there are challenges with the enforcement of the decisions of the ECOWAS Court despite explicit provisions in Article 19(2) of the Protocol (A/P1//91) on the Community Court of Justice, which affirms the enforceability of the decisions of the court. HRDs and CSOs must publicize decisions of the Court on HRDs/CSOs-related cases and continuously advocate for the enforcement of such decisions. Also, to provide legal support to HRDs, CSOs should establish and administer a West Africa sub-regional legal fund for human rights defenders whose rights have been violated to support their litigation at the ECOWAS Court for an effective remedy.

Arguably, some of the instruments encompassing the legal framework have had both positive and negative impacts on the work of HRDs, depending on the level of implementation, enforcement, and compliance by the state. On the positive side, some of these instruments have provided HRDs with legal recognition, protection mechanisms, and avenues for advocacy and redress. On the negative side, some of these instruments have been ignored, violated, or misused by the authorities, who have enacted repressive laws and policies that restrict the space and activities of HRDs, exposing them to various forms of harassment, intimidation, and violence. Therefore, the role of legislative instruments in the sub-region is crucial but also contested, requiring constant monitoring, evaluation, and engagement by HRDs and their allies.

Finally, given that there is no specific protocol on HRDs at the ECOWAS subregion level, the time has come to develop an ECOWAS protocol for protecting human rights defenders following the UN Declaration on Human Rights Defenders.

Special Feature On Women HRDs (WHRDs)

In most literature, Women Human Rights Defenders (WHRDs) are not explicitly defined as they are boxed into the general pool of HRDs. Despite their work on human rights, WHRDs are unique given their area of work, which is mostly around women's rights. According to the former Special Rapporteur on Human Rights in Africa, Reine Alapini Gansou, "any women engaged in the promotion and protection of human rights, individually or in association with others, and all those working for women's rights and rights related to gender and sexuality, regardless of their sexual orientation are known as WHRDs." This implies that individuals employed by human rights institutions, as well as grassroots campaigners on women-related issues, fall under the category of WHRDs. In addition to the above, the Office of the High Commissioner for Human Rights (OHCHR) views WHRDs as people of all genders who work to promote women's rights and rights related to gender equality.

Women HRDs have contributed significantly to a more inclusive and safe society in West Africa WAHRDN (2021). Their support of women's empowerment, legislative change, and the opposition to discriminatory practices have all benefited greatly from their efforts. Through the advocacy of WHRDs, marginalized populations' views have been heard, and policy changes have been affected, resulting in a more considerably inclusive society. However, within the West African sub-region, there are structural forces that are at the basis of the socio-economic and political marginality of women from equal participation and representation in the HRD space despite the numerous international, regional, and sub-regional legal frameworks that aim to protect WHRDs (Manjoo, 2016). Outside of the systemic and structural restrictions on WHRD rights movements within specific countries and the unfriendly state policies and environments in which WHRD movements can thrive, these challenges implicitly highlight the vulnerability of sustainable women and gender causes and movements within the civic and political space across the region.

International Frameworks Promoting the Work of Women HRDs

Although the Universal Declaration on Human Rights (UDHR) and the Declaration on Human Rights Defenders stand as fundamental pillars that recognize the indispensability of human rights defenders, particularly WHRDs, in advancing and safeguarding human rights (Manjoo, 2016), these ideas have for the most part remain lofty and unenforceable within the region.

On a large scale, women as HRDs in the sub-region encounter significant barriers that obstruct their ability to actualize the ideas espoused within these declarations and gain access to the envisioned protection and supports embedded in them. These obstacles are intricately tied to pervasive gender inequalities ingrained within structurally violent social systems that constrain their access to and render them incapable of breaking into the 'public sphere' of rights defending as their male counterparts (Bentley, 2004; Fraser, 1999). Limited awareness about the rights and roles of WHRDs has been compounded by deep-rooted patriarchal norms, exacerbating the challenges faced by women activists. These structures perpetuate gender-based discrimination and relegate WHRDs to subordinate roles that subject them to systemic oppression and violence. The intersectionality of gender and human rights activism, therefore, underscores the urgency of addressing the structural inequalities that impede the empowerment and protection of WHRDs. As a result, WHRDs frequently find themselves marginalized and overlooked within legal and institutional frameworks, hindering their full participation and engagement in human rights advocacy efforts.

Unfortunately, implementation mechanisms designed to uphold these enshrined principles within the UDHR and the Declaration on Human Rights Defenders have fallen short of addressing the unique needs and vulnerabilities of WHRDs. For instance, the lack of gender-sensitive approaches within these mechanisms perpetuates systemic discrimination and undermines the effectiveness of protection mechanisms (Fredman & Goldblatt, 2015). WHRDs are, therefore, left to navigate, without much guidance, the labyrinth of bureaucratic hurdles and institutional biases, further marginalizing their voices and diminishing their agency as advocates for gender justice and equality. Without adequate mechanisms tailored to the specific challenges faced by WHRDs, the promises of protection and support outlined in these declarations remain elusive, leaving women activists vulnerable to various forms of violence and intimidation. Only through a concerted commitment to gender equality and social justice can the promises of the UDHR and the Declaration on Human Rights Defenders be fully realized for all individuals, regardless of gender.

Other international instruments, such as the UN Security Council Resolution 1325 and CEDAW, have not transitioned well into reality for WHRDs in the region. Although these instruments emphasize women's rights and participation in various spheres, including peacebuilding and conflict resolution, WHRDs continue to encounter gender-specific threats and attacks in their work. The failure to effectively address these threats undermines the intent of these legal frameworks to ensure the safety and empowerment of WHRDs.

Regional Frameworks Promoting the Work of Women HRDs

The adoption of the African Charter on Human and People Rights in 1981 signaled a regional commitment to the guarantee of the rights of all African people.

However, the particular focus within the Charter was significant on protecting women's rights, and for that matter, WHRDs. Similarly, the Maputo Protocol on the Rights of Women, established in 2005 by the African Union, specifically dealt extensively with issues around women's rights in Africa, emphasizing harmful practices against women. These instruments guaranteed the rights of WHRDs based on gender and the coverage of their work. Article 2 of the African Charter on Human and Peoples' Rights states, "Every individual should be entitled to the enjoyment of the rights and freedoms recognized and guaranteed in the present Charter without distinction of any kind." This principle of non-discrimination and the obligation to work actively to promote this principle applies to the situation of women human rights defenders.

The Charter, additionally, guarantees the rights of human rights defenders and their equal protection under the law in Articles 3 and 4, as well as the respect for the life and integrity of every human being. Further, the right to liberty and security of every person is protected under Article 6, as is the right of everyone to receive information, express and disseminate opinions (Article 9), the rights to freedom of association and assembly (Articles 10 and 11) and the right to freedom of movement (Article 12).

The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women (Maputo Protocol) adopted in 2003 imposes on states obligations that are highly relevant to women human rights defenders. These include the obligation of States as duty bearers to protect, through legislative, institutional, and other means, women from all forms of discrimination and through the integration of a gender perspective in their programs and legislation and "in all other spheres of life" Article 2 (1).

The Protocol contains several provisions for eliminating harmful cultural, traditional, and discriminatory practices. Article 2 (2) fights against all forms of exploitation, inhuman and degrading treatment, and Article 4 (1). In Article 4 (2) (e), the Protocol requires State Parties to take all appropriate measures to punish the perpetrators of violence against women and implement programs for the rehabilitation of women victims. Article 9 refers specifically to the right to participate in political processes and decision-making, and paragraph (c) states that "women should be equal partners with men at all levels of development and implementation of State policies and development programs." In addition to these articles in the charter, the AU adopted statements affirming human rights defenders' rights in their activities.

The Kigali Declaration builds on the commitments and instruments to recognize women as actors with equal rights in public life in African societies. Further, the 2004 Solemn Declaration on Gender Equality in Africa notes that "low levels of women's representation in social, economic and political decision-making structures and feminization of poverty impact negatively on women's ability to derive full benefit from the economies of their countries and the democratization process." The Marrakech Declaration also provides the framework for National Human Rights Institutions' (NHRIs) commitments to promote and protect human rights defenders, specifically focusing on women.

The ECOWAS Framework

The sub-regions political and economic network of countries making up ECOWAS has 2021 promulgated instruments for promoting human rights and gender equality through its principles on democracy, good governance, and the supplementary protocols on women's rights. The 2001 ECOWAS Supplementary Protocol guarantees the equal rights of women and men to operate in their areas of work devoid of any form of discrimination or violence against them. Similarly, the Supplementary Act Relating to Equality of Rights between Women and Men for Sustainable Development seeks to harness all synergies and strategies for protecting and promoting women's rights and achieving gender equality and equity in West Africa. This implies protection for WHRDs since their work revolves around women's rights.

Challenges and Realities Faced by Women HRDs

Despite commitments to promoting human rights and gender equality as provided for in the instruments and protocols, WHRDs in the ECOWAS region continue to operate in environments characterized by gender-based violence, social stigma, and political repression. Also, WHRDs face hostility and resistance from patriarchal systems and societal norms that seek to silence their voices and restrict their activism. These norms perpetuate gender-based discrimination and violence against WHRDs, undermining their fundamental rights and freedoms.

Existing literature has shown that, despite the legal protections within the various instruments and declarations, WHRDs experience significant disparity when seeking justice and redress for violations of their rights. This is mainly so because of the failure of Legal systems across the region to prioritize and address gender-specific forms of violence and discrimination against WHRDs. This non-accessibility to justice further emboldens the impunity and actions of perpetrators and erodes the trust in institutional mechanisms by WHRDs. The disparities faced by WHRDs in accessing justice have been a significant factor in the increased misogyny fueling violence, threats, and the targeting of WHRDs for their gender and activism (Duwuni, 2023; Olusegun & Oyelade, 2022). These attacks not only undermine the personal safety and well-being of WHRDs but also hinder their ability to carry out their vital work in advancing women's rights and social justice. As some of the findings of this study indicate, more female HRDs (56%) reported having experienced from one to two incidents of safety violations over the last two years than men. Some of the types of violations women HRDs shared, which are distinct from the violations men experienced, included body shaming, misogynistic attacks, stigmatization, and gender-based violence.

WHRDs in West Africa grapple with intersectional challenges that hinder their safety and effectiveness. These challenges require multifaceted solutions, including enforcement of existing legal frameworks and policies, implementation of the Marrakech Protocol by National Human Rights Institutions, the promulgation of a standalone ECOWAS protocol for the protection of HRDs and WHRDs, cyber security laws that protect all persons from cyberbullying, and continuous public education against misogynistic attacks, stigmatization, and gender-based violence.

Methodology

Given the diversified areas of focus by HRDs in the ECOWAS Member States, the study adopted a triangulation approach comprising desk research, content analysis, and virtual questionnaire administration to 100 HRDs in 10 out of the 15 ECOWAS countries. Ten countries across the Anglophone, Francophone, and Lusophone language divide were purposely selected utilizing data from the 2023 Freedom in the World Index Scores (see appendix for table of scores) as a framework for identifying countries within each language bloc for inclusion in the study. The following criteria informed the selection of countries from the framework:

- (i) Countries within the highest percentile score of the upper end of the freedom spectrum,
- (ii) Countries within the lowest percentile score, representing the lower end of the spectrum, and
- (iii) Countries within the median percentile score represent the midpoint spectrum. Based on the selection criteria, the following countries were purposely selected to administer the questionnaire: Ghana, Sierra Leone, Nigeria, Cabo Verde, Guinea-Bissau, Burkina Faso, Togo, Guinea, Mali, and Senegal. A questionnaire with a total of 48 self-filled (opened and closed-ended) questions covering gender, demographics, and thematic areas of concern was proportionally distributed to 100 HRDs across the Francophone, Anglophone, and Lusophone blocs. The questionnaire was electronically administered to the participants across the selected countries. The data collection occurred over two weeks from November 16th to November 30th, 2023. In addition, the criteria required that countries selected must meet the threshold of at least half of the respondents chosen filling out the questionnaire to enable us to obtain enough data for the study's analysis. Guinea-Bissau had fewer than half of the respondents filling out the questionnaire and was subsequently excluded from the final list of selected countries.

Findings

Introductions

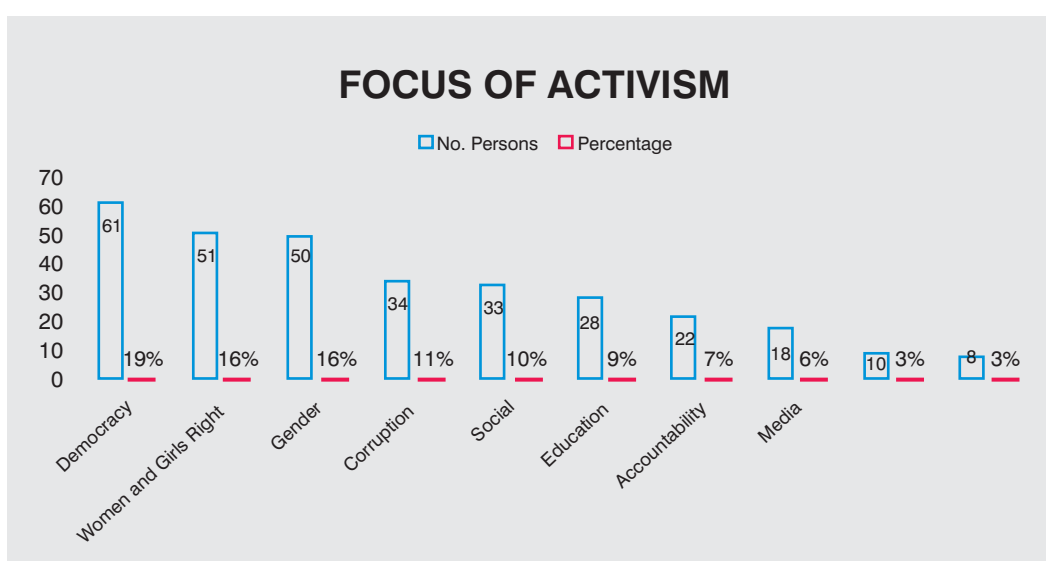
In the past decade alone, several countries in West Africa have experienced democratic backsliding either in the form of military seizures of power from democratically elected governments (Niger, 2023; Burkina Faso, 2022; Mali, 2021; and Guinea, 2021) or a weakening of democratic integrity through changes or attempted changes in term limits (Togo, 2019; Côte d'Ivoire, 2020; and Guinea 2020). And yet, in others, democratic backsliding has been occasioned by the process towards democratic transition or consolidation - elections and its associated violence (Ghana, 2022; Togo, 2018; Nigeria, 2022). Across the sub-region, this retrogression in democratic practice and the incipient militarization of countries have placed HRD lives in danger. Some authoritarian regimes born from political instability have also imposed restrictions, curtailing civil liberties. Despite the World Health Organization's (WHO) declaration of the end of COVID-19 as a global pandemic, some democracy-practicing countries still maintain pandemic-level restrictions, continuously restricting and shrinking the civic space and further exposing HRDs to persecution and risks.

In the sub-region, political frameworks underpinning the rule of law and protection for HRDs have been undercut by political instability and compromised judiciaries that are unwilling to hold accountable perpetrators who violate and abuse the rights of HRDs. In this regard, HRDs have resorted to bringing cases of violations of their rights to the Community Court of Justice of the Economic Community of West African States (ECOWAS Court) for redress and provision of an effective remedy. In several of the cases HRDs have filed before the Court for alleged violation of their human rights, the ECOWAS Court has adjudicated cases, sometimes holding for the rights of HRDs. An example can be cited from the February 2018 ECOWAS Court ruling, which declared that the arrest, detention, and torture of four journalists by the State of Gambia violated their rights to freedom of expression, liberty, and from torture and ordered The Gambia to pay Six Million Dalasi to the journalists. Notwithstanding such victories at the regional court, the majority of HRDs within the region still experience substantial human rights abuses and continuous suppression of their rights, as well as the destabilization of human rights institutions.

The following findings, organized around this study's thematic objectives, provide a situational overview of HRDs' lived experiences in West Africa and an analysis of challenges and opportunities within the subregion regarding promoting and protecting their rights. However, it must be noted that this study has been mainly exploratory rather than comprehensive in describing the situation of HRDs in the subregion.

HRDS FOCUS OF ACTIVISM/TYPES OF HRDS

In terms of the characteristics of the human rights defenders engaged in this study, the nature of the work they do, and the focus of their activism, the study found that a more significant majority of participants operated within the democracy and open governance space (see table below). Issues of gender and women are significant areas of activism in which HRDs in the sub-region were also operationally engaged. Interestingly, the economy had the least focus on the activism of HRDs in the sub-region. This, however, is not a surprising finding in the sense that HRDs are active in spaces that promote the fundamental rights of citizens to become active partners in governance. The spaces they devote their advocacies and activism serve to empower citizens to hold their elected representatives and governments accountable.



⁴The Federation of African Journalists & 4 Ors VS The Republic of The Gambia available at [CCJ Official Website](#) | [Federation of African Journalists & 4 Ors VS The Republic of The Gambia \(courtecawas.org\)](#)



1.0

**Situational
Reports:
Country-by-
country**

Burkina Faso

On January 24, 2022, Lt. Col. Paul-Henri Sandaogo Damiba, in a military coup, deposed the government of President Roch Marc Christian Kaboré. The Kaboré junta was ousted in a few months in another coup led by Captain Ibrahim Traore. Since taking over, Traore has committed to fighting the terrorist insurgency that has plagued the Sahel region in the last five years. There have been reports of harassment, intimidation, and deportation of human rights defenders since the military takeover in January 2022. The 2023 Freedom House report classifies Burkina Faso as 'Not Free' (Freedom House, 2023), scoring 3/40 for Political rights and 27/60 for Civil liberties. Ollo Mathias Kambou, an activist, was arrested on September 5, 2022, and charged with “contempt of the Head of State” after insulting the former junta leader, Damiba. Kambou was given a suspended six-month jail sentence (United States of America State Department, 2022). Damiba had previously threatened journalists, indicating no tolerance for subversive behavior (Media Foundation for West Africa, 2022). In August, Radio Omega, an independent radio station, was suspended for interviewing an opponent of the Niger coup (Reporters Without Borders, 2023). The interviewer, Abdoul Fhatave

Tiemtoré, was subsequently questioned for many hours by State Security. Radio Omega became the fourth media outlet suspended over the past year (Reporters Without Borders, 2023). The Professional Media Organisations have condemned this as the “latest of many intrusions into media regulation” (Reporters Without Borders, 2023). According to a 2023 investigation by Reporters Without Borders, in October 2022, a complaint was filed by Alain Traoré after an unknown person sent him death threats through audio messages in WhatsApp groups. Investigations showed that in the same month, another complaint was filed after social media became awash with calls to torch the premises of the Oméga group. In April, Lamine Traoré, a journalist at Radio Oméga, and two of his colleagues experienced an aggressive smear campaign. A French 24-hour TV news channel broadcaster in Burkina Faso, LCI, received a three-month suspension in June, while France 24 has been suspended indefinitely since March 2023. Radio France Internationale (RFI) has been suspended since December 2022, while Monde Afrique and Libération had their French correspondents expelled in April (Reporters Without Borders, 2023).

⁵See <https://freedomhouse.org/country/burkina-faso/freedom-world/2023>. Burkina Faso scored a total of 30 out of 100 which is a significant drop from the previous year's score of 56 out of 100.

Cabo Verde

Cabo Verde has been a beacon of liberal democracy in Africa, known for its political stability and good governance (European Union, n.d.). The Freedom in the World 2023 report ranks Cabo Verde as 'Free' (Freedom House, 2023), scoring 38/40 for political rights and 54/60 for civil liberties. State institutions generally respect and protect the rights guaranteed in the National Constitution and international treaties. Three journalists came under criminal investigation in early 2022 on charges of disclosure of confidential judicial information (Media Foundation for West Africa, 2023) after they reported on past police abuse involving Paulo Rocha, the current minister of Internal Administration.

Hermínio Silves of the Santiago Magazine, Daniel Almeida, and Alexandre Semedo of a Nação were charged with “qualified disobedience” under Article 113 of the Cape Verdean Criminal Procedural Code (Media Foundation for West Africa, 2022). The country's press union, Associação dos Jornalistas de Cabo Verde, has supported the journalists, staging protests and petitioning government members (Aljazeera, 2022).

⁹The PNDC came into power after the overthrow of democratically elected President Dr. Hilla Liman. The PNDC ruled from 31st December 1981 till 6th January 1993, when it handed power to an elected civilian government.

¹⁰See <https://freedomhouse.org/country/ghana/freedom-world/2023>. Ghana scored a total of 80 out of 100, the same as the previous year. However, Ghana has dropped two points in its civil liberties score since 2021.

¹¹The 'Proper Human Sexual Rights and Ghanaian Family Values Bill 2021' was passed as the “Human Sexual Rights and Family Values Bill 202” by Parliament. The bill is one of the most draconian bills in Ghana's constitutional democratic history. The bill was largely pushed by religious and traditional leaders who make claims that this is Western cultural imposition that must be resisted.

Ghana

In April 1992, Ghanaians approved the draft multi-party constitution, which ushered in the fourth republic, ending the rule of the military government of Flight Lieutenant Rawlings and the Provisional National Defence Council (PNDC). Since then, Ghana has held eight free and fair elections and is seen as a stable democratic country (United States Agency for International Development Ghana, 2023). Ghana has consistently been ranked as 'Free' on the Freedom in the World rankings. In 2023, Ghana scored 35/40 for political rights and 45/60 for civil liberties, ranking it as 'Free' (Freedom House, 2023).

Despite Ghana's international reputation and accolades for its adherence to democracy and the rule of law, there have been worrying reports concerning the treatment of Human Rights defenders. In February 2021, officers of the Ghana Police Service raided and closed an office opened by LGBT+ Rights Ghana (United States of America State Department, 2021). The police action, as made in Parliament by one Member of Parliament, violated the constitutional right to association and free expression (Yakubu, 2021). In an interview with CNN, the head of LGBTQ+ Rights Ghana, Alex Donkor, expressed concern for his safety after the office was shut down (Princewell, 2021). Also, in May of 2021, twenty-one (21) community activists and paralegals were arrested during a training session in Ho. They were detained for 22 days until the state dropped the case for lack of evidence.

In August of 2021, eight members of parliament presented a private members bill that sought amongst other things to criminalize the identities of sexual minorities and state-sanction the discrimination and abuse against LGBTQ+ persons and allies (Ogbarmey-Tetteh, 2021). Since then, there has emerged a hostile and homophobic environment and an increase in attacks on LGBTQ activists, with many activists being kidnapped and ransom demanded, including the Director of Rightify Ghana, a pro-LGBTQ Non-Governmental Organization (Rightify Ghana, 2022).

On September 21, 2023, the Ghana Police Service arrested forty-nine protestors who were gathering outside the official residence of President Nana Addo Dankwa Akufo-Addo (Akinwotu, 2023). According to a media report, the protestors who were demonstrating against the cost of living and economic crisis were brutalized by the police alongside innocent bystanders (Akinwotu, 2023). Oliver Barker-Vormawor, a well-known activist and critic of the government, was arrested in February 2022 concerning a Facebook post (United States of America State Department, 2022). The post, which critiqued how the majority in Parliament had passed the controversial electronic transmission levy, ended with him calling the Army useless and stating he would overthrow the government himself. After an initial misdemeanor charge for offensive conduct, the police surprisingly changed the charge to a treason felony (GhanaWeb, 2022).

In 2023, Ghana's ranking and raw score fell on the Reporters Without Borders' World Press Freedom Index for the second consecutive year (Reporters Without Borders, 2023). On February 3, 2022, officers of the Ghana Police Service assaulted Eric Nana Gyetuah, a radio presenter with Connect FM based in Takoradi (Media Foundation for West Africa, 2022). The incident left him with a damaged eardrum. The assault happened after the reporter refused to relinquish his phone when he was caught secretly filming plain-clothed police officers who had brought handcuffed men to eat at a local restaurant. The handcuffed suspects had been forced to eat while still in handcuffs (Media Foundation for West Africa, 2022).

⁶Radio Omega has been vocal in its opposition to military interference in politics. Journalists of the station have been threatened many times without any state protection. See <https://rsf.org/en/radio-station-silenced-burkina-faso-s-military-must-be-allowed-resume-broadcasting-says-rsf>

⁷Reporters Without Borders is a leading International Organization that documents and reports on the conditions of journalists all across the world.

⁸See <https://freedomhouse.org/country/cabo-verde/freedom-world/2023>. Cape Verde scored a total of 92 out of 100, the same as the previous year. Cabo Verde has been Africa's highest-ranking country in the past five years.

Senegal

Senegal's democracy has been characterized by competitive multiparty elections and peaceful power transfer since the late 1990s (Freedom House, n.d). This country's freedom of assembly and expression has been restricted for several years (Amnesty International 2022). In March 2022, the Senegalese army launched Operation “Nord Bignona” to dismantle the Movement of Democratic Forces of Casamance (MFDC) rebel bases next to the Gambian border and to combat illegal logging and wood trafficking. According to the Gambia National Disaster Management Agency, these operations forced 691 Senegalese people to seek refuge in Gambia. More than 5,600 Gambian villagers living near the border were also displaced from their villages (Amnesty International 2022).

In August 2022, Senegal signed a preliminary peace agreement with a faction of the MFDC, committing them to disarm and allow refugees to return home. On 3 August 2022, Pape Ibra Gueye, an activist known as “Papito Kara,” was arrested and detained for “disseminating false news and for deletion, modification, fabrication, and use of computer data to subvert newspaper headlines.” Five days later, another activist, Outhmane Diagne, was arrested and detained on the exact charges. They were accused of creating satirical false news headlines in daily newspapers. On 6 November, Pape Alé Niang was arrested by the police three days after releasing a live Facebook video in which he commented on the hearing of opposition leader Ousmane Sonko and published an internal investigation report by the gendarmerie. He was accused of “concealment and publication of unauthorized military documents that could harm national defense, calling for rebellion and propagating false news” (Amnesty International 2022).

Sierra Leone

The right to freedom of peaceful assembly continued to be restricted in 2022, and law enforcement officers' use of excessive force was under investigation. The right to freedom of expression for government critics and opponents was repressed. Several laws were adopted to advance women's rights. While efforts were made to decongest prisons, there were allegations of torture in one detention center. Levels of food insecurity worsened. Legal regulation of the mining sector was strengthened (Amnesty International, 2022). Significant human rights issues included credible reports of unlawful or arbitrary killings; cruel, inhuman treatment by or on behalf of the government; harsh and life-threatening prison conditions; arbitrary arrest; substantial interference with the freedom of peaceful assembly; lack of investigation of and accountability for gender-based violence, including domestic or intimate partner violence, sexual violence, child, early and forced marriage and female genital mutilation (US Department of State, 2022). The right to peaceful assembly continued to be restricted. The Public Order Act 1965 (under Part III, section 17) criminalized spontaneous assemblies.

In July, police arrested over 50 protesters during a peaceful protest against the high costs of living and fuel, which the authorities had not authorized. The protesters were cautioned and released a few days later (Amnesty International, 2022).

Togo

The right to freedom of expression has been under threat in Togo, with documented arbitrary arrests and detentions of voices that speak against the government (Amnesty International, 2022). Three Human Rights Defenders, Francois Doudji and Bless Okouto of the Collective of Association against Impunity in Togo (CACIT) and journalist Teko-Ahatefou were arrested by the police on the morning of 21 April 2020. At the time of their arrest, they planned to carry out a mission to observe the intervention of law enforcement at the home of political opponent Agbeyome Kodjo in Lome. They were not far from the security cord located on the street leading to the house of Agbeyome Kodjo when a police officer who refused them access to the opponent's house arrested them. They were wearing service jackets and had refused to declare their identity to one of the security forces at the scene. They were arrested and taken to the Central Intelligence and Criminal Investigation Service (SCRIC), where they were kept in custody for hours and subjected to interrogation before being released on the same day in the evening. During their custody, they did not have access to a lawyer and could not communicate with their loved ones. Their cell phones had been confiscated by the Officer (African Defenders, 2020).

In 2022, Armed groups and security forces killed villagers at the border with Burkina Faso. The freedom of association and peaceful assembly were restricted in terms of the pretext of containing the spread of COVID-19 and security. Security persons arrested a nurse, Djagoundi Rakeya, for circulating a WhatsApp audio message detailing the locals' jubilant reaction to extremist attacks against government forces to her family and friends. She was held without charge or bail and was prevented from having access to family and legal services. According to the 2022 US Department of State country report, even though Togo's constitution and laws provide civil and administrative remedies for human rights abuses, the judiciary did not respect such provisions, and most citizens were unaware of them.

Nigeria

In 2023, Nigeria's score of 43/100 ranked it as 'Partly Free' on the Freedom in the World index (Freedom House, 2023). Unsurprisingly, the V-Dem report Nigeria is classified as an electoral autocracy with a rapidly shrinking civil space and rights infringements. Since its independence, Nigeria has struggled with the democratization process (Omotola, 2010). The prolonged military rule from 1983 to 1999 was characterized by violating and repressing citizens' rights (Omotola, 2010). With the return to multiparty democracy in 1999, civil society hoped that Africa's biggest democracy would finally have a successful democratization experiment.

In October 2020, protests spread out throughout Nigeria after a video of police officers allegedly engaging in extrajudicial killing went viral (Al Jazeera, 2020). The protestors called for the disbandment and prosecution of men and officers of a special force of the Nigerian Police Force, Special Anti-Robbery Squad, popularly known as SARS, for alleged crimes of human rights abuse, extortion, and extrajudicial killings. Human Rights Watch (HRW) investigations between October 2020 and August 2021 revealed that on October 20, 2021, personnel of the Nigerian Army and Police Force shot at unarmed protestors at the Lekki Toll Gate in Lagos (Human Rights Watch, 2021). HRW could not ascertain the number of people killed, but eyewitnesses claimed to have seen about 15 lifeless bodies. In July 2022, the ECOWAS Court declared the Government's ban on the social media platform Twitter unlawful (Kelley, 2022). The ruling stated that the ban infringed on freedom of expression and access to media. The ban came after Twitter flagged and removed a tweet by President Muhammadu Buhari in June 2021. The court also directed Nigeria to ensure this never happened again.

On August 19, 2022, police officers arrested Agba Jalingo, publisher of the privately-owned news website CrossRiverWatch, in Lagos state (Committee to Protect Journalist, 2022). The arrest was due to a defamation and cyberattack complaint filed against him for a news report that alleged that Elizabeth Alami Frank Ayade, the sister-in-law of Governor Benedict Ayade, hired a lecturer to take her exam at the Nigerian Law School in Abuja on her behalf. Although the report contained Ayade's denial of the allegations, the defamation complaint was still filed. Officers of the National Intelligence Agency (NIA) visited the office of Peoples Gazette to demand anonymous sources for a report that alleged NIA Director General Ahmed Abubakar Rufai, was not qualified to head the agency. The NIA demanded that they should have been consulted before the news report was published. In a letter delivered on January 10, 2022, the day of the raid, the NIA threatened "activation of other options to seek redress." (Committee to Protect Journalists, 2022). According to the Committee to Protect Journalists, 2022, journalist Ifreke Nseowo, publisher of The Mail Newspaper, hid in August 2022 after police officers in Akwa Ibom State went after him on criminal libel charges. .

The charge was filed for a story that alleged Umo Bassey Eno; the People's Democratic Party's gubernatorial candidate's secondary school certificate was forged. The paper's distributor, Chidi Ngadiuba, was detained in his stead but later released after the intervention of the National Union of Journalists (NUJ) (Committee to Protect Journalists, 2022).

The Committee to Protect Journalists reports that during the 2023 Presidential and federal elections, at least 14 journalists and media workers were detained, harassed, or attacked (Committee to Protect Journalists, 2023). Both state and non-state actors carried out these actions. For example, in Agbor town, Delta State, Bolanle Olabimtan with The Cable was punched by a supporter of the People's Democratic Party. At the same time, another returned her phone after deleting pictures and videos of it (Committee to Protect Journalist, 2023). Gbenga Oloniran with Punch Newspapers was detained by the police in Port Harcourt, Rivers State, who threatened to shoot him. Gbenga said the police deleted photos off his phone on two separate occasions. Despite all these reports of attacks on media freedom, Nigeria climbed Reporters Without Borders' World Press Freedom Index in 2023 (Reporters Without Borders, 2023).¹⁴

¹²See <https://freedomhouse.org/country/nigeria/freedom-world/2023>. Nigeria scored 20 out of 40 for political rights and 23/60 for civil liberties. This score was consistent with that of 2022 but a two point drop from 2021.

¹³The V-Dem report is an annual report which ranks countries around the world based on their adherence to five key democratic

¹⁴principles of: electoral, liberal, participatory, deliberative and egalitarian. See <https://v-dem.net/>
Nigeria ranked 129 of 180 countries with a score of 46.79 in 2022. However, in 2023, it climbed six spots to 123rd with a score of 49.56.

Guinea

On September 5, 2021, Colonel Mamadi Doumbouya led a coup d'etat that ended the presidency of Alpha Conde (United States Department of State, 2021). Between October 2020 and the coup, tensions in Guinea had been running high after Conde was reelected for a controversial third term following a constitutional amendment that enabled him to run. The junta released political opposition members of Conde's government from prison and pardoned five. However, since the junta came into power, human rights organizations, media organizations, and foreign missions have recorded credible violations of human rights.

Security forces raided the compound of Djoma Media, which reportedly has ties to Alpha Conde (United States Department of State, 2021). They claimed to be searching for missing government vehicles, although they did not have a warrant. After the media security refused to grant them entry, there was gunfire, with two persons reportedly injured. Security forces released tear gas on supporters of Conde's party, Rally of the Guinean People Arc-en-Ciel, when they gathered to demand the release of the former president on December 11, 2021 (United States Department of State, 2021).

Sekou Jamal Pendessa, Secretary General of the Syndicat des Professionnels de la Presse de Guinée (SPPG), was arrested on January 19, 2024, by the military authorities after he called for demonstrations against the government (Media Foundation for West Africa, 2024). He is in the capital's central prison after the High Court charged him with unauthorized demonstration and publication of data likely to undermine public order and security. Gendarmes arrested some journalists when they swooped on a media protest in Conakry (Media Foundation for West Africa, 2024). The arrests happened on January 18, 2024, at the Maison de la Presse. The SPPG called for the protest to demand an end to media and free speech repression by the military government. Though the arrested media professionals were accused of violating the government's ban on public protests, they were all freed on the evening of January 18 (Media Foundation for West Africa, 2024).

From November 2023, the nation experienced a media blackout by jamming radio stations and restricting social media (Media Foundation for West Africa, 2023). The military government denied allegations that it was behind the outage. The blackout is linked to the extensive media report on the dismissal of Mamadou Phété Diallo, the Minister for Public Health. Public perception is that the dismissal is a coverup for a deeper corruption problem in the transitional government (Media Foundation for West Africa, 2023). Therefore, Guinea's classification as 'Not Free' in Freedom House's Freedom in the World 2023 rankings is no surprise. The country scored 7/40 for political rights and 23/60 for civil liberties.¹⁵

Mali

In August 2020, after months of political turmoil, President Ibrahim Boubacar Keita was overthrown in a military coup (United States Department of State, 2021). The country remained under military rule after Colonel Assimi Goïta overthrew a subsequent civilian-led transition government on May 24, 2021. Since 2021, Mali has consistently ranked as 'Not Free' on the Freedom in the World rankings. In 2023, Mali scored 8/40 for political rights and 21/60 for civil liberties (Freedom House, 2023).

Unidentified gunmen attacked the vehicle of four journalists in northeastern Mali, which left one dead, the other injured, and two kidnapped (Committee to Protect Journalists, 2023). This attack is believed to have been carried out by Islamist militants and had nothing to do with their work. However, the military government must do more to protect journalists since this is not the first attack by militants on journalists.

Rokia Doumbia, activist and social media influencer was sentenced to a year in prison and a one million CFA francs fine on August 2, 2023. This attack on free expression was occasioned by her TikTok live broadcast on the country's current security and cost-of-living crisis (Media Foundation for West Africa, 2023).

Dr. Étienne Fakaba Sissoko, a professor of economics, was arrested in January for alleged “subversive” speech (Human Rights Watch, 2022). He was accused of ethnic discrimination after he made comments alleging that the government's appointments were made on ethnic lines. On September 14, 2023, activist Adama Diarra was sentenced to two years in prison for “undermining the reputation of the State” (Media Foundation for West Africa, 2023). Diarra's arrest came after his criticism of the transitional government.

2.0

**Risk And
Challenges
Faced By
HRDS**

Demography: The Gender Disparity

The survey revealed that men and male HRDs dominate the socio-political and economic human rights activism and defending space. Across the sub-region, 62% of respondents indicated their gender as males, almost twice those who responded as females at 38%. The findings indicate that structural forces of patriarchy are at the basis of the socio-economic and political marginality of women from equal participation and representation in the HRD space despite the numerous international, regional, and sub-regional legal frameworks that aim to promote the advancement of WHRDs within the space. These obstacles are intricately tied to pervasive gender inequalities ingrained within structurally violent social systems that constrain their access to equal opportunities within the HRD space and render them incapable of easily breaking into the 'public sphere' of rights defending as their male counterparts. One female participant from Mali had this to say:

“WHRD faces much intimidation from the community, particularly traditional leaders, as some of the issues discussed, according to them, are cultural and traditional heritage that needs to be protected. And if they want to change, a woman shouldn't be leading it”.

Because of this, WHRDs are, therefore, left to navigate, without much guidance, the labyrinth of bureaucratic hurdles and institutional biases, further marginalizing their voices and diminishing their agency as advocates for gender justice and equality. Across all countries surveyed in this report, except Cabo Verde where more women than men participated in the study, the industry is highly androcentric in every sphere of practice. These systemic and structural challenges that WHRDs face in their work implicitly highlight their vulnerability in sustaining women and gender causes within the civic and political space across the region. A female participant in Burkina Faso, speaking from her personal experiences, ties the lack of focus on women's issue to the ongoing political crisis, and states that:

“Under the backdrop of political tensions and security crises, human/women's rights issues are considered secondary and even as external machinations to prevent the resolution of security crises”.

This raises the crucial question of whether issues and matters that directly affect women are considered part of the rights agenda by HRDs in the region. The demographic dynamics of gender underscore the importance of pursuing gender equality advocacy projects with a targeted focus on encouraging more female voices in advocacy to ensure inclusivity and representation of diverse views within the HRD space.

In Ghana, for instance, the current Affirmative Action Bill, a potential game-changer in the fight for gender equality, will provide a pathway for opening up the civic space for increased participation by women when passed.

¹⁵See <https://freedomhouse.org/country/guinea/freedom-world/2023>. Guinea scored a total of 30 out of 100. This is a 4-point drop from 2022 and 8 points from 2021 where it was classified as partly free.

¹⁶Though Mali has for the past 3 years ranked as 'Not Free', there has been a difference in its accumulated points over the years. Mali scored 33/100 in 2021, 32/100 in 2022 and 29/100 in 2023.

¹⁷See <https://freedomhouse.org/country/mali/freedom-world/2023>. Mali scored a total of 29 out of 100. This is a three point drop from the previous year.

The Challenge of Quality of HRD Actors

Education is a crucial tool for personal empowerment and is integral to the enhancement and understanding of human rights and the fight against all forms of social and political injustices. Based on the data generated, the researchers believe that a key challenge HRDs face in the region is the quality of actors within the rights advocacy and defending space. While human rights activism and HRD can develop irrespective of formal education, in countries such as those in West Africa, where credentialism is a prized asset for engaging with authority figures, the interest in the level of education of HRD respondents is and can be an essential means to assessing the quality of HRD engagement with the state and state actors.

The findings revealed significant disparities in educational qualifications among HRDs across the countries, underscoring each country's diverse socio-economic contexts and educational opportunities. Guinea, for example, recorded the lowest response rate of HRDs with Diploma qualification (100%). At the same time, Togo, a contemporary Francophone country like Guinea, indicated that 83% of its HRDs have post-graduate qualifications, the highest among all countries surveyed. This raises specific questions about the factors influencing the educational landscape in Guinea, including access to higher education, vocational training programs, and socio-economic opportunities for individuals seeking to engage in human rights advocacy. The prevalence of diploma-qualified HRDs may reflect broader patterns of limited educational attainment within the country, shedding light on the distribution of resources and opportunities for skill development among its populace.

Across the sub-region and the linguistic divide, except for Guinea, the findings indicate a robust intellectual and professional community engaged in human rights defense and activism. The prevalence of postgraduate qualifications across countries such as Nigeria, Ghana, Senegal, and Burkina Faso, among others, signifies the availability of specialized knowledge and expertise among HRD personnel in these countries to address complex human rights challenges, reflecting a sophisticated approach to advocacy and social change. Take the case of #EndSARSnow in Nigeria and the opposition against the anti-LGBTQ+ bill in Ghana, for example. If not for the resilience of human rights defenders who were professionals in law, academia, mass communication, etc., the state and its actors would have continued to abuse and violate the rights of its citizens.

However, the quality of HRD actors across many countries along the linguistic divide is still challenging. Factors influencing these disparities include the lack of access to free education and increasing poverty levels that stunt the educational growth of many HRD actors and inhibit their abilities to pursue advanced studies. Understanding the nuances of the educational levels among HRDs in the region is essential for tailoring interventions and support mechanisms that address their specific needs and aspirations, ultimately strengthening the region's collective capacity for human rights promotion and protection.

An Exploiting Industry: The Challenges of “Unpaid” HRD Work

The finding revealed that the nature of the HRD industry outlook in the sub-region creates an exploitation situation for activists, especially women and youth. In many countries across the linguistic divide, many HRDs operate as volunteers with minimal or no allowances paid to them by the organizational leaders/founders. The industry's political economy is rife with high degrees of exploitation of the labor of volunteers. In Cabo Verde, for instance, a significant majority of HRDs, approximately 83%, report working as volunteers for small to medium HRD organizations but indicate the high prevalence of a culture of unpaid labor within the human rights sector. The narrative is similar in Burkina Faso, Guinea, and Togo. This presents potential challenges to youth and women HRDs in these countries. They face multifaceted socio-economic barriers to full participation in activism due to the lack of financial compensation for their work and the absence of economic opportunities for self-preservation in these hostile environments. A participant from Cabo Verde had this to say:

“I work as a volunteer in my organization, which does not help me to really meet my own needs in an environment that is not favorable to my work as an HRD”.

Another participant from Burkina Faso also bemoaned the unpaid nature of HRD work in the country and correlated that to the absence of quality actors within the space. The participant raised the view that:

[The] Lack of technical and financial resources. As it is unpaid volunteering, it is difficult to find dedicated members for the association”.

In contrast, Senegal, Ghana, Nigeria, and Sierra Leone have slightly higher numbers of HRDs reporting that they are paid for their work. As discussed in the previous discussion, there seems to be a direct correlation between the quality of actors in the

The study showed that a more structured and remunerative system was in place where the educational levels of HRDs were high. This finding suggests more significant professional mobilization, organization, and institutional support for HRDs in these countries, potentially affording women and youth HRDs more excellent financial stability and resources to sustain their activism. The occurrence of paid activism among Senegalese HRDs contributes significantly to a more inclusive and diverse human rights landscape by reducing economic barriers that disproportionately affect the youth and women, enabling their meaningful participation and leadership within the sector. Most HRDs who indicated they received no remuneration for the right work done were concentrated in the Francophone and Lusophone countries. The disparities in payment for HRDs' work underscore the importance of addressing structural inequalities, advocating for equitable compensation, and acknowledging youth and women's contributions to human rights activism.

Precarious Environments: Safety and Security Challenges

HRDs operate functionally in environments that provide political stability and where legal mechanisms for seeking redress and protections are well-developed and active. This is because the human rights space is volatile as it challenges the existing status quo that does not lend itself to critique or questioning. The countries in the subregion are often run by governments that do not lend themselves to critique or questioning, making the contested rights space precarious for HRDs as their lives and those of their families easily come under attack.

A high percentage of participants surveyed argued that they are not happy with the safety conditions under which they operate as HRDs in their respective countries. A cumulative 58% of participants believed that the safety conditions and the security the state provides them during their work were unfavorable. Precarious conditions were not always physical. However, they extended to broader disparities and threats, such as denial of access to justice, health services, and mental well-being. This finding cuts across all countries surveyed for this study. Additionally, the deployment of anti-terrorism laws was identified in countries like Togo, Mali, and Burkina Faso as posing significant threats to HRDs and their well-being. A participant in Togo for instance stated that:

“Nowadays, being a human rights defender is pejorative in this country. However, this does not prevent us from working to awaken citizens to their rights and duties and to educate them to be responsible citizens”.

Similarly, a participant from Guinea expressed similar sentiments:

“We are operating in a context of insecurity for human rights defenders, especially during this period of military transition in Guinea”.

While Togo recorded a high 83% of participants acknowledging that the HRD space in the country was precarious, that negative view resonated across countries within the linguistic Francophone divide, where a whopping 66% of respondents acknowledged the same sentiments. As indicated by another participant from Togo:

“The human rights situation in Togo, in general, is very deleterious. Human rights defenders are thus subject to muzzling, harassment, and restrictions on freedoms”.

This raises serious questions about the political and legal systems that create the conditions under which these Francophone countries exhibit such high levels of insecurity for HRDs. These views, however, contrast sharply with sentiments shared by participants from Ghana, Nigeria, Cabo Verde, and Senegal, who hold that the HRD climate in their respective countries is lax because the constitution guarantees them that right. A participant from Ghana, for instance, reiterated that view when they expressed that:

“The social climate is favorable, as is the normative framework [constitution]. Certain freedoms are enshrined and respected”.

A sentiment that was shared by a participant in Senegal who opinionated that:

“Defenders operate in a relatively safe environment. In my country, because we have freedom, there is a favorable legal framework, and I don't face many situations of violence”.

Nonetheless, participants are heightened in their apprehension that even in countries where HRDs were relatively free to operate, systemic inhibitions still prevented them from fully expressing their critiques of the state and its actors.

A Looming Danger: Shrinking Civic Space

Civic space represents a distinct sphere within contemporary society's public sphere where individuals engage in collective action, advocacy, and the exercise of civil liberties, as well as express their views, organize protests, and participate in democratic processes. The assessment of whether the civic space is expanding or shrinking is multifaceted and influenced by various factors. This assertion has been impacted mostly by real and perceived incipency of constitutional authoritarianism and weaknesses of the rule of law, including factors such as ineffective legal frameworks, government policies, societal attitudes, and the actions of both state and non-state actors.

Approximately 54% of participants said their countries' civic space was shrinking. Participants from Sierra Leone, Burkina Faso, Ghana, and Nigeria, who collectively averaged 86%, were worried about the shrinking civic space in their respective countries as it affects their ability to operate freely in their advocacy. A participant from Togo advised that they were arrested and imprisoned on trumped-up charges just to silence their voice. Many cited what they considered the political elites' state capture of the media space and how that affects the control of the news. Additionally, government and state actors are often implicit in the intimidation and arrests of HRDs and have been using their controlled media outlets to propagate the narrative that HRDs are doing the work of foreign entities to whip public sentiments against them. From one participant:

“The conditions are not favorable for a full expression of our rights, as Civic space is very restricted. There are many threats and intimidations in the exercise of the profession”.

This expression finds similarity in the views of another participant in Guinea who added that:

“In our country, civic space is restricted, and there is no freedom of expression. The government intimidates those involved in community life and promotes ideas of rights”

Contrastingly, Cabo Verde stood out, with 33% of HRDs believing that the civic space has been expanding. This suggests a more optimistic outlook among some HRDs in Cabo Verde, who perceive positive developments or opportunities for greater civic engagement and advocacy within their country. These findings underscore the nuanced and varied dynamics shaping the civic landscape across different contexts, reflecting both challenges and opportunities for human rights defenders in pursuing social justice and democratic freedoms.

Closely aligned to the shrinking civic space is the incipency of authoritarianism and the decline in democracy and its attendant impact on the rule of law. A significant 70% of HRDs say there has been “no” improvement in applying the rule of law by duty bearers in their country. This is an important finding because improving the rule of law typically creates a conducive environment for HRDs' work. HRDs believed that the highly centralized structures of political systems across the sub-region, where power is consolidated heavily in the executive, lead to rampant abuse of the rule of law as executive members often tend to believe they are above the law. This has created a situation where actors in the executive sphere use the state apparatus and security to intimidate and violate the rights of HRDs with impunity. This situation is particularly worrisome to many HRDs who feel that because of the nature of their work and their propensity to unearth the wrongs of government that violate the rights of citizens, they are targeted for intimidation and arbitrary arrests to silence their voices. The most worrying thing, however, is the use of the state's police and security services, especially the “secret services,” to terrorize HRDs who find themselves working in the human rights space.

The Challenges of the Surveillant State and the Digital Space

The digital space encompasses platforms such as social media, websites, and online forums, providing avenues for virtual activism, digital organizing, and the dissemination of information. The digital space introduces unique dynamics, including online privacy issues, digital inequality, and the rapid dissemination of misinformation. Moreover, the digital space has expanded the reach and impact of civic movements, enabling global connectivity, virtual advocacy campaigns, and the amplification of marginalized voices. Understanding the uniqueness of the digital space within the HRD work in West Africa is essential for navigating the complexities of modern activism and ensuring inclusive and effective participation in public discourse and democratic processes. An HRD participant in this study was emphatic, however, that:

For several countries [across the region], the state has total control of the Internet and, with institutional and legal mechanisms, manages to confiscate this right from citizens through abusive or restrictive legal measures, censorship, cyber surveillance, and total blackout restriction.

HRD participants for this study cited various challenges prevalent in their respective countries, with notable responses from Burkina Faso and Sierra Leone, where 100% of HRDs expressed concerns about the obstacles posed by the current digital landscape to their work. In Burkina Faso, for instance, a participant highlighted that under the guise of “fighting against terrorism, the State has access to my personal, banking, digital and local data.” Across the subregion, the general view of respondents was significantly higher in their respective countries when they spoke about the unfavorable digital space for activism. Among the grievances highlighted were issues related to state surveillance, restrictive laws impeding freedom of expression, and smear campaigns targeting HRDs. Communication in digital spaces has been accepted in courts and used to imprison HRDs critical of the state and its actors. In Togo, a participant had this to say:

“We are often listened to. Togo has penalized publications in the digital space that the government judges as false, especially those by journalists”.

Considering the prevalent obstacles faced by HRDs, there arises a critical need to address issues such as state surveillance, legal frameworks that restrict freedom of expression online, and targeted smear campaigns. A participant from Mali expressed that:

“The digital space is exposed to permanent incursions by intelligence services, which go so far as to publish interpersonal communications of several people, including human rights defenders, before bringing them to trial and detaining them on this basis”.

By recognizing and actively responding to these challenges, stakeholders can work towards creating an enabling digital environment that fosters the free exchange of ideas, protects privacy rights, and safeguards the fundamental principles of human rights advocacy. Moreover, concerted advocacy efforts are essential to ensure that HRDs can operate safely and effectively in the digital space, free from undue interference, intimidation, or reprisals.

3.0

**Legal
Frameworks
And Support
Mechanisms For
Human Rights
Defenders**

Legal Frameworks Under Which HRDs Work

The significant role HRDs play within the democratic enterprise can never be underestimated. In this regard, the third objective of the study sought to examine the legal frameworks and redress mechanisms that exist to protect the rights of these defenders. As previously discussed in the preceding findings, the shrinking democratic and civic space and the flagrant erosion of the rule of law in the West African subregion continue to undermine the safety and work of HRDs. While acknowledging that their work is crucial for the survival of their respective countries, HRDs agonize that, in reality, the state and governments have failed to provide adequate support to protect them in the exercise of their work. More than half of the engaged participants, 53%, expressed dissatisfaction with existing legal frameworks that govern their operations, deeming them as unfavorable. Among their grievances are that their countries' legal frameworks have been designed to stifle criticism of government officials and policies, and they also lack provisions that protect and safeguard the rights of HRDs. *According to a participant, [there is a] tightening of civil society. [And] Non-compliance with national, sub-regional, and international conventions and treaties.* Another participant, however, was of the view that most state leaders, even within practicing democracies, believe that:

These rights come from Europe and America, with their histories and situations. Africa has not had these same experiences. She also has different populations. It is, therefore, difficult to apply certain rights given African society itself.

Furthermore, a significant percentage of respondents (47%) highlighted concerns regarding the inadequate enforcement of existing laws that protect the rights of HRDs, pointing to the pervasive gaps between legal provisions and their practical applications and enforcement. This disparity underscores the challenges faced by HRDs in navigating legal constraints. It underscores the urgent need for reforms to ensure the adequate protection of human rights defenders and promote their vital work in the region. A participant aptly captured this lack of adequate protections for HRDs in Guinea when they posited that.

The work of human rights defenders is not protected. The state penalizes through criminal provisions what it judges as false news and contempt of public authority when human rights defenders denounce certain practices contrary to respect for human rights.

Across the sub-region, participants from Senegal, Nigeria, and Togo recorded high percentages in the 80s regarding their disappointments with their countries' current and existing legal frameworks. Contrastingly, Cabo Verde and Ghana recorded lower unfavorability numbers in the 40th percentile, with the majority opinionating that the legal framework in their countries was favorable to their work. While accounting for the high favorability numbers in Cabo Verde, a participant argued that it may be so “because in Cape Verde we have the Ombudsman, as well as the National Commission for Human Rights and Citizenship that protect citizens, based on the favorable legislation that the country has.” Other countries such as Guinea, Mali, and Sierra Leone also recorded significantly high unfavourability percentages when participants were asked to describe the legal frameworks that operated in their countries. Participants in Mali and Burkina Faso believed that the military remotely controls their judicial systems, and as such, the courts do not provide them the protections they deserve as citizens.

What About Redress Mechanisms, Do They Work?

Directly linked to the lack of institutionalized legal frameworks are the inadequacies of redress mechanisms via which victimized HRDs can seek justice for threats and violations against them. As one participant said, “If we have a problem, we don't know exactly which department will deal directly with it.” For most participants, even when the redress mechanisms exist, they are usually not functional to meet the needs of HRDs. For most of them, the general sentiment is that “the mechanisms exist, but they are not favorable” in dispensing justice when the rights of HRDs are abused. For another participant from Burkina Faso, “Justices do not listen to human rights defenders but describe them as troublemakers.” It is a descriptive tag used to rile public sentiments against HRDs in the country and blame them for disrupting the national cohesive agenda that their governments are trying to build.

In a direct relationship to the preceding discussion on legal frameworks under which HRDs work, the findings showed that a significant proportion of HRDs surveyed, 51%, believed that their access to seeking redress in their respective countries was unfavorable and mostly non-existent when their rights are violated in the course of their work. This, they indicate, leaves them vulnerable and unprotected when their rights and lives are under threat and being violated. Most participants were of the view that, as a duty bearer, the state has not done much to protect them nor provide reasonable mechanisms to seek

redress, as the actors and agents of the state are themselves implicit in the violations meted out to them. HRDs from Nigeria, for instance, recorded a significantly high 86% response rate as they forcefully believed that access to seek redress and mechanisms for redress are unfavorable and non-functional even when they existed.

Not all countries, however, scored negative on the existence of redress mechanisms for violations against HRDs during their work. In Senegal, for example, the views expressed indicate an 80% favorability score for a functioning constitutional framework that protects the rights of HRDs from abuse and violations. Cabo Verde also scored positively on the redress mechanism question, with HRDs affirming that they could find redress in the existing legal structures when their rights are violated. A participant from Cabo Verde believed the redress mechanisms were favorable as the country has started to implement them and make them work. In Ghana, HRDs surprisingly expressed a lukewarm position on the question. In the voice of one Ghanaian participant:

The Constitution of the Republic and the entire legal framework provide access to seeking redress and promote freedom and equality for all. However, several social, cultural, religious, and political barriers impede this access. This is favorable because there are conditions to make repairs when our rights are violated. However, the speed at which justice is attained leaves much to be desired.

From the practitioners' perspective, a multifaceted approach was needed to enhance their protection and support in discharging their work within the subregion. While some HRDs advocate leveraging existing mechanisms, others advocate promoting innovation in response to emerging threats and evolving contexts. For these reasons, participants were of the view that a multi-prong approach to utilizing redress mechanisms outside of the State, including the ECOWAS Court and the African Union Court, can be used to push legislative reforms that provide adequate protections and safeguards against intimidation, rights violations, and harassment of HRDs and foster a democratic environment that underscores the values of diversity and secularism while allowing for dissent.

Impress upon these higher courts to ensure that violations of the rights of HRDs at the country level are swiftly investigated, perpetrators are held accountable, and victims are provided effective remedies. At the national level, HRDs and CSOs should push for implementing the Marrakech Declaration, which NHRIs committed to, to promote and protect the human rights of HRDs, especially women's human rights defenders. These findings additionally highlight the importance of fostering dialogue and collaboration among stakeholders to identify gaps in existing mechanisms, explore innovative solutions, and ensure effective implementation to bolster the resilience and efficacy of redress mechanisms in safeguarding the rights and well-being of HRDs.

Recommendation: What Do HRDS Want To See Changed?

Human Rights Defenders (HRDs) work is to hold duty bearers accountable and advocate for the protection, respect, and fulfillment of human rights. To be effective advocates, HRDs need favorable political and legal environments that uphold the Rule of Law and associational freedoms such as freedom of speech and expression, freedom of association and right to assembly, right to life, right to human dignity and privacy, freedom of religion, freedom from torture and arbitrary arrests and other civil and political rights. Overall, while HRDs acknowledge the multiplicity of challenges they face in their respective countries when it comes to standing up to defend and promote the rights of minoritized populations and causes, the findings show that they are very much worried when it comes to their safety and the conditions under which they operate. However, considering the complex socio-political environments within which they work, the consensus among the practitioners is that if the following favorable conditions can prevail, they will be able to perform exceedingly in their work in the region and on the continent:

§ Solidarity and support systems for defenders and activists, including an independent and credible justice system to protect and defend the rights of defenders and activists.

- Robust legal frameworks that uphold and protect fundamental human rights and are crucial for safeguarding the civic space from abuse and suppression.
- Open civic spaces are where individuals and organizations can freely express their views and have access to accurate and unbiased information.
- Freedom of the press promotes liberal democracy, which includes the right to freedom of association and assembly for citizens and government accountability/responsiveness to violations of their rights.
- Protections for HRD rights, including an absence of state repression, a friendly regulatory environment, and increased engagement with state institutions.
- The presence of an independent judiciary and an independent police force to curtail the victimization and targeting of HRDs
- Respect for human dignity, respect for the rule of law and tolerance on the part of governments and citizens, progressive legislation, empowered civil society, and free, independent media.
- Protection of Whistleblowers, Protection of Investigative Journalists, Protection of Freedom of Opinion.

Considering the above findings and recommendations from participants, we propose the following:

Member States of ECOWAS

- Push legislative reforms that provide adequate protections and safeguards against intimidation, rights violations, and harassment of HRDs and foster a democratic environment that underscores the values of diversity and secularism while allowing for dissent.
- State actors and duty-bearers should proactively collaborate with civil society organizations to promote a democratic culture of inclusivity and participation. Since state and governmental actors are the worst violators of the rights of HRDs, states, and governments must work with civil society to create an enabling and transparent environment for HRDs to contribute positively to the consolidation of democracy in their countries.
- Continuously push for legislation that promotes the independence of state institutions that work to respect, protect, and fulfill the rights of human rights defenders and all persons. Additionally, there must be non-interference from state actors in the work that these institutions perform.
- Ensure that violations of HRDs' rights are swiftly investigated, perpetrators are held accountable, and victims are provided with effective remedies.
- To mitigate the challenges of the gradual shrinking of the civic space, member states and their governments should prioritize social dialogues and engagements with HRDs and other stakeholders in fostering. Support the development of an ECOWAS protocol for protecting human rights defenders in line with the UN Declaration on Human Rights Defenders.

African Commission on Human and Peoples' Rights

- Ensure the Special Rapporteur on Human Rights Defenders of the African Commission on Human and Peoples' Rights makes periodic visits to member States of ECOWAS to assess the situation of HRDs and issue periodic reports to draw attention to the problem of HRDs and where violations of rights of HDRs are found, to advocate redress.
- Lead in the development of an ECOWAS protocol for the protection of human rights defenders.

National Human Rights Institutions

- Implement the Marrakech Declaration, which NHRIs committed to, to promote and protect the human rights of HRDs, especially women's human rights defenders.
- Strengthen collaboration between HRDs, law enforcement, and relevant stakeholders to enhance the safety of human rights defenders.

- Establish a reporting mechanism, or if one already exists, create a separate section on issues related to human rights defenders.

Civil Society Organizations

- Develop a parallel draft of the CSO protocol for protecting human rights defenders in line with the UN Declaration on Human Rights Defenders and lobby ECOWAS States to integrate the CSO draft into a proposed ECOWAS protocol for protecting human rights defenders.
- Establish and administer a West Africa sub-regional legal fund for human rights defenders whose rights have been violated to support litigation at the ECOWAS Community Court of Justice for an adequate remedy.
- Develop and implement training programs on digital security and safety measures for HRDs.
- Establish parallel channels for reporting violations of the rights of HRDs to state enforcement authorities, NHRIs, and regional bodies for redress.
- Implement initiatives to promote gender equality and inclusivity within the human rights sector.
- Establish support networks for HRDs facing gender-based challenges.
- Collaborate with digital platforms to enhance safety features and counter digital harassment.
- Develop guidelines and best practices for HRDs to navigate digital space securely.
- Establish a task force to monitor and address digital threats against HRDs.
- Ensure economic security for HRDs as many work in harsh, dangerous, and volatile conditions; hence, they must be well remunerated for a secure future.
- Conduct further research to assess the relationship between National Human Rights Institutions and HRDs to ensure the full implementation of The Marrakech Declaration, which NHRIs committed to, to promote and protect the human rights of HRDs, especially women human rights defenders.

Conclusion

In conclusion, respondents' views indicate that HRDs work in precarious environments where their rights are constantly being abused and violated. Many countries within the West African region have negative records of harassing, intimidating, and arresting HRDs. Almost across the entire sub-region, HRDs have fared very poorly, with their lives constantly being at risk. A significantly high number of respondents 75% were of the view that there has been a decline and continuous decline in the rule of law and that duty bearers have neglected to play their roles in ensuring that the rights of minorities, including those of HRDs are protected from abuse by the state and society. At the country level, Nigeria, Sierra Leone, Togo, and Guinea recorded significantly high percentages of approximately 86% non-favorability with their countries' rule of law situation. The findings indicate, however, that the upward decline of the rule of law is uniform across the subregion and seems to be worsening over the last decade. The apparent decline of the rule of law and the constant interference of the state in the work of HRDs makes it difficult for them to monitor and expose the numerous human rights violations and other forms of corruption and capture the state is being subjected to by governmental actors.

In this vain, HRDs, in conjunction with other CSOs within the human rights defending space, must establish national-level reporting databases to track abuses and violations committed against them and their families. They must also stay ahead of the digital curve by developing and implementing digital security and safety measures programs while pushing to establish parallel channels for reporting violations of their rights to state enforcement bodies and other regional bodies for redress. Through collaboration with managers of digital platforms, they should work out means for enhancing safety features and countering digital harassment and abuse. Furthermore, there is a need to conduct research to assess the relationship between National Human Rights Institutions and HRDs to ensure the full implementation of The Marrakech Declaration, which NHRI committed to, to promote and protect the human rights of HRDs, especially women's human rights defenders.

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Appendix

The Situation of Human Rights Defenders in West Africa Study Questionnaire

A: Demographic/other Characteristics		(Circle applicable Answer		For official use only
1. <i>Gender*</i>		Code	Please select one	
1.1	Male	1		
1.2	Female	2		
1.3	Other	3		
1.4	Rather Not Say	4		
2. <i>Age</i>		Code	Please select one	
2.1	18-35	1		
2.2	36-55	2		
2.3	Above %6	3		
3. <i>Country</i>		Code		
3.1	Benin	1		
3.2	Burkina Faso	2		
3.3	Ghana	3		
3.4	Nigeria	4		
3.5	Sierra Leon	5		

3.6	Cabo Verde	Code	Please select one	
3.7	Mali	6		
3.8	Togo	7		
3.9	Senegal	8		
4. Rigion		Code		
4.1	Anglophone	1		
4.2	Francophone	2		
4.3	Lusophone	3		
5. Are you a Person with a Disability?		Code	Please select one	
5.1	No	1		
5.2	Yes	2		
5.3	Rather Not Say	3		
6. Highest Level of Education		Code	Please select one	
6.1	No formal education	1		
6.2	High School	2		
6.3	Diploma	3		
6.4	Degree	4		
6.5	Post-Graduate (Masters, PhD)	5		
7. Occupation		Code	Select all that apply	
7.1	Business	1		
7.2	Security Services (Police, Army, Immigration)	2		
7.3	Mid-level Professional (Teacher, Nurse, Clerk, Administrator, Journalist)	3		
7.4	High-level Professional (Accountant, Lawyer, Engineer, Doctor)	4		
7.5	Other (Please specify):	5 (open)		

8. Employment		Code	Please select one	
8.1	Self-Employed	1		
8.2	Unemployed	2		
8.3	Private	3		
8.4	Government	4		
8.5	CSO/NGO	5		
8.6	Other	6		
9. Are you paid for your work as HRD?		Code	Please select one	
9.1	Paid	1		
9.2	Voluntary	2		
10. Area of Activism		Code	Please select all that apply	
10.1	Rural	1		
10.2	Urban	2		
10.3	Peri-urban	3		
10.4	Regional	4		
10.5	National	5		
11. Number of Years as HRD		Code	Please select one	
11.1	0-1	1		
11.2	2-5	2		
11.3	6-10	3		
11.4	Above 10	4		
12. Focus of Activism		Code	Please select all that apply	
12.1	Democracy	1		
12.2	Economy	2		
12.3	Media	3		

12.4	Social	4		
12.5	Corruption	5		
12.6	Accountability	6		
12.7	Women's and Girl's Rights	7		
12.8	Education	8		
12.9	Other (please specify)	9		

Condition of HRDS [In this section, we seek to gather your perspectives and views on the conditions under which you operate as a human rights defender and the ideal conditions you would prefer to work in]

13. How would you describe the general conditions under which you operate as a human rights defender?			Please select one
	Very Favorable		
	Favorable		
	Not favorable		
13.1 Why did you describe the general conditions under which you operate as an HRD as above?	Please provide comments		
13.2 Does civic space impact your work as HRD?	Please tick (√) Yes No		
13.3 If yes, how has the civic space been impacting your work?	Please provide comments		
13.4 In your opinion, has the civic space in your country been shrinking or expanding?	Please tick (√) Yes, it's been expanding No, it is shrinking		
13.5 What conditions would you consider as the ideal conditions for your work as a human rights defender?	Please provide comments		

Authoritarianism and Democracy Decline [In this section, we seek to gather your perspectives and views on whether or not authoritarian governments and democracy decline have any impact on your work as a human rights defender.]

14. What type of government is your country under?		Code	Please select one
	Electoral Democracy	1	
	Liberal Democracy	2	
	Electoral Autocracy	3	
	Closed Autocracy	4	
	Other	5	
15. In your opinion has there been an improvement in the rule of law practiced by duty bearers in your country?	Please tick (√) Yes No		
16. If yes, how has the improvement in the rule of law impacted your work as an HRD?	Open Please provide comments		
17. In your opinion, has there been a decline in the rule of law practiced by duty bearers in your country?	Please tick (√) Yes No		
18. If yes, how has the decline in the rule of law impacted your work as an HRD?	Open Please provide comments		

19. Does your unique orientation, status or gender have an impact on your work as HRD?	Please tick (√) Yes No
20. If yes, please indicate how your orientation, status or gender impacts your work as HRD?	Open Please provide comments

Uniqueness [In this section, we seek to gather your perspectives and views on how your status, orientation, or gender has impacted your work as a human rights defender.]

21. Do you face challenges because of your orientation, status, or gender as an HRD?	Please tick (√) Yes No
22. If yes, what are the challenges?	Open Please provide comments
23. Do you get opportunities because of your orientation, status, or gender as an HRD?	Please tick (√) Yes No
24. If yes, what are the opportunities?	Open Please provide comments

Safety of HRDS [In this section, we seek to gather your perspectives and views on your safety as a human rights defender, instances of violations of your safety and what could be done to improve your safety]

25. How would you describe the general safety conditions under which you operate as a human rights defender?		Code	Please select one
	Very Favorable	1	
	Favorable	2	
	Not favorable	3	
26. Why did you describe the safety conditions under which you operate as an HRD as above?	Open Please provide comments		
27. In the past two years, have you personally suffered violation(s) of your safety?	Please tick (√) Yes No		
28. How many times has your safety been violated in the past two years?	Please tick (√) (1). 1-2 (2). 3-4 (3). 5-6 (4). More than 6		
29. Could you indicate the type of safety violation(s) you suffered?	Please tick (√) all that apply (1) Harassment (2) Arrest (3) Violence (4) Virtual attack (5) Imprisonment (6) Damage to property (7) Charged for court (8) Threat (s) (9) Threats on family (10) Attacks on family (11) Torture (12) Other (please specify)		

<p>30. Who perpetrated the safety violation against you?</p>	<p>Please tick (√) all that apply</p> <p>(1) Police</p> <p>(2) National security/intelligence operatives</p> <p>(3) Private persons</p> <p>(4) Business-related persons</p> <p>(5) Political party members</p> <p>(6) Other (please specify)</p>
<p>31. What safety conditions would you consider as the ideal conditions for your work as a human rights defender?</p>	<p>Open</p> <p>Please provide comments</p>

Digital space and HRD's work [In this section, we seek to gather your perspectives and views on how the digital space has impacted your work as a human rights defender.]

<p>32. How would you describe the digital space under which you operate as a human rights defender?</p>		<p>Code</p>	<p>Please select one</p>
	<p>Very Favorable</p>	<p>1</p>	
	<p>Favorable</p>	<p>2</p>	
	<p>Not favorable</p>	<p>3</p>	
<p>33. Why did you describe the digital space under which you operate as an HRD as above?</p>	<p>Open</p> <p>Please provide comments</p>		
<p>34. Do you think the digital space presents an opportunity that HRDs can explore?</p>	<p>Please tick (√)</p> <p>Yes No</p>		

35. If yes, what are the opportunities?	Open Please provide comments
36. In your opinion, does the digital space present challenges for your work as an HRD?	Please tick (√) Yes No
37. If yes, what are the challenges?	Open Please provide comments

Legal Framework for HRD's work [In this section, we seek to gather your perspectives and views on the legal framework that exists/does not exist for your work as a human rights defender.]

38. How would you describe the legal framework under which you operate as a human rights defender?	Code	Please select one
Very Favorable	1	
Favorable	2	
Not favorable	3	
39. Why did you describe the legal framework under which you operate as an HRD as above?	Open Please provide comments	
40. Do you find the legal framework adequate?	Please tick (√) Yes No	
41. If no, should there be a new legal framework or should existing laws be enforced to protect HRDs?	(1) New legal framework (2) Existing laws should be enforced	

Redress mechanisms [In this section, we seek to gather your perspectives and views on the redress mechanisms that exist for an effective remedy for your work as a human rights defender.]

42. How would you describe the redress mechanisms for your work as a human rights defender?	Code	Please select one
Very Favorable	1	
Favorable	2	
Not favorable	3	
43. Why did you describe the redress mechanisms as above?	Open Please provide comments	
44. Do you find the redress mechanisms adequate?	Please tick (√) Yes No	
45. If no, should there be new redress mechanisms or existing redress mechanisms should be enforced to protect HRDs?	Please tick (√) (1) or (2) (1) New redress mechanisms (2) Existing redress mechanisms should be enforced	
46. Have you personally used a redress mechanism where your work as an HRD was affected?	Please tick (√) Yes No	
47. If yes, were you satisfied with the redress mechanisms?	Please tick (√) Yes No	
48. What will you recommend as the ideal redress mechanism for HRD work?	Open Please provide comments	

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