



THE OBSERVATORY
for the Protection of
Human Rights Defenders

Civic space and human rights defenders in the Sahel

A regional convergence of repressive practices



Army vehicles are seen as demonstrators march in Ouagadougou, Burkina Faso, on 2 October 2022. - © AFP



Me are matchings



THE OBSERVATORY
for the Protection of
Human Rights Defenders

Civic space and human rights defenders in the Sahel

A regional convergence of repressive practices

DIRECTORS OF PUBLICATION:

Alice Mogwe, Gerald Staberock

AUTHOR:

FIDH

EDITING AND COORDINATION:

FIDH/OMCT

DESIGN:

FIDH

DÉPÔT LÉGAL:

Février 2025

FIDH (English ed.) = ISSN 2225-1804

Fichier informatique conforme à la loi du 6 janvier 1978 (Déclaration N°330 675)

Table of contents

List of acronyms	5
Executive Summary	7
Introduction	9
1. Context	9
(1.1) Regional context	9
(1.2) Country contexts	11
2. Methodology	20
I. Attacks on human rights defenders	21
1. Arbitrary arrest, detention and judicial harassment	21
2. Abductions, illegal confinements, enforced disappearances and torture	26
3. Hate speech, threats, harassment and intimidation	31
II. Violations of fundamental freedoms	35
1. Infringements of freedom of expression and of the press, and attacks on journalists	35
2. Infringements of freedoms of association and demonstration	39
(2.1) Infringements of freedom of association	39
(2.2) Infringements of freedom of demonstration	41
Recommendations	43
To the authorities of Burkina Faso, Mali, Niger and Chad	43
To the African Commission on Human and Peoples' Rights and the African Union	44
To the international partners of Burkina Faso, Mali, Niger and Chad	45

List of acronyms

- ABCA:** *Association des Blogueurs pour une Citoyenneté Active* (Association of Bloggers for Active Citizenship)
- ACHPR:** African Commission on Human and Peoples' Rights
- AEC:** Alternative espaces citoyens
- AEEM:** *Association des élèves et étudiants du Mali* (Association of pupils and students of Mali)
- AI:** Amnesty international
- ANR:** *Agence nationale du renseignement* (National Intelligence Agency)
- ANSE:** *Agence Nationale de la Sécurité de l'État* (National State Security Agency)
- BIJ:** *Brigade d'Investigation Judiciaire* (Criminal Investigation Brigade)
- CDM:** *Collectif pour la défense des militaires* (Collective for the Defence of Soldiers)
- CENI:** *Commission électorale nationale indépendante* (Independent National Electoral Commission)
- CGT-B:** *Confédération générale du travail du Burkina* (Burkina General Labour Confederation)
- CISC:** *Collectif contre l'impunité et la stigmatisation des communautés* (Collective against impunity and the stigmatisation of communities)
- CMAS:** Coordination of movements, associations and supporters of Imam Mahmoud Dicko
- CMT:** *Conseil militaire de Transition* (Transitional Military Council)
- CNSP:** *Conseil national pour la sauvegarde de la patrie* (National Council for Safeguarding the Homeland)
- CNT:** Conseil national de Transition (National Transitional Council)
- CSC:** *Conseil supérieur de la communication* (Higher Council for Communication)
- CSO:** Civil Society Organisation
- DGDSE:** *Direction générale de la documentation et de la sécurité extérieure* (Niger General Directorate for Documentation and External Security)
- ECOWAS:** Economic Community of West African States
- FACT:** *Front pour l'Alternance et la Concorde au Tchad* (Front for Change and Concord in Chad)
- FAMa:** Malian armed forces
- FIDH:** International Federation for Human Rights
- GBV:** Gender-based violence
- GRAC-TCHAD:** *Groupe de réflexion sur l'avenir et la construction du Tchad* (Group for reflection on the future and construction of Chad)
- HAC:** *Haute autorité de la communication* (High Authority for Communication)
- ICCPR:** International Covenant on Civil and Political Rights
- ISPP:** Islamic State – Sahel Province
- ISS:** Islamic State in the Sahel
- JNIM:** Jama'at Nusrat al Islam wal Muslimin
- LTDH:** *Ligue tchadienne des droits de l'Homme* (Chadian League for Human Rights)
- MIDES:** *Magazine d'information sur le Développement Économique et Social* (Information magazine on economic and social development)
- MINUSMA:** *Mission multidimensionnelle intégrée des Nations unies pour la stabilisation au Mali* (United Nations Multidimensional Integrated Stabilisation Mission in Mali)
- MPSR II:** *Mouvement patriotique pour la sauvegarde et la restauration II* (Patriotic Movement for Safeguard and Restoration II)
- NGO:** Non-governmental organisation

NHRC: National Human Rights Commission

OHCHR: Office of the United Nations High Commissioner for Human Rights

OMCT: World Organisation Against Torture

OTDH: *Organisation Tchadienne des Droits Humains* (Chadian Human Rights Organisation)

PSF: *Parti socialiste sans frontières* (Socialist Party without Borders)

REPPAD: *Réseau panafricain pour la paix, la démocratie, et le développement* (Pan-African Network for Peace, Democracy and Development)

RFI: Radio France internationale

SCLCT/CTO: *Service Central de Lutte Contre le Terrorisme et la Criminalité Transfrontalière Organisée* (Central Service for Combating Terrorism and Organised Cross-Border Crime)

SGBV: Sexual and gender-based violence

UEMOA: West African Economic and Monetary Union

UN: United Nations

UST: *Union des syndicats du Tchad* (Association of Trade Unions of Chad)

VDP: *Volontaires pour la défense de la Patrie* (Volunteers for the Defence of the Homeland)

Executive Summary

For many years, the Sahel region, which includes **Burkina Faso, Mali, Niger** and **Chad**, has been gripped by security, economic, social and political crises. Since 2020, the situation has steadily deteriorated, exacerbated by a series of successive coups d'état.

Against this backdrop of political instability, civil society organisations in the four countries covered by this study - and human rights defenders more broadly - have faced a worsening security situation, marked by a climate of impunity and the collapse of the rule of law.

Since 2020, the Observatory for the Protection of Human Rights Defenders (a partnership of the International Federation for Human Rights - FIDH and the World Organisation Against Torture - OMCT) has documented numerous cases of harassment of defenders in these countries, some of which prompted the publication of urgent alerts. Individual cases described in this report cover the period from 1 January 2020 to 30 September 2024. The report highlights the convergence of the region's authorities in repressing human rights defenders, and silencing civil society and any dissenting voices.

During the period under review, the Observatory documented at least 61 cases of human rights violations against human rights defenders, including:

- **Enforced disappearances and torture:** 11 cases
- **Arbitrary arrests and detentions, judicial harassment:** 14 cases
- **Hate speech, threats, harassment and intimidation:** 8 cases
- **Infringements of freedom of expression and of the press, and attacks on journalists:** 11 cases
- **Infringements of freedom of association :** 9 cases
- **Infringements of freedom of assembly:** 8 cases

The analysis of individual cases reveals a growing trend of repression of human rights defenders in the four countries covered by the report, which manifests in targeted, systematic and multi-faceted attacks. Victims include lawyers, activists and members of associations, journalists and teachers, as well as other civil society members who protest against practices and actions by the authorities that violate human rights, in particular by speaking out and holding peaceful demonstrations.

Repression often takes the form of arbitrary arrests, detention and judicial harassment, frequently involving the misuse of certain laws to criminalise human rights defenders. These actions aim to neutralise them and prevent them from carrying out their legitimate activities. In **Mali** in particular, the state authorities have deployed an arsenal of laws and regulations, notably through the abusive and arbitrary use of the vague charge of “discrediting the state”. Abductions, illegal confinements, enforced disappearances and torture are also widely used by the authorities against human rights defenders in **Mali, Burkina Faso** and **Chad**. In **Burkina Faso**, state authorities systematically use decrees adopted in 2022 “on the organisation, powers and functioning of the National Theatre Operations Command” and in 2023 on “general mobilisation and warning” to carry out forced recruitments and abductions of human rights defenders and political opponents, turning this practice into a formidable tool of repression against all dissenting voices. Hate speech, threats, harassment and intimidation are also widespread in the four countries of the region, against human rights defenders and their families, both at home and in exile, to force defenders to cease their human rights work.

Alongside this direct repression of human rights defenders, civic space is also under attack and drastically shrinking, resulting in serious violations of fundamental freedoms. In **Mali, Niger** and **Burkina Faso**, freedom of expression and freedom of the press are constantly restricted. Local media are subject to control, while major international media outlets have been suspended. As a result, journalists and local media are increasingly practising self-censorship, faced with threats, arbitrary arrests and incommunicado detentions, forcing some journalists into exile.

There are also widespread infringements of the freedoms of association and demonstration. In **Burkina Faso, Niger** and **Mali**, the authorities impose measures to suspend, disband and control associations, with the aim of destroying any efforts to organise civil society. In **Chad**, the right to peaceful assembly was seriously jeopardised on several occasions in 2022, notably through arbitrary arrests of demonstrators and the murder of numerous protesters during a demonstration on 20 October 2022.

In this alarming context of prevailing impunity, the Observatory for the Protection of Human Rights Defenders urges the authorities in Burkina Faso, Mali, Niger and Chad to release all human rights defenders in arbitrary detention, and to cease all forms of harassment against them, including judicial harassment. Enabling conditions for legitimate action in defence of human rights must be guaranteed, in particular by putting an end to all forms of violation of fundamental rights, including the rights to freedom of association, demonstration and expression, as recognised in particular by the African Charter on Human and Peoples' Rights and the International Covenant on Civil and Political Rights (ICCPR), to which the states concerned are parties. This must go hand in hand with the freedom of the media and of journalists to carry out their legitimate activities, which are an essential means of protecting the rule of law and fundamental rights.

The Observatory also calls on the African Commission on Human and Peoples' Rights (ACHPR), the African Union and the United Nations (UN) to urge the authorities of Burkina Faso, Mali, Niger and Chad to put an end to all infringements and restrictions of fundamental freedoms, to guarantee respect for human rights and immediately cease all intimidation, judicial harassment, attacks and acts of reprisal against human rights defenders and their families. These international bodies must step up their support for civil society by conducting field missions to promote human rights and calling on the authorities to urgently invite ACHPR and UN Rapporteurs and other special procedures to visit the countries without restriction.

Introduction

1. Context

(1.1) Regional context

For many years, the Sahel region has grappled with a multidimensional crisis, characterised by steadily deteriorating security, economic, social and political conditions. This report focuses on the situations in Niger, Mali, Burkina Faso and Chad, where successive military coups have undermined institutional stability. In all four of these contexts, this report also notes a manifest tightening of the regimes in power, illustrated in particular by increased repression of human rights defenders.

The security situation has deteriorated, particularly in the tri-border region between Burkina Faso, Mali and Niger, as well as inside Burkina Faso and Mali. The 'security first' approach adopted by Sahel states and their partners, at the expense of a comprehensive strategy that prioritizes human security and tackles the root causes of conflict, such as impunity and poor governance, has undermined fundamental freedoms. Confronted with the constant threat of armed rebel and jihadist groups, states in the Sahel regularly implement emergency measures and counter-terrorism laws, restricting the enjoyment of certain fundamental rights in the name of state security, in particular freedoms of expression, opinion, demonstration and association. Human rights defenders, who are often on the front line in the exercise of these rights, are all too often perceived as dissenting voices and therefore face heightened targeting and repression.

In addition, the military authorities in these countries have adopted a political discourse depicting human rights as a "pretext" and those who defend them as "traitors to the nation", who represent obstacles to effectively combating terrorism and restoring territorial integrity. Human rights defenders are portrayed as complicit in terrorism and foreign interference, accused of undermining state sovereignty and contributing to national fragility, in a context of armed conflict where national unity and patriotism are paramount. This discourse is shaped by a global context where the universality of human rights is increasingly challenged, while decolonial struggles against imperialism continue to emerge and gain prominence. These dynamics have been fueled over the past few decades by a range of factors, including impunity for serious human rights violations and the recurrence of crisis and conflict situations, the failure of multilateralism and global governance, the increasingly obvious double standards in the international system, selective indignation at illiberal practices, and the rise of extremism - all set against a backdrop of worsening economic and social crises.

In Mali, Niger, Burkina Faso and Chad, increasing restrictions are being imposed on non-governmental organisations (NGOs), journalists and social activists. Civic space has been gradually reduced, notably through the adoption of restrictive laws, increased surveillance of civic activities, and the arbitrary arrest of civil society leaders. Moreover, government practices - often bolstered by the growing support of non-state actors who have grown in numbers in recent years and who contribute to the intimidation and repression of dissident - have increasingly converged to suppress critical voices, especially those campaigning for human rights, democracy and social justice.

It is in this context of instability and insecurity that independent civil society organisations and human rights defenders have a particularly vital role to play in preserving the rule of law and democracy. However, instead of genuinely consulting civil society actors and including them fully in the national consultations organised as part of the transition, the national authorities in these four countries have excluded critical organisations from these processes and have placed further restrictions on civic and democratic space.

The authorities employ a wide range of repressive tools, from legal and regulatory restrictions on fundamental freedoms such as freedom of association, expression and assembly aimed at impeding civil society action, to direct attacks on human rights defenders who denounce abuses by regimes in power and call for a return to constitutional order.

These repeated infringements of fundamental rights violate the constitutions, transition charters and regional and international obligations of these states, in particular those arising from the African Charter on Human and Peoples' Rights (ACHPR), the African Charter on Democracy, Elections and Governance, the ICCPR and other international human rights instruments that they have duly ratified. These violations have been denounced by Mary Lawlor,¹ the UN Special Rapporteur on the situation of human rights defenders, who stated that these practices against international and local human rights organisations are a further threat to respect for the rule of law and progress in the fight against impunity in the Sahel countries. The UN High Commissioner for Human Rights and the ACHPR have repeatedly called on these states, particularly Burkina Faso and Mali, to cease all violations of fundamental freedoms. The National Human Rights Commissions (NHRC) of Burkina Faso, Mali and Chad have also expressed concern about the threats and attacks against human rights defenders.

It should be noted that Burkina Faso, Mali and Niger have enacted legislation to protect human rights defenders, setting these countries of the Sahel region apart as pioneers in this area on the African continent.² Burkina Faso's National Assembly adopted Law No. 039-2017/AN on the protection of human rights defenders on 27 June 2017. In Mali, Law No. 2018-003 on human rights defenders was adopted on 12 January 2018, followed by an implementing decree issued in 2020. In Niger, the Law on the rights and duties of human rights defenders was adopted on 15 June 2022. Although the adoption of these laws was a source of hope, they have not been implemented, and the various coups d'état that have taken place in these three countries since their adoption have de facto rendered them ineffective.³

Who are human rights defenders?

The term "human rights defender" refers to any individual who, individually or in association with others, acts peacefully in the name of individuals or groups, to promote, defend, and protect the human rights and fundamental freedoms recognised by the Universal Declaration of Human Rights, and guaranteed by various international human rights instruments. Due to their active commitment to defending human rights, defenders face acts of reprisals, harassment, and violations of their rights by both state and non-state actors.

The UN Declaration on Human Rights Defenders,⁴ adopted by the UN General Assembly on 9 December 1998, emphasises the right of individuals "to promote and to strive for the protection and realisation of human rights and fundamental freedoms at the national and international levels," and the responsibility and duty of states to "protect, promote and implement all human rights and fundamental freedoms."

¹ Mary Lawlor, "Human rights defenders are not the enemy", 14 March 2024. <https://www.rappler.com/voices/thought-leaders/opinion-human-rights-defenders-not-enemy/>

² In addition to Burkina Faso, Mali and Niger, Côte d'Ivoire and DRC also adopted laws on the protection of human rights defenders, in 2014 and 2023 respectively, bringing to five the number of African countries with such laws.

³ For example, the law on the protection of human rights defenders in Burkina Faso states that "everyone in Burkina Faso has the right, individually or in association with others, to promote and defend human rights and fundamental freedoms" (Article 3) and that "human rights defenders may seek, obtain, retain or publish information on allegations of human rights violations or abuses" (Article 9), which is in stark contrast to the repression of human rights defenders currently taking place in the country.

⁴ *Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognized Human Rights and Fundamental Freedoms*, Resolution adopted by the UN General Assembly, A/RES/53/144, 9 December 1998. <https://docs.un.org/en/A/Res/53/144>

(1.2) Country contexts

Burkina Faso



Credit: European Union, 2013 - Data source : JRC, ESRI

President of the transition: Captain Ibrahim Traoré

Domestic political situation:

- December 2020: Re-election of President Roch Marc Christian Kaboré
- 24 January 2022: Military coup d'état by the “Mouvement Patriotique pour la Sauvegarde et la Restauration” (Patriotic Movement for Safeguard and Restoration – MPSR)
- 2 March 2022: Lieutenant-Colonel Damiba, President of the MPSR, is sworn in as President of the Transition.
- 3 July 2022: The transitional authorities of Burkina Faso reach agreement with the Economic Community of West African States (ECOWAS) on a timetable for the transition, providing for free and transparent elections to be held by July 2024 at the latest.
- 30 September - 2 October 2022: Coup d'état led by Captain Ibrahim Traoré, Head of “MPSR II”
- 14 October 2022: Captain Ibrahim Traoré is appointed President of the transition at a national conference.
- 21 October 2022: Apollinaire Joachim Kyélem de Tambèla is appointed Prime Minister of the transitional government.
- 16 September 2023: Creation of the Alliance des États du Sahel (Alliance of Sahel States – AES), comprising Burkina Faso, Mali and Niger
- 28 January 2024: Announcement of the decision by Burkina Faso, Mali and Niger to withdraw from ECOWAS

- 25 and 26 May 2024: The transitional authorities hold national conferences, convening the nation's "living forces" to decide on the next steps in the transition process, due to end on 1 July 2024. At the conclusion of a day of debates, a new transition charter is signed by Captain Ibrahim Traoré, setting the duration of the transition at five years from 2 July 2024 and appointing him as President of Burkina Faso.
- 6 December 2024: The Prime Minister of Burkina Faso, Apollinaire Joachim Kyélem de Tambèla, is dismissed and his government dissolved.

Security situation:

- Since 2015, Burkina Faso has been in the midst of an armed conflict pitting the country's armed forces, backed by the *Volontaires pour la défense de la Patrie* (Volunteers for the Defence of the Homeland – VDP), against jihadist and radical armed groups including *Ansaroul Islam*, a local armed group affiliated to Al Qaeda and the Islamic State in the Sahel (ISS), and *Jama'at Nusrat al Islam wal Muslimin* (JNIM).

Main forms of repression against human rights defenders:

Arrests; arbitrary detentions; enforced disappearances; abductions; illegal confinements; conscription; hate speech; harassment; threats; infringements of freedom of expression and of the press; attacks on journalists; infringements of freedom of association.

The alarming deterioration of the human rights situation in Burkina Faso,⁵ marked by a rising number of violations committed by all parties to the conflict since 2015, has been denounced on numerous occasions by national and international human rights organisations. Perpetrators include jihadist groups including *Ansaroul Islam* and JNIM, the national defence and security forces and the VDP.

At the same time, civic space has been drastically reduced since the arrival of the *Mouvement patriotique pour la sauvegarde et la restauration II* (Patriotic Movement for Safeguard and Restoration II – MPSR II) following Ibrahim Traoré's coup d'état⁶ on 30 September 2022, overthrowing Paul-Henri Sandaogo Damiba - himself the product of a coup on 25 January 2022.⁷ With the transition extended for an additional five years and Ibrahim Traoré proclaimed "President of Faso" on 2 July 2024 following the National Conferences at the end of May 2024, the country faces an increased risk of descending further into authoritarianism and repression.

On 6 November 2023, during a raising of the colours ceremony at Koulouba Palace, Captain Ibrahim Traoré, President of the Transition, justified the infringements of freedoms by declaring that "individual freedoms do not take precedence over those of the Nation".⁸ This stance directly contradicts Articles 3 and 8 of Burkina Faso's Constitution of 2 June 1991, which directly protects individual freedoms.

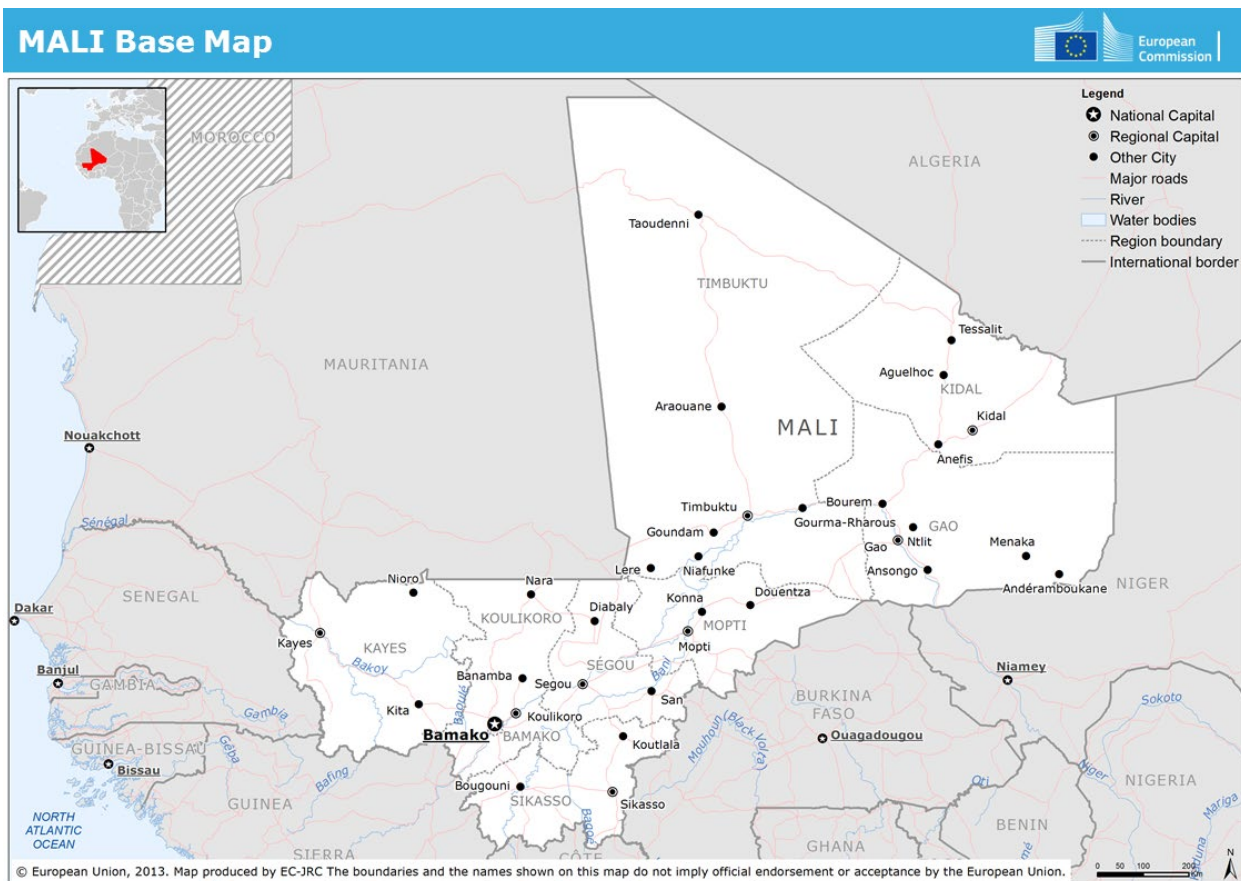
In this climate, human rights defenders in Burkina Faso are regularly subjected to threats and intimidation, as well as arbitrary arrests and detentions by the security forces, armed groups and pro-regime activists. This harassment is particularly visible on social networks, where defenders and their families are targeted and accused of complicity with jihadist groups or "foreign powers".

⁵ International Federation for Human Rights (FIDH), "*Spirale de violence au Burkina Faso : la FIDH demande la fin de l'impunité*" (Spiral of violence in Burkina Faso: FIDH calls for an end to impunity), 5 March 2024, <https://www.fidh.org/fr/regions/afrique/burkina-faso/spirale-de-violence-au-burkina-faso-la-fidh-demande-la-fin-de-l-impunit%C3%A9-et-le-week-end-2025-fait-plusieurs-dizaines-de-victimes>

⁶ *Mouvement patriotique pour la sauvegarde et la restauration* (MPSR), Burkina Faso Unité-Progress-Justice "*Communiqué n°01*" (Press Release No. 1), 30 September 2022, https://www.sig.gov.bf/fileadmin/user_upload/communiqu%C3%A9_n%C2%B001.pdf

⁷ FIDH and member organisations, Statement, "35th AU Summit and Governance in Africa: The African Union must address the recurrence of military coups and ensure the restoration of civilian rule based on respect for human rights, the rule of law and democratic governance", 4 February 2022, https://www.fidh.org/IMG/pdf/statement_fidh_35th_au_summit.pdf

⁸ Facebook post by the Presidency of Burkina Faso, 6 November 2023, <https://www.facebook.com/watch/?v=296840093247912>



Credit: European Union, 2013 - EC-JRC

President of the transition: General Assimi Goïta

Domestic political situation:

- 18 August 2020 and 24 May 2021: Two coups d'état are carried out by five colonels (including General Assimi Goïta, current President of the transition). The transition, initially due to end in 2022 in agreement with ECOWAS, has since been extended several times.
- December 2021: Organisation of national conferences to rebuild the state of Mali. These meetings culminate in 534 resolutions and a call for the transition period to be extended from six months to five years.
- July 2022:
 - The transition period is extended for the first time, postponing presidential elections until February 2024, agreed in a compromise with ECOWAS.
 - The end of the transition is set for 26 March 2024.
- 18 June 2023: Constitutional Referendum
- 22 July 2023: Promulgation of the Constitution of the 4th Republic of Mali
- 25 September 2023: a “slight postponement” of the presidential elections initially scheduled for 4 and 18 February 2024 is announced.
- 26 March 2024: End of the initial transition period; no new timetable is announced
- April-May 2024: Organisation of the inter-Malian dialogue. Among its 300 recommendations is a call for an extension of the transition until the “country is stabilised”, a period estimated at between two and five years.

- 16 October 2024: The President of the transition, General Assimi Goïta, and five of the main leaders of the military regime are elevated from the rank of colonel to that of lieutenant general on an “exceptional basis”, during a meeting of the Council of Ministers.
- 20 November 2024: Prime Minister Choguel Kokalla Maïga is dismissed and replaced by General Abdoulaye Maïga after criticising the extension of the transition period and the authoritarian methods of the military.

Security situation:

The armed conflict, which began in 2012 with the insurrection of jihadist and pro-Azawad independence groups, has gradually spread to the centre and south of the country, where armed groups have attacked state symbols and representatives, as well as civilians. Since 2018, FIDH and Malian civil society organisations have denounced the alarming deterioration of the situation in central Mali, characterised by the entrenchment of armed terrorist groups, the intensification of inter-community violence, and abuses committed by the Malian armed forces (FAMA) as part of anti-terrorist operations.⁹ Since the end of 2021, the Malian authorities have strengthened their military cooperation with Russia, with the presence of Russian instructors and the Russian paramilitary group Wagner. Operation Barkhane, the military operation led by the French army in the Sahel, withdrew definitively from Mali on 15 August 2022 (as did the European Task Force Takuba) at the request of the Malian authorities. The official end of the operation was announced by the French President, Emmanuel Macron, on 9 November 2022. The departure of the UN Multidimensional Integrated Stabilisation Mission in Mali¹⁰ (MINUSMA), also requested by the transitional Malian authorities, concluded on 31 December 2023. Community self-defence groups, jihadist insurgents, but also the Malian armed forces and their international partners in the Russian paramilitary group Wagner¹¹ continue to commit serious crimes, fuelling the cycle of violence in the country, to the detriment of the Malian people.

Main forms of repression against human rights defenders:

Arrests; arbitrary detentions; enforced disappearances; abductions; illegal confinements; hate speech; harassment, including judicial harassment; threats; use of abusive laws; infringements of freedom of expression and of the press; attacks on journalists; infringements of freedom of association.

Similarly to Burkina Faso, two successive coups d'état took place in Mali in less than nine months, in August 2020 and May 2021, bringing a military regime to power. After more than 10 years of conflict, the security and human rights situation is more critical than ever. Human rights abuses and violations¹², potentially constituting war crimes and crimes against humanity, are being committed against the civilian population, mainly in the centre of the country. These atrocities are perpetrated by all parties to the conflict, in particular radical groups (*Jama'at Nusrat al-Islam wal-Muslimin* – JNIM, and Islamic State – Sahel Province (ISSP) the national armed forces and their paramilitary partners.¹³ The presidential election, initially scheduled for 27 February 2024 to restore civilian rule, was once again postponed following the “inter-Malian dialogue” in April and May 2024¹⁴, during which the transition period was extended for two to five years¹⁵, and the the candidacy of General Assimi Goïta, who has served as President of the Transition since 24 May 2021, was “imposed”. These constant

⁹ FIDH report, *Central Mali: Populations caught between terrorism and anti-terrorism*, November 2018. <https://www.fidh.org/en/region/Africa/mali/central-mali-populations-caught-between-terrorism-and-anti-terrorism>

¹⁰ UN Multidimensional Integrated Stabilization Mission in Mali (MINUSMA). <https://minusma.unmissions.org/en>

¹¹ FIDH, “Wagner in Syria: Appeal to European Court of Human Rights after case dismissed in Russia”, 9 June 2022. <https://www.fidh.org/en/region/north-africa-middle-east/syria/syria-russia-wagner-appeal-european-court-human-rights>

¹² FIDH, “In central Mali, victims and persecutors live together”, 24 November 2022.

<https://www.fidh.org/fr/regions/afrique/mali/dans-le-centre-du-mali-victimes-et-bourreaux-vivent-ensemble>

¹³ *Ibid.*

¹⁴ FIDH, “Mali is sinking into authoritarianism”, 19 April 2024. <https://www.fidh.org/en/region/Africa/mali/mali-is-sinking-into-authoritarianism>

¹⁵ Presidency of the Republic of Mali, “*Fin du Dialogue inter-Maliens : remise du rapport final au Président de la Transition*” (End of the inter-Malian Dialogue: final report submitted to the President of the Transition), May 2024. <https://koulouba.ml/fin-du-dialogue-inter-maliens-remise-du-rapport-final-au-president-de-la-transition/#:~:text=Il%20a%20conclu%20en%20lan%C3%A7ant,plus%20able%20pour%20le%20Mali>

postponements have resulted in a de facto extension of the political transition, without a new timetable having been officially communicated, leaving the Malian population in a state of uncertainty.¹⁶ At the same time, opportunities for dissenting voices to be heard are progressively diminishing. Following the gradual closure of all forums of expression, including the silencing of journalists and national political figures, human rights organisations have now become the latest targets. The few organisations that enjoy freedom of expression are those that support the transitional authorities. These associations and affiliated activists routinely launch attacks on social networks and bring complaints before the Malian courts against human rights defenders who denounce human rights violations or criticise the exercise of state power. Since the military coup of May 2021, FIDH has documented numerous restrictions on freedoms of expression, press, association, assembly and demonstration. In addition to the ban on international media, which hinders the right to information and access to information, self-censorship within the national media is becoming widespread.

As in Burkina Faso, these restrictions include acts of pressure, harassment, intimidation and reprisals against defenders, including journalists and opinion leaders.

Alioune Tine, the United Nations Independent Expert on the situation of human rights in Mali from May 2018 to April 2024, sounded the alarm in his final statement following a mission conducted in February 2023:¹⁷ *“In addition to the human rights violations and abuses linked to the armed conflict, I am extremely concerned about the shrinking of civic space, freedom of expression and association, and the worsening of self-censorship, as illustrated by the attacks on human rights defenders denounced by several actors, including the National Human Rights Commission of Mali. I myself was the subject of verbal attacks on social networks before and during my visit.”*

In his last report, published in March 2024 and covering the period from 4 April to 30 November 2023,¹⁸ the Independent Expert confirmed this trend: *“...several people have been arrested, detained, tried or convicted simply for making comments that seem to fall within the legitimate exercise of the right to freedom of expression...”*.

In this context, defenders who legitimately denounce human rights violations are harshly targeted by the authorities and activists who support them.

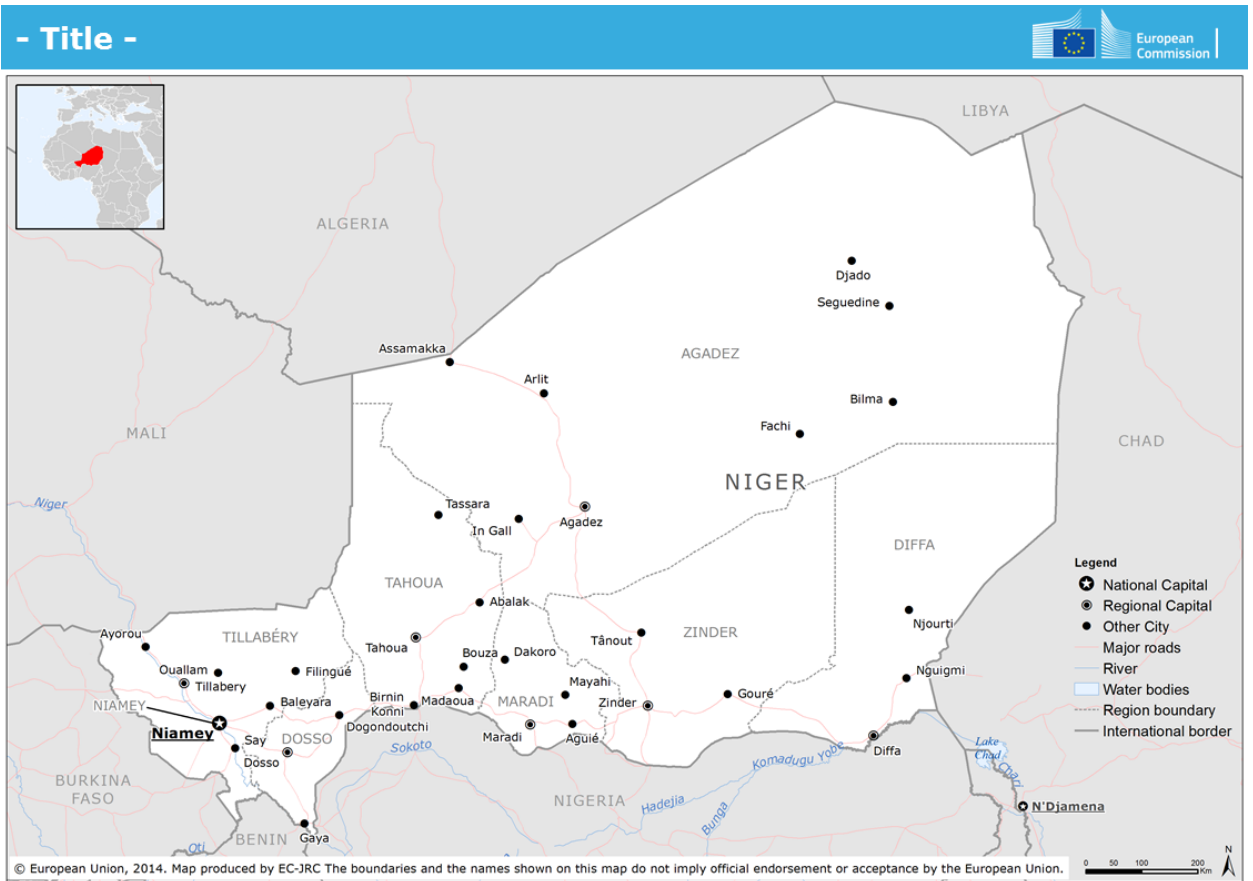
The comments of Mali’s Minister of Justice on 13 March 2023, at a workshop held in Bamako, illustrate the hostility of the Malian authorities towards civil society: *“The operationalisation of the new structure [National Human Rights Directorate] will take place in a particular context where our country is the victim of a smear campaign sustained by certain human rights organisations that do not hesitate to use our own citizens, for hidden agendas, to tarnish our country’s reputation.”*¹⁹

¹⁶ FIDH, “Mali: Four years after the putsch, permanent repression and a climate of terror persist”, 14 August 2024, <https://www.fidh.org/en/region/Africa/mali/mali-four-years-after-the-putsch-permanent-repression-and-a-climate>

¹⁷ OHCHR, “Mali: Transitional authorities must protect civic space, respect freedom of expression and association says UN expert”, 20 February 2023, <https://www.ohchr.org/en/press-releases/2023/02/mali-transitional-authorities-must-protect-civic-space-respect-freedom>

¹⁸ UN, Human Rights Council, *Situation of human rights in Mali, Report of the Independent Expert on the situation of human rights in Mali, Alioune Tine*, 13 February 2024, <https://documents.un.org/doc/undoc/gen/g24/015/36/pdf/g2401536.pdf>

¹⁹ Facebook post by the Malian Ministry of Justice, 13 March 2023, <https://www.facebook.com/100064672032594/posts/pfbid033grAr3KBZaY7Xjsq1qMJo7SBc4c81HtDazjiBxFBfS4NYP4aQikN5pKaGVNnc9al/?d=w&mibextid=qC1gEa>



Credit: European Union, 2014 - EC-JRC

President of the transition: General Abdourahamane Tiani

Domestic political situation:

- 2021: Mohamed Bazoum elected President of the Republic
- 26 July 2023: Coup d'état by General Abdourahamane Tiani, and establishment of a military regime under the name *Conseil national pour la sauvegarde de la patrie* (National Council for the Safeguard of the Homeland – CNSP)

Security situation:

Actions perpetrated by several armed terrorist groups on Niger’s borders with Mali, Burkina Faso, Benin, Nigeria and Chad (abductions, bombings, attacks) demonstrate the capacity of these groups to carry out operations in Niger.

Main forms of repression against human rights defenders:

Arrests; arbitrary detentions; enforced disappearances; abductions; illegal confinements; hate speech; harassment; threats; infringements of freedom of expression and of the press; attacks on journalists; infringements of freedom of association.

Like Burkina Faso and Mali, Niger is ruled by a military regime named the CNSP. The regime is led by General Abdourahamane Tiani, who on 26 July 2023 overthrew Mohamed Bazoum, the democratically elected president in the 2020-21 presidential election. The deposed President remains in detention. This is the fifth coup d'état in Niger’s history, the second in 13 years,²⁰ putting an end to political

²⁰ FIDH, "Niger: Another military coup in the Sahel, concern for civilians", 27 July 2023, <https://www.fidh.org/en/region/Africa/niger/niger-another-military-coup-in-the-sahel-concern-for-civilians>

alternation. The country faces instability and endemic violence, particularly in its border areas near Mali, Burkina Faso and Chad.

The military regime has persistently restricted civic space since 2014, almost systematically banning peaceful demonstrations and meetings while enacting repressive legislation to further stifle dissent.

The advent of military rule has further constricted civic and democratic space in Niger. The transitional government, under the pretext of “bringing order to the NGO and association sector in the country”, is seeking to increase control of human rights defenders. On 19 March 2024, at a press briefing, the Ministry of the Interior, Public Security and Territorial Administration revealed the military government’s intention to step up control over associations and NGOs, which, according to the authorities, must align themselves with state policies.

The latest example of this all-out crackdown was the abduction on 3 December 2024 of **Moussa Tiangari**, journalist and secretary general of *Alternative espaces citoyens* (AEC), a Niger-based organisation that defends human rights and promotes democratic values. After being held incommunicado for nearly 48 hours, Tiangari was located in the premises of the *Service Central de Lutte Contre le Terrorisme et la Criminalité Transfrontalière Organisée* (Central Service for Combating Terrorism and Organised Cross-Border Crime – SCLCT/CTO) in Niamey.²¹ At the time of finalising this report, he was still being arbitrarily detained in Filingué prison and charged with five counts.²²



Credit: AFP

Caption: Motorists drive past the National Assembly in Niamey, Niger, on 7 August 2023.

²¹ The Observatory for the protection of human rights defenders (FIDH-OMCT), Urgent Appeal NER 001 / 1224 / OBS 050, “*Niger : détention arbitraire de Moussa Tiangari*” (Niger: Moussa Tiangari arbitrarily detained), 6 December 2024, <https://www.fidh.org/fr/themes/defenseurs-des-droits-humains/niger-detention-arbitraire-de-moussa-tiangari>

²² The Observatory for the protection of human rights defenders (FIDH-OMCT), Urgent Appeal NER 001 / 1224 / OBS 050.1, “*Niger : poursuite de la détention arbitraire de Moussa Tiangari*” (Niger: Ongoing arbitrary detention of Moussa Tiangari), 14 January 2025, <https://www.fidh.org/fr/themes/defenseurs-des-droits-humains/niger-poursuite-de-la-detention-arbitraire-de-moussa-tiangari>

Chad



Credit: European Union, 2013 – Data sources : JRC, ESRI

Head of State: General Mahamat Idriss Déby

Domestic political situation:

- 19 April 2021: Announcement by the *Commission électorale nationale indépendante* (Independent National Electoral Commission – CENI) of the re-election of Idriss Déby Itno, in power for more than 30 years.
- 20 April 2021:
 - Death of President Idriss Déby Itno as a result of injuries sustained in fighting against the armed group *Front pour l'Alternance et la Concorde au Tchad* (Front for Change and Concord in Chad – FACT), which had launched an offensive from Libya.
 - Establishment of a Transitional Military Council (CMT) led by the son of the former president, Mahamat Idriss Déby. A Transition Charter “temporarily” replaces the Constitution, providing for the implementation of a peaceful transition, of limited duration (18 months), including all political movements and civil society and leading to the organisation of free and transparent elections, to enable a return to democratic institutions as soon as possible.
- 26 April 2021: The CMT appoints the first civilian government, led by Albert Pahimi Padacké, the unsuccessful candidate in the 2021 presidential election.
- 14 October 2022: A second, so-called national unity government is appointed under Prime Minister Saleh Kebzabo.

- 20 October 2022: Official end date of the 18-month political transition. However, the conclusions of the inclusive national dialogue extend the transition by a maximum of two years. The second phase of the transition is immediately marked by demonstrations on 20 October, which are violently repressed by law enforcement officers with tear gas and live ammunition. Following an investigation, the Chadian National Human Rights Commission (Chadian NHRC) publishes a report²³ in February 2023, stating that at least “128 people were killed, 518 injured, 12 disappeared, 943 arrested, 435 detained and 265 convicted”. It also states that violations continued in the days that followed, with dozens of cases of torture, abductions and illegal detentions, particularly at the Koro Toro high-security prison. The NHRC attributes “the main responsibility for all these human rights violations to officers vested with state authority, namely the FDS, who clearly failed in their duties”, while underlining that the figures presented in the report were “not exhaustive and [were] likely to be revised upwards”. In a joint report published in April 2023, the *Ligue tchadienne des droits de l'Homme* (Chadian League for Human Rights - LTDH) and OMCT documented the planned and disproportionate use of armed force, the hunting down of opponents, enforced disappearances and mass deportations to places of detention where torture was practised, with a death toll of 218, dozens tortured, hundreds injured, at least 40 cases of disappearances and 1,300 arrests.²⁴
- 23 November 2023: Chad's National Transitional Council (CNT), the country's legislative body, passes a general amnesty law. Its aim: to put an end to all prosecutions following the violent repression by law enforcement officers of demonstrations organised by civil society and the Chadian opposition on 20 October 2022. The adoption of this law follows the signing of the “reconciliation agreement” in Kinshasa on October 31, 2023, under the auspices of Félix Tshisekedi, President of the Democratic Republic of Congo. This agreement was reached between the Chadian military authorities and Succès Masra, President of the political party “*Les Transformateurs*”, a key opposition figure and leader of the 20 October 2022, demonstration. This agreement led to the withdrawal of the international arrest warrant against Masra and his return to Chad on 3 November 2023, after a year of forced exile. The law provides for general amnesty: “...all Chadian nationals residing in Chad or abroad (civilian or military) who were involved in, prosecuted or convicted for offences committed on 20 October 2022 are eligible for this amnesty...”.²⁵
- 17 December 2023: Chadians adopt a new Constitution establishing a highly decentralised unitary state.
- 29 December 2023: Chadian opponent Succès Masra, leader of the “*Les Transformateurs*” party, is appointed Prime Minister and head of the third transitional government.
- 28 February 2024: Yaya Dillo of the *Parti Socialiste Sans Frontières* (Socialist Party Without Borders – PSF), the main political party, is killed²⁶ in an assault on the party's headquarters by the Chadian security forces.
- 9 May 2024: Mahamat Déby is elected²⁷ President of the Republic in elections held on 6 May 2024 against a backdrop of protests and violence.
- 20 December 2024: Mahamat Idriss Déby is officially proclaimed “Marshal of Chad”.

²³ *Rapport d'enquête de la Commission nationale des droits de l'Homme sur les manifestations du 20 octobre 2022 au Tchad* (Investigation report by the National Human Rights Commission into the demonstrations of 20 October 2022 in Chad), February 2023, https://afriquexxi.info/IMG/pdf/rapport_tchad_20_octobre_2022_cndh_fevrier_2023.pdf

²⁴ OMCT and LTDH, *Rapport d'enquête sur la répression sanglante des manifestations du 20 octobre 2022 au Tchad* (Investigation report on the bloody repression of the demonstrations of 20 October 2022 in Chad), April 2023, <https://www.omct.org/site-resources/legacy/RAPPORT-%C2%AB-Ils-ont-enlev%C3%A9-trois-de-mes-fils-%C2%BB-TCHAD-OMCT.pdf>

²⁵ FIDH, “*Tchad : une loi d'amnistie au détriment de la justice*” (Chad: An amnesty law to the detriment of justice), 7 December 2023, <https://www.fidh.org/fr/regions/afrique/tchad/tchad-une-loi-d-amnistie-au-detriment-de-la-justice>

²⁶ FIDH, “Chad: FIDH calls for an independent investigation into the death of opposition figure Yaya Dillo”, 8 March 2024, <https://www.fidh.org/en/region/Africa/chad/chad-fidh-calls-for-an-independent-investigation-into-the-death-of>

²⁷ FIDH, “Chad: A violent post-election climate”, 15 May 2024, <https://www.fidh.org/en/region/Africa/chad/chad-a-violent-post-election-climate>

Security situation:

The Boko Haram group remains active in the Lake Chad region, as well as in other neighbouring countries (Nigeria, Niger and Cameroon). Armed Chadian rebel groups also make recurrent incursions into the country, particularly in the north, from Libya.

Military operations in response to these incursions take place periodically in the border regions concerned. In October 2024, for example, President Déby “personally” launched operation “Haskanite”, which he led from the province of Lake Chad for a period of two weeks.

In terms of military cooperation, in November 2024 Chad decided to put an end to its cooperation with France and called for the closure of the French military bases that had been present in the country since independence.

Main forms of repression against human rights defenders:

Arrests; arbitrary detentions; enforced disappearances; abductions; illegal confinements; hate speech; harassment; threats; infringements of freedom of assembly.

In Chad, the systematic criminalisation of civil society organisations defending human rights has continued under Mahamat Idriss Déby since he took power following the coup of 21 April 2021, after the death of his father, former President Idriss Déby Itno. After extending the transition²⁸ and removing the barrier²⁹ in the Transition Charter that prevented him from standing as a candidate in the presidential election at the end of the transition, in “Chad’s Inclusive and Sovereign National Dialogue” held in September 2022,³⁰ General Mahamat Idriss Déby stood in the presidential election of 6 May 2024 and was declared the winner in the first round.³¹

The military regime has stepped up judicial harassment of human rights NGO leaders, escalated threats against human rights defenders, and subjected these organisations to undisguised surveillance. Chadian human rights defenders are suffering the consequences of a culture of impunity and the widespread absence of the rule of law across the country.

For many years, FIDH and OMCT have been sounding the alarm about the silencing of voices advocating for genuine democracy in Chad, a trend that has characterised successive regimes over the last thirty years.

2. Methodology

In the context of the successive coups d’état in Burkina Faso, Mali, Niger and Chad, FIDH received numerous reports and requests from human rights defenders on the ground, highlighting their increasingly deteriorating situation. In recent years, in collaboration with civil society organisations in these countries, FIDH and OMCT, in the framework of their partnership within the Observatory for the Protection of Human Rights Defenders (the Observatory), have documented numerous cases of attacks against human rights defenders and civil society in the countries under review.

In response to the increasing number and systematic nature of these attacks, the authors of this report have compiled cases documented in the region by the Observatory since 1 January 2020. This compilation is further supplemented with additional research and interviews with a number of other defenders, journalists and members of civil society, both in the countries concerned and in exile. The goal is to identify the methods used to prevent human rights defenders from operating in these countries, and to highlight trends in repression across the region.

²⁸ FIDH, “*Tchad : répression systématique des manifestations contre la prolongation de la période de transition*” (Chad: Systematic repression of demonstrations against the extension of the transition period), 21 October 2022, <https://www.fidh.org/fr/regions/afrique/tchad/tchad-repression-systematique-des-manifestations-contre-la>

²⁹ US Department of State, Press Statement, Department Spokesperson, Ned Price, “Chad’s National Dialogue Commission Report”, 1 October 2022, <https://2021-2025.state.gov/chads-national-dialogue-commission-report/>

³⁰ United States Institute of Peace, “Chad’s National Dialogue Concludes Amid Uncertainties for the Transition”, 12 October 2022, <https://www.usip.org/publications/2022/10/chads-national-dialogue-concludes-amid-uncertainties-transition>

³¹ FIDH, “Chad: A violent post-election climate”, 15 May 2024, <https://www.fidh.org/en/region/Africa/chad/chad-a-violent-post-election-climate>

I. Attacks on human rights defenders

Political instability and chronic insecurity in the region have drastically reduced the space for civil society, which is now virtually non-existent in the countries considered in this report. Human rights defenders are under increasing attack aimed at silencing them. These attacks take a variety of forms, and the Observatory has observed similarities between the countries analysed.

1. Arbitrary arrest, detention and judicial harassment

In the four countries covered by this study, defenders have been arrested and/or arbitrarily detained and prosecuted in the last few years. These are recurrent techniques used by the authorities in these countries to neutralise independent civil society.

In **Burkina Faso**, members of civil society have been arrested outside any legal framework. One such case is that of **Guy Hervé Kam**, lawyer and human rights defender, and co-founder of *Balai citoyen*³². He was arrested on 24 January 2024 at Ouagadougou International Airport, as he was returning from a business trip, by the *Sûreté Nationale* (National Security Services, in violation of West African Economic and Monetary Union (WAEMU) regulations on the summoning, arrest or detention of lawyers.³³ On 7 March 2024, the Ouagadougou Administrative Court ruled that the grounds for his arrest were “null and void” and de facto ordered his release. However, the state appealed the decision and Kam remained in illegal detention.³⁴ This decision, which according to one of his lawyers, Ambroise Farama, was enforceable, was confirmed on 23 April 2024 by the Administrative Court of Appeal in Ouagadougou. On the evening of 29 May 2024, National Security officers reportedly “left him at an empty site, not far from his home”. Immediately after his release, another group of armed men from the *Agence nationale du renseignement* (National Intelligence Agency – ANR) picked him up and took him to an unknown destination. On 30 May 2024, he was charged with “conspiracy and criminal association”, echoing accusations of “attempting destabilisation” commonly used to justify arrests. He was remanded in custody. On 10 July 2024, he was released under judicial supervision. He was again arrested and placed in police custody before being detained under committal order by the military prosecutor for the same charge on 2 August 2024. At the time of publication, he was still in detention.

This type of arrest fails to comply with the rules and procedures set forth by law and violates several legal provisions, including the Constitution of Burkina Faso and the Law on Human Rights Defenders, which establish the right to a defence and the presumption of innocence, and the procedures applicable to the arrest of human rights defenders. Article 3 of the Constitution of Burkina Faso prohibits arbitrary arrest and detention in the following terms: “No one may be deprived of his liberty unless he is being prosecuted for acts provided for and punishable by law. No one may be arrested, held, deported or exiled except by virtue of the law”. Article 4 states that “All Burkinabé nationals and all persons living in Burkina Faso enjoy equal protection of the law. All are entitled to have their case heard by an independent and impartial court. All accused persons are presumed innocent until proven guilty. The right to a defence, including the right to choose freely one’s own defence counsel, is guaranteed before all courts”. Article 7 of the Law on Human Rights Defenders states that “Human rights defenders may not be arrested or prosecuted for their actions in defence of human rights carried out in accordance with the laws in force”.

³² *Balai Citoyen* is a Burkinabé civil society movement that was officially launched on 25 August 2013 with the vision of “making Burkina Faso a just and honest society under the democratic rule of law”.

³³ West African Economic and Monetary Union (UEMOA), *Règlement no 05/CM/UEMOA relatif à l’harmonisation des règles régissant la profession d’avocat dans l’espace UEMOA* (Regulation No. 05/CM/UEMOA on the harmonisation of the rules governing the legal profession in the UEMOA region). <https://justice.sec.gouv.sn/wp-content/uploads/2020/11/Reglement-05-CM-UEMOA-relatif-a-lharmonisation-des-regles-regissant-la-profession-davocat-dans-lespace-UEMOA-du-25-septembre-2014.pdf>

³⁴ Facebook post by Ismael Ouedraogo, 23 April 2024, <https://www.facebook.com/watch/?v=354186464311719>

At the end of a visit to Burkina Faso on 21 March 2024, the UN High Commissioner for Human Rights, Volker Türk, said in a press release that it was essential to create “a favourable environment for civil society actors and to listen to divergent points of view, so that everyone can exercise their human rights without fear of reprisals”.³⁵

On 27 March 2024, a dozen civil society organisations in Burkina Faso issued a joint statement³⁶ painting a bleak picture of the situation of human rights defenders and condemning these authoritarian excesses. They denounced these actions as clear violations of the Burkinabé Constitution, particularly Article 3.

The authorities in **Niger** also use arbitrary detention and judicial harassment to neutralise defenders and hinder their legitimate activities. This is illustrated by the case of **Abdoulaye Seydou**, coordinator of M62³⁷ and the *Réseau panafricain pour la paix, la démocratie, et le développement* (Pan-African Network for Peace, Democracy and Development – REPPAD).³⁸

On 23 January 2023, Abdoulaye Seydou appeared freely before the Niamey *Tribunal de grande instance hors classe* (Special High Court) in connection with proceedings brought against him by the public prosecutor. He was charged under Niger’s cybercrime repression law for alleged acts of “production and dissemination of data likely to disturb public order”. The prosecution was linked to M62’s denunciation of human rights violations against civilians by Niger’s defence and security forces during their military operations in Tamou, Say department, Tillabéri region, on 24 October 2022. During the hearing, the Prosecutor dropped the initial charges and asked for additional time to prepare the case on the grounds that “new facts had come to light”. After leaving the hearing and, following an unsuccessful attempt by police to arrest him, Seydou received a summons to appear for a court hearing immediately. On the same day, he was heard at a first appearance before the same court and was remanded in custody at the Kollo penal camp, south-east of Niamey, for “complicity in the arson of warehouses and houses used as dwellings” by gold miners in Tamou in connection with events that took place on 24 October 2022.³⁹ On that day, in response to a terrorist attack in which two police officers were killed, the Niger authorities launched an air raid on the warehouses where the terrorists were believed to be taking refuge in Tamou, killing several people and injuring dozens, including civilians. The Niger authorities then accused Abdoulaye Seydou and other unidentified individuals, including Abdoulaye Seydou, of deliberately setting fire to the homes of gold miners in the area in order to fabricate evidence to accuse the security and defence forces of abuses.

At the opening of his trial on 31 March 2023, the Niamey High Court dismissed the count of “complicity in arson”, with which Abdoulaye Seydou had been arbitrarily charged by the public prosecutor on 23 January 2023, and adjourned deliberations until 14 April 2023 on the initial charge of “production and dissemination of data likely to disturb public order”. On 14 April 2023, the Court sentenced him to nine months’ imprisonment and a fine of one million CFA francs (approximately 1,523 EUR) for “production and dissemination of data likely to disturb public order”.⁴⁰ He appealed against his conviction and was released in August 2023.



Abdoulaye Seydou

³⁵ UN News, “En visite au Burkina Faso, Volker Türk appelle à ne pas perdre de vue la grave situation dans ce pays” (On a visit to Burkina Faso, Volker Türk calls for us not to lose sight of the serious situation in the country), 21 March 2024. <https://news.un.org/fr/story/2024/03/1144231#:~:text=A%20l%27issue%20d%27une,la%20situation%20des%20droits%20humains>.

³⁶ Facebook post by Mouvement burkinabè des droits de l’Homme et des peuples (Burkina Faso Movement for Human and Peoples’ Rights – MBDP), Joint declaration by 11 Burkina Faso civil society organisations on the national situation, 27 March 2024. https://www.facebook.com/permalink.php?story_fbid=818573940308621&id=100064680667504

³⁷ M62 is a movement composed of several civil society organisations created in August 2022 to mark the 62nd anniversary of Niger’s declaration of independence.

³⁸ REPPAD is a pan-African organisation for the defence of human rights and democracy created in 2011. It is a member of the People’s Coalition for the Sahel.

³⁹ The Observatory for the protection of human rights defenders (FIDH-OMCT), Urgent Appeal NER 001/0223/OBS 008 “Niger : détention arbitraire d’Abdoulaye Seydou” (Niger: Abdoulaye Seydou arbitrarily detained), 3 February 2023. <https://www.fidh.org/fr/themes/defenseurs-des-droits-humains/abdoulaye-seydou>

⁴⁰ The Observatory for the protection of human rights defenders (FIDH-OMCT), Urgent Appeal NER 001/0223 /OBS 008.1, “Niger : Condamnation d’Abdoulaye Seydou” (Niger: Abdoulaye Seydou sentenced), 20 April 2023. <https://www.fidh.org/fr/themes/defenseurs-des-droits-humains/niger-condamnation-d-abdoulaye-seydou>

Activist **Samira Ibrahim**, known on social networks as “Precious Mimi”, was arrested on 7 September 2023 by the *Direction générale de la documentation et de la sécurité extérieure* (Niger General Directorate for Documentation and External Security – DGDSE), where she was held for five days without any visiting rights. She was initially charged with “undermining state security” for sharing a post on Facebook alleging that Nigerien authorities visiting Algeria had not been received by Algerian officials. The facts were subsequently reclassified by the criminal police as “production of data likely to disturb public order and undermine human dignity”. On 3 October 2023, she was sentenced to a six-month suspended prison sentence and fined 300,000 CFA francs (approximately 458 EUR).

Activist, journalist and human rights defender **Mamane Kaka Touda**, a member of the *Alternative Espaces Citoyens* association, received a phone call on 24 July 2024 from the head of the cybercrime division of the Niamey criminal police, who said he wanted to see Touda at his office in relation to a case in which he was involved. After more than three hours of questioning, he was charged with “disseminating data likely to disturb public order and undermine human dignity”, in connection with a post on his Facebook page denouncing the coup d'état. Mamane Kaka Touda spent the night in police custody before being brought before the judge of the Niamey High Court on 25 July 2024, who dismissed the case and released him.

Journalists **Samira Sabou**, **Soumana Idrissa Maiga** and **Ousmane Toudou** have also been victims of arbitrary detention and judicial harassment for speaking out against poor governance and human rights violations in Niger.⁴¹

Such practices are also common in **Chad**, where **Ahmat Haroun Larry**, activist and whistleblower, President of the *Groupe de réflexion sur l'avenir et la construction du Tchad* (Group for reflection on the future and construction of Chad – GRAC-TCHAD), was held incommunicado from 10 May to 13 June 2024.⁴² He was arrested by the *Agence nationale de sécurité de l'État* (National State Security Agency – ANSE). Prior to his arrest, he had received a call from a person suspected of being an ANSE intelligence officer, asking him to go to a location in N'Djaména. The exact reasons for his arrest remain unknown, but his lawyers suspect that it was linked to statements that he made live on social networks, in which he repeatedly criticised the President of the Chadian Transition, Mahamat Idriss Déby Itno, elected on 6 May 2024, and his chief of staff, Idriss Youssouf Boy. His most recent statements concerned “unpopular measures” that have led to a significant increase in the cost of living in Chad, particularly the cost of fuel.

This arrest is part of a broader pattern of physical and judicial repression against Ahmat Haroun Larry. A frequent target of judicial harassment, he has faced recurrent complaints and court summonses, largely due to his criticism of the Chadian authorities and his calls for better governance and management of public affairs. In March 2022, he was imprisoned for several weeks following a complaint of “defamation, insult and contempt” filed by the mayor of N'Djaména, before ultimately being acquitted. After the police assault on the headquarters of the *Parti Socialiste Sans Frontières* (PSF), which led to the assassination of Yaya Dillo, the main opponent of Mahamat Idriss Déby Itno's regime, Ahmat Haroun Larry left the country at the end of February 2024 for the United Kingdom, fearing that the crackdown on activists would intensify. His asylum application was pending there until, on 9 May 2024, he decided to return to Chad, following assurances from various Chadian authorities that he would not be harassed. He was arrested the day after his arrival in the country.

In addition, the President of the *Organisation tchadienne des droits humains* (Chadian Human Rights Organisation – OTDH), **Baradine Berdei Targuio**, was arrested on 24 January 2020.⁴³ After being



⁴¹ For more information on the cases of Samira Sabou, Soumana Idrissa Maiga and Ousmane Toudou, see *infra* II. 1.. “Infringements of freedom of expression and of the press, and attacks on journalists”.

⁴² The Observatory for the protection of human rights defenders (FIDH-OMCT), Urgent Appeal TCD 001/0524/OBS 019 “*Tchad : Arrestation et détention au secret du président du GRAC-TCHAD Ahmat Haroun Larry*” (Chad: Arrest and incommunicado detention of GRAC-TCHAD President Ahmat Haroun Larry), 30 May 2024, <https://www.fidh.org/fr/themes/defenseurs-des-droits-humains/tchad-arrestation-et-de-la-detention-au-secret-du-president-du-grac>

⁴³ The Observatory for the protection of human rights defenders (FIDH-OMCT), Statement “*Tchad : Le président de l'Organisation Tchadienne des Droits Humains Baradine Berdei Targuio doit être libéré !*” (Chad: The president of the Chadian Human Rights Organisation Baradine Berdei Targuio must be released!), 3 September 2020, <https://www.fidh.org/fr/regions/afrique/tchad/tchad-le-president-de-l-organisation-tchadienne-des-droits-humains>

held incommunicado for nearly seven months, during which time he had no access to his family or lawyers, Baradine Berdei Targuio was handed over to the courts on 21 August 2020 and charged with “undermining national security”, “illegal possession of weapons” and “assault and battery”. These charges were eventually dropped and reclassified as “undermining the constitutional order” by the Chad Criminal Court, which sentenced him on 18 February 2021 to three years in prison and a fine of 250,000 CFA francs (approximately 380 EUR). He was released on 10 June 2021.⁴⁴ Two days before his arrest, on 22 January 2020, Baradine Berdei Targuio posted a message on Facebook about President Idriss Déby Itno’s alleged health problems. Earlier, he had sent an open letter to the Chadian President, expressing concern about the human rights situation in the Tibesti region. On 24 May 2023, Baradine Berdei Targuio was granted amnesty.⁴⁵

Abuse of laws to criminalise human rights defenders

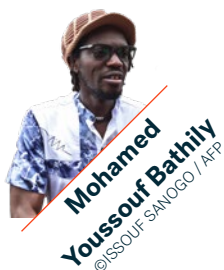
To criminalise their activities and justify the arrest of human rights defenders, the authorities in the four countries studied in this report exploit the full arsenal of laws and regulations at their disposal and abuse certain provisions, in order to silence them.

This is particularly evident in Mali, where since 2022, the charge of “discrediting the state”, under Articles 172 et seq. of the Malian Penal Code, punishable by three months to two years’ imprisonment and a fine of between 24,000 and 240,000 CFA francs (approximately 36 to 366 EUR), has been used in an abusive, disproportionate and inappropriate manner with the sole aim of silencing dissenting voices.

A number of prominent figures have been imprisoned for criticising the transitional authorities and/or calling for a return to constitutional order, in violation of freedom of expression guaranteed by the Malian Constitution and the national law on human rights defenders.

On 13 March 2023, **Mohamed Youssouf Bathily, aka Ras Bath**, columnist, radio host and leader of the *Collectif pour la défense de la République* (Collective for the Defense of the Republic), was arrested by the 5th arrondissement police station in Bamako on the basis of a complaint lodged by the *Collectif pour la défense des militaires* (Collective for the Defense of Soldiers – CDM), after he stated that former Prime Minister Soumeylou Boubèye Maïga, who died in custody on 21 March 2022, had been “assassinated”. Bathily was brought before the judge of the Tribunal de Grande Instance de la Commune IV and detained under committal order for making unfounded claims. He was tried on 11 July 2023 and acquitted. However, he remained in detention on unfounded charges of “criminal conspiracy”, and “discrediting the state’s institutions and governors through the information system”. His request for release, submitted on 11 October 2024, was rejected by the courts on 31 October 2024. He faces a prison sentence of between 5 and 20 years.

On 13 March 2023, **Sidibé Rokia Doumbia, aka “Rose la Vie Chère”**, a campaigner against the high cost of living in Mali, was arrested by police in Bamako’s 5th arrondissement after denouncing⁴⁶ the high cost of living and the authorities’ inaction to address it in a video posted on the TikTok social networking site. After 48 hours in police custody, she was brought before the prosecutor in charge of cybercrime, Idrissa Touré, on 15 March 2023, who immediately placed her under a committal order at the Bollé prison for women and minors in Bamako for “inciting revolt”, “disturbing public order through the use of information and communication technologies”, and “offending and insulting the Head of State”. On 3 May 2023, she was due to be released on bail after paying one million CFA francs (approximately 1,525 EUR). However,



Mohamed Youssouf Bathily
@ISSOUF SANOGO / AFP



Sidibé Rokia Doumbia

⁴⁴ RFI, “Tchad : le défenseur des droits humains Baradine Berdei Targuio libéré de prison” (Chad: Human rights defender Baradine Berdei Targuio released from prison), 11 June 2021, <https://www.rfi.fr/afrique/20210611-tchad-le-d%C3%A9fenseur-des-droits-humains-baradine-berdei-targuio-lib%C3%A9r%C3%A9-de-prison>

⁴⁵ Le Pays, “Le défenseur des droits humains, Baradine Berdei Targuio et 10 officiers graciés par le Président de transition” (Human rights defender Baradine Berdei Targuio and 10 officers pardoned by the President of the transitional government), 24 May 2023, <https://www.lepaystchad.com/29982/>

⁴⁶ Facebook post by Malick Konaté, 13 March 2023, https://www.facebook.com/watch/?v=1628882824243856&extid=WA-UNK-UNK-UNK-IOS_GK0T-GK1C&mibextid=qC1gEa&ref=sharing

just before her scheduled release, and at the initiative of the public prosecutor, she was brought before the investigating judge of Bamako's Commune 4 Court on 29 March 2023. Following this appearance, the prosecutor issued a last minute committal order on new charges of "criminal conspiracy, discrediting the state's judicial and political governance". These charges carry penalties of between five and 20 years' imprisonment. On 2 August 2023, she was sentenced at first instance to one year's imprisonment and a fine of one million CFA francs for "inciting revolt and disturbing public order through the use of information and communication technologies". However, in July 2024, the Court of Appeal acquitted her of these charges. Despite this acquittal, at the time of this report's publication, she remained in detention under the second set of "criminal conspiracy" charges.

Dr Etienne Fakaba Sissoko, economist and professor at the University of Social Sciences and Management in Bamako, was arrested and placed in police custody on 25 March 2024 by the Bamako Criminal Investigation Brigade, following a message posted on his Facebook page that day entitled "*On y est!!!! #findelatransition #AllonsauxElections*" (This is it!!!! #transitionover #Let'sHoldElections),⁴⁷ referring to the official end date of the transition. On 27 March 2024, he was placed under committal order by the Prosecutor of the National Cybercrime Unit in Mali, Adama Coulibaly, and charged with "discrediting the state", "insults" and "disseminating fake news attributed to third parties, thereby disturbing public peace". The charges were said to be related to the publication in 2023 of his book entitled *Propagande, Agitation et Harcèlement (la communication du gouvernement de transition)* (Propaganda, Agitation and Harassment [the transitional government's communication]). The context of his arrest reveals the political nature of the proceedings against him, which are aimed solely at punishing him for criticising the governance of the country and calling for a return to constitutional order. On 6 May 2024, he appeared before the National Cybercrime Unit in Mali. That same day, after a summary trial, he was sentenced to two years' imprisonment, with one year suspended, and fined 3,000,000 CFA francs (approximately 4,570 EUR). His lawyer had argued that "no evidence [had] been provided of any violation of the law". Amnesty International called for his "immediate and unconditional release"⁴⁸. His appeal was scheduled for 11 November 2024, but was adjourned to 2 December 2024 in order to serve a "regular summons" on the *Direction générale du contentieux de l'État* (General Directorate of State Litigation), a civil party in the trial. On 16 December 2024, the Bamako Court of Appeal upheld the lower court's decision. At the time of publication of this report, he remains in arbitrary detention.

Adama Diarra, aka "Ben le Cerveau", leader of the movement "*Yerewolo debout sur les remparts*", an association, and a former close ally of the current regime, was also arrested and convicted on similar charges after he called for a return to constitutional order. On 5 September 2023, the cybercrime prosecutor at the Tribunal de Grande Instance in Bamako's Commune VI issued a committal order against the activist for "*flagrante delicto*" following a statement he made on a private radio station denouncing extrajudicial arrests and calling for the transition timetable to be respected. On 26 February 2024, he was tried and sentenced to six months' imprisonment for "discrediting the state". On 4 March 2024, the day before his sentence was due to end, he was brought before a cybercrime court judge and charged with a new count of "threats and insults against the authorities". This followed a complaint by the CDM, which has close ties with the ruling military and is active in lodging complaints against its opponents, in connection with a case of audio recordings dating back to 2021 and November 2022. He is still awaiting trial on this charge and remains in arbitrary detention at the time of publication of this report. **Siriki Kouyaté**, radio host and spokesperson for the movement "*Yerewolo debout sur les remparts*", was also remanded in custody in September 2023 after speaking out on the trial of *Ben le Cerveau*. He was charged with "discrediting the state" and sentenced on 11 March 2024 to 18 months in prison, with nine months suspended. After serving half of his sentence, he was granted early release on 11 June 2024.



⁴⁷ Facebook post by Etienne Fakaba Sissoko, 25 March 2024, https://www.facebook.com/story.php?story_fbid=2124259764591067&id=100010211924047&mibextid=qj2Omg&rdid=Zi4FhMVxQ9GtdiEh

⁴⁸ X post by Amnesty West & Central Africa, 21 May 2024, <https://x.com/amnestywaro/status/1792876999586807957>



Credit: STRINGER AFP
Caption: Bamako Court of Appeal, Mali

2. Abductions, illegal confinements, enforced disappearances and torture

In Mali, Burkina Faso and Chad, the authorities use abduction, illegal confinement, enforced disappearance, torture and ill-treatment against human rights defenders. These acts are sometimes carried out by intelligence and/or security services, but unidentified individuals are also involved. Human rights defenders who are victims of these practices often suffer physical and/or psychological consequences.

In **Mali**, since 2022, the intelligence services, in particular the *Agence nationale de la sécurité d'État* (National Agency for State Security – ANSE), commonly known as “SE: Sécurité d'État”, have carried out increasing numbers of abductions and incommunicado detentions of defenders, including journalists. Victims are abducted, often in broad daylight, hooded and taken to unknown destinations. After several days during which their families are without news, the victims are released and left somewhere in the capital, Bamako. The duration of their detention varies from three days to three months. Despite the silence imposed on the victims after their release, several have reported being subjected to psychological and physical torture. The Malian security and judicial authorities, who are regularly alerted by the families of the victims, the press and civil society organisations, have failed to conduct any investigation into these serious human rights violations, which fall under and are punished by the Malian Criminal Code,⁴⁹ or to prosecute the perpetrators. These abductions, like the other violations described above, severely infringe the rights to liberty and security of persons, and to freedom of expression, opinion and the press, as guaranteed by Articles 2, 14 and 15 of the Malian Constitution of 22 July 2023,⁵⁰ as well as by Articles 6 and 9 of the ACHPR, and Articles 9 and 19 of the ICCPR to which Mali is a party.

These practices, in blatant breach of the rule of law, were documented in a book⁵¹ by Mali Gendarmerie Colonel Alpha Yaya Sangaré, *Mali : Le défi du terrorisme en Afrique* (Mali: The Challenge of Terrorism in Africa), published on 24 February 2024. In this book, for which he was imprisoned,⁵² the author, who also worked for the *Direction Générale de la Sécurité d'État* (General Directorate of State Security – DGSE), which became ANSE in 2021, refers to the modus operandi and torture used by these services and states that “these acts of torture documented by human rights organisations could

⁴⁹ Penal Code of Mali: <https://sgg-mali.ml/codes/mali-code-2001-penal-maj-2016.pdf>

⁵⁰ Constitution of Mali: <https://sgg-mali.ml/JO/2023/mali-jo-2023-13-sp-2.pdf>

⁵¹ Report on the *Office de Radio et Télévision du Mali* (Mali Radio and Television Office) Facebook live, 26 February 2024. https://www.facebook.com/watch/live/?ref=watch_permalink&v=710179561291828

⁵² Human Rights Watch, “Mali: Security Force Whistleblower Arrested”, 4 March 2024. <https://www.hrw.org/news/2024/03/04/mali-security-force-whistleblower-arrested>

give rise to prosecution of their military perpetrators under Malian law in force”. The book has been censored by the Malian authorities and is no longer available.

Between December 2022 and the date of publication of this report, the Observatory has documented at least five abductions of defenders in Mali, including two journalists. Some were tortured by the intelligence services. This number is far from exhaustive, as some lower-profile individuals have also spent time in ANSE jails without public knowledge.

Sory Koné, Director of *Radio Danaya* in Souba, was abducted on 26 January 2023 in Ségou by alleged members of the defence and security forces and has been missing ever since.

Hamadoune Dicko, doctor, former president of *Jeunesse Pulaaku Mali* (Youth Pulaaku Mali) and current president of *Jeunesse Pulaaku International*, an organisation documenting human rights violations in Mali, was abducted by ANSE on 16 December 2023 and released on 11 March 2024. On the night of 16 December 2023, the eve of the Tabital Pulaaku regional youth congress hosted by his organisation in Bamako, Dicko was in his vehicle in Yirimadio, commune 6, Bamako, when he was blocked in traffic by at least four unmarked vehicles, at around 1am. He was hooded and forced to follow his captors to an unknown destination. He was held in a room on an estate owned by the family of a high-ranking Malian army officer, located to the north of Bamako, probably in Niamana. He was interrogated on 24 December, 2023 from 4pm to 7pm and again on 20 January 2024. His captors accused him of being an accomplice of Amadou Koufa, leader of *Katiba Macina*, a radical group affiliated to JNIM, and of being in contact with the French-language media Radio France internationale (RFI), despite the fact that his organisation publicly documents and denounces human rights violations, regardless of the party involved. After being held captive for nearly three months, he was released on 11 March 2024 at around 10pm. His captors put him in his vehicle and drove him to the “Obélisque” or “Bougie ba” monument in Hamdallaye ACI.



On 14 December 2023, two days before his abduction, Hamadoune Dicko had been summoned to the ANSE offices, where he was intimidated and told not to organise any more meetings or conferences, on the grounds that his life would be in danger. One of his friends, **Mohamed Ag Badian**, an activist member of *Jeunesse Pulaaku*, was also abducted on 18 December 2023 and held at ANSE, where he was tortured on the same basis. He was released after being held for two months and 16 days. ANSE has denied that Dicko was abducted, and the Malian authorities have failed to conduct any investigation into the matter, confirming the hypothesis that Dicko was abducted by ANSE, whose *modus operandi* is well known.

Amara Bathily, an activist close to the Prime Minister, was abducted on the evening of 28 April 2024, according to the administrator of his Facebook page,⁵³ before being released on 2 May 2024. On 8 May 2023, he had denounced the abduction of journalists and the 2016 disappearance of Birama Touré and questioned the silence of the national authorities.

Oumarou, aka Yeri Bocoum, journalist, cyberactivist, Vice-President of the *Association des professionnels des médias sociaux et web acteurs* (Association of Social Media Professionals and Web Actors – APMSWA) and Director of the independent online media *Yeri Bocoum Communication*, was abducted from his home in Kati on 8 June 2024. He was released on 27 June 2024, after 19 days of incommunicado detention by the Malian State Security services. During his detention, the identity of his abductors and his whereabouts were unknown. On the day of his abduction, witnesses testified that his abductors were dressed in civilian clothes. His family and his organisation had no news of him until his release. According to Malian security sources, Yeri Bocoum’s abduction was linked to his coverage as a journalist of a spontaneous demonstration against the high cost of living and electricity shortages, organised on 7 June 2024 in front of the Malian Chamber of Commerce and Industry in Bamako by *Synergie d’Action pour le Mali*, a coalition of civil society organisations and political groupings formed



⁵³ Facebook post on Bathily Amara’s page, 29 April 2024, https://www.facebook.com/story.php?story_fbid=979232720227917&id=100044235953413&mibextid=qj2Omg&rdid=1aj1iuB0XEwBf9ac

on 17 February 2024. Bocoum was one of the few journalists covering the event. Yeri Bocoum was reportedly “advised” not to attend the event, which was banned by the Malian transitional authorities.⁵⁴

The authorities in **Chad**, like the Malian authorities, carry out abductions to intimidate defenders. This was the case of **Gilbert Morba**, member of the *Coordination des actions citoyennes “Wakit Tama”* (“Wakit Tama” Citizen Action Coordination),⁵⁵ in charge of citizen mobilisation, who was arbitrarily arrested on 26 April 2021. On leaving his consulting firm in the Chagoua district of N’Djamena, Morba was abducted by unidentified armed men in a vehicle and taken to an unknown destination. He was seen later the same day at the offices of the General Intelligence Service in N’Djamena. In the absence of evidence, Gilbert Morba was released on the evening of 27 May 2021, after more than a month in detention.⁵⁶

In **Burkina Faso**, the authorities also abduct defenders to silence them. In early January 2023, following a press release issued by the *Collectif contre l’impunité et la stigmatisation des communautés* (Collective against Impunity and Stigmatisation of Communities – CISC) on 2 January 2023,⁵⁷ and interviews in the national and international media about the Nouna tragedy,⁵⁸ **Dr Daouda Diallo**, Secretary General of the movement, escaped several abduction attempts. After being followed by two individuals on a motorbike, he took refuge at the headquarters of a human rights organisation before finding other hiding places. He was abducted and sent to the front in December 2023⁵⁹ and was released in March 2024.⁶⁰

On 29 January 2024, **Moussa Diallo**, assistant in philosophy at the Manga University Centre and Secretary General of the *Confédération générale du travail du Burkina* (Burkina General Labour Confederation – CGT-B), escaped an abduction attempt by the defence and security forces from his home. He had been about to attend defamation proceedings brought by the CGT-B against Adama Siguiré, a lawyer and writer close to the regime, who accused the Confederation of “promoting laziness, mediocrity and dishonesty” and of “receiving money from imperialism to destabilise the transition”.⁶¹ Since then, for fear of being abducted and conscripted, he has been in hiding. He was disbarred from the civil service for “abandoning his post” at a Council of Ministers meeting on 25 April 2024.

Atiana Serge Oulon, investigative journalist and editor of the fortnightly publication *L’Événement*, Burkina Faso’s leading investigative newspaper since 2001, was abducted on 24 June 2024⁶² and is still missing at the time of publication of this report. On the night of 24 June 2024, Atiana Serge Oulon was abducted from his home in Ouagadougou by unidentified individuals. A few hours later, two men, claiming to be members of the ANR, went to his wife’s home and seized his computer and



Atiana
Serge Oulon

⁵⁴ The Observatory for the protection of human rights defenders (FIDH-OMCT), Urgent Appeal MAL 001/0624/OBS 026, “Mali : Enlèvement du journaliste et cyberactiviste Yeri Bocoum” (Mali: Abduction of journalist and cyber-activist Yeri Bocoum), 26 June 2024, <https://www.fidh.org/fr/themes/defenseurs-des-droits-humains/mali-enlevement-du-journaliste-et-cyberactiviste-yeri-bocoum>

⁵⁵ “Wakit Tama” is a movement of human rights organisations, trade unions and opposition political parties. Since the death of Marshal Idriss Déby Itno and the takeover by the transitional military authorities in April 2021, its members have repeatedly called for demonstrations to call for a return to democratic rule and respect for human rights in the country, including the right of peaceful assembly and demonstration.

⁵⁶ The Observatory for the protection of human rights defenders (FIDH-OMCT), Urgent Appeal TCD 003/0521/OBS 063, “Tchad : Disparition et libération de Gilbert Morba” (Chad: Disappearance and release of Gilbert Morba), 28 May 2021, <https://www.fidh.org/fr/themes/defenseurs-des-droits-humains/tchad-disparition-et-liberation-de-gilbert-morba>

⁵⁷ Burkina 24, “Nouna : Le communiqué du Collectif contre l’impunité et la stigmatisation des communautés (CISC)” (Nouna: Press release from the Collective against Impunity and Stigmatisation of Communities (CISC)), 2 January 2023, <https://burkina24.com/2023/01/02/nouna-le-communique-du-collectif-contre-limpunite-et-la-stigmatisation-des-communaut-es-cisc/>

⁵⁸ Amnesty International, “Burkina Faso: Perpetrators of Nouna killings must face justice”, 10 January 2023, <https://www.amnesty.org/en/latest/news/2023/01/burkina-faso-perpetrators-of-nouna-killings-must-face-justice/>

⁵⁹ The Observatory for the protection of human rights defenders (FIDH-OMCT), Urgent Appeal BFA 001/1223/OBS 042, “Burkina Faso : enlèvement et disparition forcée du Dr Daouda Diallo” (Burkina Faso: Kidnapping and enforced disappearance of Dr Daouda Diallo), 4 December 2023, <https://www.fidh.org/fr/themes/defenseurs-des-droits-humains/burkina-faso-enlevement-et-disparition-forcee-du-dr-daouda-diallo>

⁶⁰ For more information on the situation of Daouda Diallo, see *infra*, Box: “Conscription as a weapon used to silence human rights defenders in Burkina Faso”.

⁶¹ *Parti communiste des ouvriers de France* (French Workers’ Communist Party), “Tentative d’arrestation du secrétaire général de la CGT- (CGT du Burkina-Faso)” (Attempted arrest of the general secretary of the CGT), 30 January 2024, <https://www.pcof.net/tentative-darrestation-du-secretaire-general-de-la-cgt-cgt-du-burkina-faso/>

⁶² The Observatory for the protection of human rights defenders (FIDH-OMCT), Urgent Appeal BFA 001/0724/OBS 030 “Burkina Faso : enlèvement du journaliste Atiana Serge Oulon” (Burkina Faso: Kidnapping of journalist Atiana Serge Oulon), 18 July 2024, <https://www.fidh.org/fr/themes/defenseurs-des-droits-humains/burkina-faso-enlevement-du-journaliste-atiana-serge-oulon>

telephone equipment. On the day of his abduction, he had been due to attend defamation and public insult proceedings at the Tribunal de Grande Instance Ouagadougou I (District Court Ouagadougou I), brought by *L'Événement* against Adama Siguiré, a pro-government activist who had accused the newspaper on his Facebook page of seeking to derail the transition by relaying false information. This abduction is one of a series of acts of repression by the Burkinabé authorities against Atiana Serge Oulon and the newspaper *L'Événement*, illustrating attacks on freedom of expression in Burkina Faso. On 20 June 2024, the newspaper was suspended for one month by the *Conseil supérieur de la communication* (Higher Council for Communication – CSC), the media regulatory body, following a publication headlined “400,000,000 CFA francs embezzled from the VDP, Captain Prospère Boena left with his testimony”, documenting suspicions of embezzlement in the Volunteers for the Defence of the Homeland (VDP), a militia created to fight terrorist groups. The CSC accused the newspaper of “misconduct”. In a press release,⁶³ *L'Événement* denounced an “unjust and abusive sanction”. The newspaper challenged the CSC decision in the Ouagadougou Administrative Court. Atiana Serge Oulon was heard in this matter by the CSC. On 12 July 2024, the Ouagadougou Administrative Court ordered that the CSC’s decision be overturned. In December 2022, Atiana Serge Oulon had been questioned by the military authorities about an article⁶⁴ related to the same case, when the military authorities had tried to make him reveal his source. At the time of publication of this report, Serge Oulon’s family, friends and lawyer remain without news of his fate or whereabouts.

Conscription as a weapon to silence human rights defenders in Burkina Faso

Repression in Burkina Faso took a highly concerning turn on 19 April 2023, with the adoption of a Decree “on general mobilisation and warning” by the President of the Transition.⁶⁵ This text reinforced an earlier decree signed on 14 November 2022,⁶⁶ authorising the military command to “commandeer the services, people and goods necessary for the conduct of operations”. Under these decrees, the civil and military authorities may conscript members of the defence and security forces, including those in non-active posts, as well as any able-bodied person over the age of 18, to “defend the integrity of [the] national territory”, “restore security” and “ensure the protection of the population and their property against the threat and acts of terrorism”.

On the basis of these decrees, the authorities are now systematically and forcibly conscripting defenders and political opponents as army auxiliaries. Since their adoption, around 10 defenders have received conscription orders issued by the military command specifying the conscripting institution, the purpose of the conscription and its duration, and have been sent to the front. Among those with the highest profile are **Rasmané Zinaba** and **Bassirou Badjo**, members of *Balai citoyen*. **Dr Arouna Louré**, an anaesthetist and civil society activist, who was conscripted on 6 September 2023 after posting on Facebook a “commentary on the army’s response to the Islamist insurrection”, was released three months later.⁶⁷ **Issaka Lingani**, Editor of the newspaper *L’Opinion*, and **Yacouba Ladji Bama**, a journalist, were also conscripted but escaped abduction and were not sent to the front.

Other individuals have disappeared, abducted by unidentified individuals, without having received formal notification of their conscription. Several weeks after their disappearance, photos and videos of them wearing military uniforms and holding auxiliary rifles appeared



Yacouba
Ladji Bama

⁶³ *L'Événement*, “Communiqué : Suspension de votre journal” (Press release: Your newspaper suspended), 20 June 2024 <https://www.evenement-bf.net/communiqué-suspension-de-votre-journal/>

⁶⁴ *L'Événement*, “Lutter contre le terrorisme : Des soupçons de détournement de l'argent des VDP, Un capitaine empoche 400 000 000” (Fighting terrorism: Suspected embezzlement of VDP money, Captain pockets 400,000,000 EUR), 13 December 2022, <https://www.evenement-bf.net/lutte-contre-le-terrorisme-des-soupçons-de-détournement-de-l'argent-des-udp-un-capitaine-empoche-400-000-000/>

⁶⁵ Decree No. 2023-0475/PRES-TRANS/PM/MDAC/MATDS/MJDHRI on general mobilisation and warning in Burkina Faso, 19 April 2023, extended by the Council of Ministers on 27 March 2024 <http://www.justice.gov.bf/wp-content/uploads/2023/04/Decret-2023-0475-portant-mobilisation-generale-et-mise-en-garde.pdf>

⁶⁶ Decree No. 2022-0976/PRES-TRANS/MDAC/MATDS/MJDHRI/MEEA on the organisation, powers and functioning of the *Commandement des Opérations du Théâtre National* (National Theatre Operations Command – COTN), Article 5, https://www.sidwaya.info/wp-content/uploads/2022/11/Decret_Portant-organisation-attribution-et-fonctionnement-du-COTN.pdf

⁶⁷ *Libreinfo*, “Burkina : Dr Arouna Louré, le médecin “révolté” (Burkina Faso: Dr Arouna Louré, the “rebellious” doctor), 15 September 2023, <https://libreinfo.net/dr-arouna-loure/>



on the Internet. Several of them, including human rights defender **Dr Daouda Diallo**, had repeatedly denounced human rights violations in the context of the conflict and attacks on fundamental freedoms.

Dr Daouda Diallo, pharmacist, human rights defender, founder and Secretary General of CISC, and 2022 winner of the Martin Ennals Award for Human Rights Defenders,⁶⁸ did not receive formal notification of conscription. He was abducted on 1 December 2023 by seven individuals in plain clothes from Burkina Faso's *Agence Nationale des Renseignements* (National Intelligence Agency – ANR), in Ouagadougou, in the car park of the passport department of the *Sûreté* (Security Services), in Goughin. He had gone there that morning to apply to renew his passport. On the pretext that the superintendent was absent, he was asked to return after 2pm. He then received a call from a *Sûreté* officer asking him to return at 3pm to meet the head of department. Dr Diallo was received by a superintendent with whom he exchanged at length. On leaving, and before getting into his vehicle parked in the *Sûreté* car park, he was stopped by individuals in plain clothes who asked him if it was his vehicle, and told him to follow them. He was abducted, forced to board an unidentified vehicle, and taken to an unknown destination.⁶⁹ He was then sent to the battlefield. On 6 March 2024, following a new application by Dr Daouda Diallo's lawyers, the Ouagadougou Administrative Court ordered the state to release him immediately and to put an end to violations of his fundamental freedoms. He was released on 8 March 2024. According to sources close to the case, his release was unrelated to the court ruling. The abduction and forced conscription of Dr. Daouda Diallo were acts of reprisal for his commitment to human rights and for the work done by his organisation in exposing abuses. Since 2019, CISC has been documenting and denouncing human rights violations committed by all parties to the conflict plaguing Burkina Faso since 2015, and combating the stigmatisation of communities in the country.

In response to these conscription orders, a collective of lawyers applied to the Ouagadougou Administrative Court to have them cancelled on the grounds of “abuse of power”. On 20 November 2023, their application was rejected by the Court, which held that it lacked jurisdiction to rule on the merits on “national security” grounds. The collective then applied for summary ruling for infringement of civil liberties on the grounds that the conscription orders violated freedom of expression, freedom of movement and the right not to be subjected to acts of torture or humiliation. On 6 December 2023, in a landmark, courageous decision, the Ouagadougou Administrative Court ordered the suspension of the orders issued against Issaka Lingani, Rasmané Zinaba and Bassirou Badjo. The court described the conscription orders as “contentious given their link to opinions expressed by the applicants, that they do not concern national security or the maintenance of law and order, that they are manifestly illegal and seriously infringe freedom of expression and freedom of movement”.⁷⁰ However, at the time of publication of this report, this decision and several other court rulings nullifying conscription orders remain without effect, and several human rights defenders, such as Rasmané Zinaba and Bassirou Badjo, remain on the front line.

The Observatory condemned the selective and discriminatory use of conscription as a weapon to silence and attack defenders. These acts deal a severe blow to freedom of expression in Burkina Faso, where several other civil society organisations have also expressed indignation at the use of conscription as a tool to silence human rights defenders and dissenting voices.

⁶⁸ Martin Ennals Award Human Rights Defenders, <https://www.martinennalsaward.org/hrd/dr-daouda-diallo/>

⁶⁹ The Observatory for the protection of human rights defenders (FIDH-OMCT), Urgent Appeal BFA 001/1223/OBS 042, “*Burkina Faso : enlèvement et disparition forcée du Dr Daouda Diallo*” (Burkina Faso: Abduction and enforced disappearance of Dr Daouda Diallo), 4 December 2023, <https://www.fidh.org/fr/themes/defenseurs-des-droits-humains/burkina-faso-enlevement-et-disparition-forcee-du-dr-daouda-diallo>

⁷⁰ See extract from Order No. 047-1/2023 of 6 December 2023.

On 5 December 2023, in a statement⁷¹ condemning the abduction of Dr. Daouda Diallo, the ACHPR expressed its “disapproval of the acts of intimidation, judicial harassment and reprisals to which human rights activists and defenders are subjected”.

Conscription as prescribed by the April 2023 decree is not illegal. However, its selective application violates several texts, including the Constitution of 2 June 1991, the fundamental act of the MPSR of 29 January 2022, the Transition Charter of 14 October 2022,⁷² Law No. 039-2017/AN of 27 June 2017 on the protection of human rights defenders in Burkina Faso, as well as the Decree on conscription itself.

The discriminatory application of conscription violates the principles of equality and non-discrimination between Burkinabé citizens enshrined in the Constitution of 2 June 1991,⁷³ in particular Articles 1, 2 and 8. These provisions guarantee equality, non-discrimination, protection of life, safety and physical integrity, as well as freedom of opinion and of the press. Article 1 of the Transition Charter of 14 October 2022 advocates “respect for human rights” as one of the cardinal principles and values of the transition.

Articles 3, 7, 9, 12, 13 and 14 of the Law on the Protection of Human Rights Defenders are not respected. Article 12 obliges the state of Burkina Faso “to ensure the protection of human rights defenders against extrajudicial executions, acts of torture or similar practices, arbitrary arrest and detention, enforced disappearance, death threats, harassment, defamation and illegal confinement”. The state is also required to guarantee “the protection of human rights defenders against arbitrary restrictions on freedom of expression, association and assembly”.

The selective and disproportionate application of conscription orders against human rights defenders also constitutes an abuse of power. Nowhere does the decree state that only human rights defenders or dissenting voices should be mobilised. Under the terms of Article 5 of the Decree, conscription should concern “members of the defence and security forces, able-bodied young people aged 18 or over, who are not already members of the armed forces”.

The deployment of defenders on the front line has, in many cases, caused them physical and psychological problems, which should be compensated by the state in accordance with the Law on the Protection of Human Rights Defenders.⁷⁴

3. Hate speech, threats, harassment and intimidation

In Burkina Faso, Mali and Chad, human rights defenders are the target of hate speech, threats, harassment and intimidation. In many cases, the perpetrators are officials, pro-regime activists and/or unidentified individuals, who act through social networks, the media, telephone or digital messages. In some cases, threats take the form of physical surveillance or even attempted physical harm. Despite denunciations by several national monitoring bodies on communications or human rights, those responsible continue to operate in a climate of widespread impunity.

In **Burkina Faso**, local and international journalists are particular targets of calls for murder, threats, intimidation and false accusations, as well as the suspension of international media.

⁷¹ African Commission on Human and Peoples' Rights, “Press release on the kidnapping of Dr. Daouda Diallo, pharmacist and human rights defender in Burkina Faso”, 19 December 2023, <https://achpr.au.int/en/news/press-releases/2023-12-19/press-release-kidnapping-dr-daouda-diallo-pharmacist-and-human-right>

⁷² Burkina Faso Transition Charter, 14 October 2022, <https://www.sidwaya.info/wp-content/uploads/2022/10/CHARTE-ET-ACTE-1.pdf>

⁷³ Constitution of Burkina Faso of 2 June 1991, https://adsdatabase.ohchr.org/Issuelibrary/BURKINA%20FASO_Constitution.pdf

⁷⁴ Law No. 039-2017/AN on the Protection of Human Rights Defenders in Burkina Faso, Article 14: “When, in the exercise or during the exercise of their duties, agents of the state or its branches commit human rights violations against a human rights defender because of his or her activities in defending or denouncing human rights violations, the state shall ensure compensation for the resulting harm. In such cases, the state may institute proceedings for indemnity against the agents responsible”, <https://academiedepolice.bf/index.php/telechargement/category/47-national?download=186:loi-portant-protection-des-defenseurs-des-droits-humains-au-burkina-faso>



In January 2023, pro-regime activists and anonymous Internet users circulated death threats and threats to destroy property on social networks, particularly against journalists and leaders of civil society organisations (CSOs). They called on the population to attack anyone who criticised the transitional authorities, and encouraged the sharing of information about the private lives of CSO members.

Binta Sidibé Gascon, a human rights defender from Burkina Faso and member of the *Observatoire Kisal* (Kisal Observatory) and the People's Coalition for the Sahel⁷⁵ working to protect civilians in times of conflict, was also the target of attacks. Following an interview on *RFI* radio in December 2022⁷⁶ about the abuses committed by the VDP, and one given on *TV5 Monde*⁷⁷ in early January 2023, after the Nouna tragedy, Binta Sidibé Gascon was the target of a wave of attacks and threats. On 21 January 2023, in the south-west of Burkina Faso, hooded gunmen fired on people gathered at a funeral ceremony. Members of Sidibé Gascon's family were killed and her brother was seriously injured by bullets. On 19 May 2024, her sister, cousins, nieces and nephews and several other members of her family were shot dead in cold blood⁷⁸ by suspected members of the Burkina Faso army in the province of Kossi, Boucle de Mouhoun region. On social networks, Binta Sidibé Gascon is the victim of threats of death, rape and further reprisals against her family.

In October 2023, there were calls for violence following a statement by the CGT-B, a central trade union body in Burkina Faso, which criticised attacks on fundamental freedoms. Some activists filmed themselves on social networks with bladed weapons, including machetes, announcing an attack on a meeting planned by a collective, including the CGT-B, on 31 October 2023 in Ouagadougou. The Burkina Faso authorities took no steps to investigate these serious incidents or to prosecute the perpetrators. The head of the union, **Moussa Diallo**, later escaped an abduction attempt. He is now living in hiding.⁷⁹

In response to this upsurge in violence, in March 2023 the CSC condemned "hate speech and calls for violence" and urged the authorities to "take appropriate measures to ensure the safety of the media and journalists in the exercise of their profession".⁸⁰

At the end of March 2023, in a public statement, the Burkinabé NHRC said it was "concerned about the resurgence of hostile messages and incitement to violence against certain opinion leaders, human rights defenders and officials of state institutions". It stated: "These messages, in audio recordings, are disseminated via social networks. The people behind these recordings threaten to attack the physical integrity, lives and property of citizens who express their opinions on the situation in the country or who take action as part of their professional activities". It condemned these "unjustifiable abuses that are contrary to the provisions of the Constitution" and the ICCPR.⁸¹

Civil society organisations documenting and denouncing human rights violations committed by all parties to the conflict are regularly attacked by pro-military regime activists, sometimes organised into militias, with complete impunity. Although these acts are reprehensible and punishable, they are rarely investigated by the Burkina Faso authorities. Victims who have the courage to take their cases to court regularly come up against the lack of enforcement of court rulings, which are blocked by the authorities when they are unfavourable to them. Judges who hand down rulings unfavourable to the authorities are also subject to pressure, and some have been conscripted and sent to the front.

⁷⁵ People's Coalition for the Sahel. <https://www.sahelpeoplescoalition.org/>

⁷⁶ *RFI*, "Burkina Faso : les Volontaires pour la défense de la patrie (VDP) font débat au sein de la société civile" (Burkina Faso: Volunteers for the Defence of the Homeland (VDP) spark debate in civil society), 3 December 2022, <https://www.rfi.fr/fr/afrique/20221203-burkina-les-civils-craignent-des-repr%C3%A9sailles-apr%C3%A8s-les-menaces-du-jnim-contre-les-vdp>

⁷⁷ *TV5 Monde*, "Burkina Faso : 28 civils tués dans le nord-ouest du pays" (Burkina Faso: 28 civilians killed in the north-west of the country), 4 January 2024, <https://information.tv5monde.com/afrique/burkina-faso-28-civils-tues-dans-le-nord-ouest-du-pays-1579166>

⁷⁸ FIDH post on X, 24 May 2024, https://x.com/fidh_fr/status/1795127749075493099

⁷⁹ For more information on the case of Moussa Diallo, see *supra*. I. 2. "Abductions, illegal confinements, enforced disappearances and torture".

⁸⁰ Burkina Faso Higher Council for Communication, Press release "Menaces récurrentes contre des journalistes et des médias" (Recurrent threats against journalists and the media), 29 March 2023, https://www.facebook.com/photo/?fbid=626998112774143&set=a.428497545957535&locale=fr_FR

⁸¹ National Human Rights Commission of Burkina Faso, "Déclaration de la Commission sur les menaces de mort et de destruction de biens" (Commission statement on death threats and threats to destroy property), 27 March 2023, <https://cndhburkina.bf/wp-content/uploads/2023/03/DECLARATION-SUR-LES-MENACES-DE-MORT-SUR-LES-LEADERS-DOPINION.pdf>

In **Mali**, threats against human rights defenders are made by the authorities, but also pro-military regime activists who, via social networks, call for violence, convey hate messages and speech, make sexist comments (gender-based violence – GBV) and attack the privacy and dignity of defenders, including women defenders. Several defenders have been subjected to threats, harassment, hate speech and violence, often via social networks.

For example, following his participation in the investigation broadcast on 31 October 2022 by the French television channel *BFM TV* on the presence of the Russian private militia Wagner in Mali, journalist **Malick Konaté** received death threats and his wife's photo was widely circulated on social networks, putting her in danger too.⁸²

Aminata Dicko, vice-president of the *Observatoire Kisal*, an organisation defending the human rights of pastoral communities in the Sahel, was the victim of judicial harassment, threats and acts of intimidation for having shared her analyses of the security and human rights situation in Mali during a UN online meeting on the future of the MINUSMA on 27 January 2023. Following this speech, Aminata Dicko faced attacks from the country's military and political authorities, along with government-affiliated organisations seeking to discredit and denigrate her. On social networks, anonymous accounts have launched a campaign of harassment with hate messages and abusive language against her, while invading her privacy by divulging information about her identity and that of her family. A complaint was also lodged against her by the CDM, an association close to the military regime, for "defamation, slander and high treason". As a result of this harassment, Dicko was forced to leave the country to ensure her safety. In response to the violence, the Malian NHRC, which has A status and is responsible for protecting human rights defenders in Mali, declared on 3 February 2023 that it was "concerned about certain statements made on social networks inciting hatred and violence against human rights defenders".⁸³



The case of Aminata Dicko is not unique. In July 2022, **Sadya Touré**, a member of Mali's civil society, was similarly targeted in a smear campaign after she called on the international community at a meeting of the UN Security Council⁸⁴ to address the deteriorating security and human rights situation in Mali.

Kadidia Amina Ibrahima Fofana is a Malian human rights defender who campaigns for the restoration of democracy in Mali, as well as for women's and children's rights. Since 2018, she has been the president of *Les Amazones*,⁸⁵ a collective of organisations fighting against sexual and gender-based violence (SGBV) in Mali. She was forced to leave Mali in September 2023 following threats of arrest, insults, harassment and defamation, after several Ivorian television stations, including NCI, invited her to talk about the restoration of democracy in Mali during a personal trip to Abidjan. These interviews were viewed from Mali, and in response Fofana received a number of threats, including arrest and statelessness. Credible institutions confirmed the threats against her if she returned to Mali and advised her to remain in Abidjan.



Prior to this, in Mali, she had been a regular victim⁸⁶ of defamation,⁸⁷ insults and sexist comments, hate messages and calls for violence via social networks from activists and journalists close to the military regime, because of her commitment to the return of democracy and the rule of law.⁸⁸ The campaign of harassment and verbal violence was evident in the sexist, insulting, defamatory comments

⁸² For more information on the case of Malick Konaté, see *infra* II.1. "Attacks on freedom of expression and of the press and attacks on journalists".

⁸³ Malian National Human Rights Commission, Press Release No. 0002-2023/CNDH-P, 3 February 2023, <https://cndhmali.com/index.php/2023/02/03/communiqu%C3%A9-n0002-2023-cndh-p/>

⁸⁴ UN News, "La situation humanitaire au Mali s'aggrave, prévient l'envoyé de l'ONU" (UN Envoy warns of worsening humanitarian situation in Mali), 13 June 2022, <https://news.un.org/fr/story/2022/06/1121682>

⁸⁵ MINUSMA, "Les Amazones" formées à l'accueil des victimes de violences sexuelles liées au conflit" ("Les Amazones" trained to receive victims of conflict-related sexual violence), 16 March 2018, <https://minusma.unmissions.org/les-amazones-form%C3%A9es-%C3%A0-l%E2%80%99accueil-des-victimes-de-violences-sexuelles-li%C3%A9es-au-conflit>

⁸⁶ Facebook post by "Mali du Futur", 28 November 2023, https://www.facebook.com/story.php?story_fbid=pfbid02xSvvSC59BeHBqhaRa6RJcsmUH2VBn14EuvVUHZAo5ey8euGGV1WZzsJUATqDyybPl&id=100044538460644&paipv=0&eav=AFY15iAeNtNyyvWXiD2ksUcpO5L-Gm25XcFISv7UA1jHywWmgxfr_u8N1YH4ICD1Gxl&rd_rdr

⁸⁷ Facebook post by "Figaro du Mali", 16 October 2021, https://www.facebook.com/Figarodumali/photos/a.337367753353864/1271983759892254/?type=3&rd_rdr

⁸⁸ Facebook post by "Africable Télévision", 16 May 2023, <https://www.facebook.com/watch/?v=1284731935475440>



and attacks on her dignity in May 2024 by General Chico 223,⁸⁹ a French-based activist (video-maker) close to the military regime. Since 2022, through his YouTube channel⁹⁰ and Facebook page 'Général Chico 223', the activist has regularly made hateful and violent comments of a sexist nature against Kadidia Fofana and other women's movements, including the Kayes mining women's movement. In February 2024, he publicly called for the rape of these women in retaliation for the announcement of a peaceful demonstration that they were planning to make their voices heard.

Human rights defenders in **Chad** are also under threat, both physically and online. On 11 April 2022, **Baldal Oyamta**, national coordinator of LTDH,⁹¹ escaped an assassination attempt. At 3am, an unidentified individual armed with a pistol and a bladed weapon entered his home in N'Djamena and shot him in the face at point-blank range. Baldal Oyamta was wounded on the forehead, but did not suffer serious head injuries, and received medical treatment. The gunman, a former soldier, fled but was found the next day by local youths who handed him over to the police. He is under a committal order in Klessoum prison pending investigation.

Baldal Oyamta had already been the victim of death threats. In November 2020, in the space of two weeks, he received 23 text messages threatening him in connection with his professional activities as a human rights defender, and more specifically his work on land grabbing in Chad. Despite a complaint being filed against a person unknown, no investigation has been launched.

On 26 April 2021, the LTDH was subjected to harassment following the unconstitutional transfer of power after the death of President Idriss Déby Itno on 20 April 2021. Eight police vehicles surrounded its offices. The LTDH⁹² was subject to increased surveillance by the Chadian authorities, and its members had limited access to the NGO's premises due to the daily presence of police officers from 6am.

⁸⁹ Facebook post by "Général Chico 223", 19 May 2024, <https://www.facebook.com/watch/?mibextid=oFDknk&v=7924317930925206&roid=AloQA7Kqpx8imxW1>

⁹⁰ YouTube post by "Mali TV official", 16 February 2022, <https://www.youtube.com/watch?v=ufhbKyBOUdk>

⁹¹ The Observatory for the protection of human rights defenders (FIDH-OMCT), Urgent Appeal TCD 001/0522/OBS 035 "Chad: Attempted assassination of Baldal Oyamta, Chadian League for Human Rights (LTDH)", 5 May 2022 <https://www.fidh.org/en/issues/human-rights-defenders/chad-attempted-assassination-of-baldal-oyamta-chadian-league-for>

⁹² The Observatory for the protection of human rights defenders (FIDH-OMCT), Urgent Appeal TCD 002/0521/OBS 055, "Tchad : Harcèlement à l'encontre de la Ligue Tchadienne des Droits de l'Homme" (Chad: Harassment of the Chadian League for Human Rights), 4 May 2020 <https://www.fidh.org/fr/themes/defenseurs-des-droits-humains/tchad-harcèlement-a-l-encontre-de-la-ligue-tchadienne-des-droits-de-l-26844>

II. Violations of fundamental freedoms

In addition to the targeted, systematic and manifold attacks on human rights defenders in the four countries covered by this report, many of the fundamental freedoms essential to the very existence of civil society and to the pluralism of ideas are also targeted. The authorities in power regard human rights defenders and civil society actors as threats and are quick to restrict the freedoms of expression, demonstration and association, which are enshrined at national, regional and international level, to suppress any dissent.

1. Infringements of freedom of expression and of the press, and attacks on journalists

In recent years, the authorities in Mali, Niger and Burkina Faso have drastically curtailed the rights of access to information and press freedom, notably through increased control of the media and the suspension of international media⁹³ such as *RFI*, *France 24* and others,⁹⁴ gradually leading to self-censorship by journalists and the national media. Journalists in these countries are under heavy pressure to carry out “patriotic reporting”, and are subjected to constant attacks and threats, leaving them in a state of insecurity as they carry out their work.

In a clear demonstration of the poor state of press freedom and the working conditions of journalists in these countries, the Sahelian states dropped in the NGO Reporters Without Borders 2024 world press freedom index. As a result of the repressive measures adopted by the military authorities following the coup d'état in July 2023, Niger has fallen 19 places since 2023, to 80th in the ranking.⁹⁵ Burkina Faso saw its ranking plummet by 54 places, from 41st in 2022 to 86th out of 180 countries in 2024. Mali has also declined significantly, falling 15 places from 99th in 2021 to 114th in 2024. Chad ranked 96th in 2024, compared with 104th in 2022.⁹⁶

On 3 May 2023, 30 human rights NGOs, including FIDH, called on the authorities of Burkina Faso and Mali to guarantee freedom of expression and protect journalists, stating: “In Burkina Faso as in Mali, attacks are increasingly relayed on social networks by ‘influencers’ favourable to the military regimes of these two countries, acting as vigilantes who readily issue death threats to journalists and opinion leaders who they deem to be too independent. Today, lies are added to violence. The Burkinabe daily *L’Observateur Paalga* reports the establishment of a ‘regime of terror’, accompanied by a wave of ‘fake news’ that floods social networks with lies. The main victims of these ‘influencers’ are the Malian and Burkinabe populations, who are deprived of democratic discussion.”⁹⁷

⁹³ CSC Press release, published on Facebook, 26 April 2024, https://www.facebook.com/photo/?fbid=869385238535428&set=a.428497545957535&locale=fr_FR

⁹⁴ In Mali, *RFI*, *France 24*, *France 2* and *LCI* have been suspended, and correspondents from the French newspapers *Libération*, *Le Monde* and *Jeune Afrique* have been expelled. In Burkina Faso, *TV5*, *VOA*, *BBC/Afrique*, *LCI*, *France 24*, *RFI*, the newspapers *Le Monde* and *Jeune Afrique*, and the websites of *Deutsche Welle*, *Ouest-France*, *Le Monde.fr*, *Apanews*, *The Guardian*, and *Agence Ecofin* have been suspended. In Niger, *France 24* and *RFI* have been suspended. See for example, CSC Press release, published on Facebook, 26 April 2024, https://www.facebook.com/photo/?fbid=869385238535428&set=a.428497545957535&locale=fr_FR

⁹⁵ Reporters Without Borders, Analysis Africa Index 2024 “Africa Journalism harassed and persecuted during elections”, <https://rsf.org/en/classement/2024/afrique>

⁹⁶ Reporters Without Borders, 2024 World Press Freedom Index, <https://rsf.org/en/index>

⁹⁷ International Federation for Human Rights, “Burkina Faso and Mali must guarantee freedom of expression and protect journalists”, 3 May 2023, <https://www.fidh.org/en/issues/freedom-of-expression/burkina-faso-and-mali-must-guarantee-freedom-of-expression-and>



Credit: OLYMPIA DE MAISMONT AFP

Caption: A man watches a television showing the cut-off signal of the France 24 channel, a few hours after the "junta" in power in Burkina Faso decided to suspend the channel, in Ouagadougou, on 27 March 2023.

In **Mali**, legal and regulatory measures, as well as the imposition of “patriotic reporting”, are used to silence journalists. Mali’s media regulatory body, the *Haute Autorité de la Communication* (High Authority for Communication – HAC Mali), plays a key role in these restrictions. On 11 April 2024, the day after the government decided⁹⁸ to suspend the activities of political parties, HAC invited⁹⁹ “all the media to stop broadcasting and publishing the activities of political parties”. FIDH denounced¹⁰⁰ this attempt by the HAC to muzzle the press, which constitutes a flagrant violation of press freedom. Journalists from independent media who try to resist the imposition of patriotic reporting are subjected to several types of reprisals, including judicial harassment and illegal and arbitrary arrests and detentions, forcing dozens of journalists into exile or hiding.

During the celebration of the 31st annual Press Freedom Day on 3 May 2024, the President of the *Maison de la Presse du Mali* (Mali Press Club), Bandiougou Danté, painted a bleak picture of the state of press freedom in the country,¹⁰¹ before drawing the attention of the Malian authorities to the disappearances of journalists. According to the press association, between October 2023 and November 2023, journalists Dada Bah, presenter at *Radio Dagné FM*, and Abdoul Aziz Djibrilla, presenter at *Radio Naata* in Labbezanga, were murdered by “unidentified individuals”, probably belonging to armed groups, respectively on the night of 26 to 27 October 2023 in Nara, and on the Ansongo-Gao road on 7 November 2023.¹⁰² Between September 2020 and December 2023, six other journalists went missing, including Saleck Ag Jidou aka Zeidane and Moustapha Koné, respectively director and presenter of *Radio Coton* in Ansongo, and Almahady Barazy, director of *Radio Bonferey* in Taboye in the Bourem Cercle, who was abducted on 11 December 2023.

⁹⁸ Council of Ministers Press release of 17 April 2024, published by the Government of Mali on Facebook, 18 April 2024, https://www.facebook.com/story.php?story_fbid=964231005064490&id=100044327989459&mibextid=xfxF2i&rdid=uETJvBSzBzoSiKlr

⁹⁹ HAC Mali Press release, published on Facebook, 11 April 2024, https://www.facebook.com/story.php?story_fbid=391039750410314&id=100085128771900&mibextid=xfxF2i&rdid=8EdXEDQkrYBdf725

¹⁰⁰ FIDH, “Mali is sinking into authoritarianism”, 19 April 2024, <https://www.fidh.org/en/region/Africa/mali/mali-is-sinking-into-authoritarianism>

¹⁰¹ *Maison de la Presse du Mali*, Facebook post, 3 May 2024 https://www.facebook.com/story.php?story_fbid=898000559003854&id=100063817552572&mibextid=oFDknk&rdid=Eh6lgyN2AHO79sQe

¹⁰² Speech by the President of the *Maison de la Presse du Mali* on the occasion of World Press Freedom Day, 3 May 2024, <https://www.maliweb.net/pressejournalisme/discours-du-president-de-la-maison-de-la-presse-du-mali-dans-le-cadre-de-la-journee-mondiale-de-la-liberte-de-la-presse-3-mai-2024-3062347.html>

Malick Konaté, a Malian photojournalist for various international media outlets and director of the online news channel *Horon TV*, has spoken publicly about the state of the country since the military took power, denouncing corruption and human rights violations. During the summer of 2022, threats against Malick Konaté intensified, to the point where he was forced to leave Mali immediately. On 31 October 2022, an investigation into the presence of the private Russian militia Wagner in Mali, in which Malick Konaté had participated, was broadcast on the French television channel *BFM TV*. In response, Konaté and his wife received death threats. This intimidation was compounded by pressure and harassment from CDM, an association close to the military, which published a statement on Facebook on 3 November 2022 describing Malick Konaté's participation in the report as "an act of high treason", "an irresponsible act by a so-called Malian in the pay of France" and calling for an investigation. The next day, the journalist received a warning call from the commander of the *Brigade d'Investigation Judiciaire* (Criminal Investigation Brigade – BIJ) and soldiers dressed in civilian clothes went to his home in Bamako to question him. Konaté had already left the country, narrowly escaping arrest. Since his departure, the BIJ has twice visited his home to arrest him, and his vehicle has been vandalised by unknown individuals.¹⁰³



Malian journalist **Sory Kone** was abducted from his home on 26 January 2023 and remains unaccounted for at the time of publication of this report. His colleague **Yeri Bocoum** was abducted by the intelligence services and held incommunicado for 19 days in June 2024.¹⁰⁴

Journalists in **Burkina Faso** are also regularly the victims of threats, intimidation¹⁰⁵ and even abductions, arrests and arbitrary conscriptions. Examples include journalist **Atiana Serge Oulon**, who has been missing since 24 June 2024,¹⁰⁶ and **Issaka Lingani** and **Yacouba Ladji Bama**, who were arbitrarily conscripted but escaped abduction.¹⁰⁷

Press freedom is also in jeopardy in **Niger**, where infringements of press freedom and freedom of expression have reached worrying levels since the 26 July 2023 coup d'état. Several defenders, including journalists, have been subjected to abductions, arbitrary and illegal arrests and detentions, and other forms of deprivation of freedom. Several international media, including *France 24* and *RFI*, have been suspended, and correspondents from other international media regularly face harassment and threats. In a press release¹⁰⁸ published on 3 May 2024, Amnesty International stated that "transitional authorities intimidate and arbitrarily arrest journalists reporting on the country's conflict and security-related issues".

Two days after the 26 July 2023 coup d'état, the *Maison de la presse du Niger* (Niger Press Club), an association of 32 socio-professional organisations from public and private media, condemned "the seizure of power by force and the undermining of democratic gains" and expressed its concern¹⁰⁹ about "attempts to undermine press freedoms and the safety of journalists". Following the suspension of *France 24* and *RFI* on 3 August 2023 by the military regime, the *Maison de la presse* denounced¹¹⁰ "a flagrant violation of the universal principles of respect for human rights and declare[d] that public access and the right to information are inalienable rights". In another statement on 13 August 2023,

¹⁰³ Reporters Without Borders, "Death threats against Malian journalist must stop, RSF says", 9 November 2022, <https://rsf.org/fr/mali-les-menaces-de-mort-contre-malick-konate%C3%A9-doivent-cesser>

¹⁰⁴ For more information on the cases of Sory Kone and Yeri Bocoum, see *supra* I.2. "Abductions, illegal confinements, enforced disappearances and torture".

¹⁰⁵ For more information on threats and intimidation against journalists and defenders in Burkina Faso, see *supra* I.3. "Hate speech, threats, harassment and intimidation".

¹⁰⁶ For more information on the cases of Atiana Serge Oulon, see *supra* I.2. "Abductions, illegal confinements, enforced disappearances and torture".

¹⁰⁷ For more information on the cases of Issaka Lingani and Yacouba Ladji Bama, see *supra* I.2. Box: "Conscription as a weapon used to silence human rights defenders in Burkina Faso".

¹⁰⁸ Amnesty International, "Niger: Press freedom in jeopardy as journalists working on conflict intimidated and arrested", 3 May 2024, <https://www.amnesty.org/en/latest/news/2024/05/niger-press-freedom-in-jeopardy-as-journalists-working-on-conflict-intimidated-and-arrested/>

¹⁰⁹ Facebook post by the *Maison de la presse du Niger*, 29 July 2023, https://www.facebook.com/story.php?story_fbid=352772227073183&id=100070212260420&mibextid=oFDknk&rdid=V2VoGPk3Ozvex9qg

¹¹⁰ Facebook post by the *Maison de la presse du Niger*, 29 July 2023, https://www.facebook.com/permalink.php?story_fbid=352772227073183&id=100070212260420&rdid=V2VoGPk3Ozvex9qg

the institution warned¹¹¹ of the threats facing local journalists and correspondents, saying that “pressure, threats and intimidation are just some of the major challenges facing media professionals in the exercise of their profession”.

As a result of these statements, Niger’s Minister of the Interior suspended the operating licence of the *Maison de la presse* on 31 January 2024; it was replaced by a temporary committee of government officials. The Nigerien authorities have not given any reasons for this decision, which violates national, regional and international laws.

In addition, three journalists, including one woman, have been arrested and another narrowly escaped arrest since the coup d’état on 26 July 2023.



Samira Sabou, Nigerien freelance journalist, Administrator of the website *Magazine d’information sur le Développement Économique et Social* (Information magazine on economic and social development - MIDES), blogger and President of the *Association des Blogueurs pour une Citoyenneté Active* (Association of Bloggers for Active Citizenship – ABCA) was held incommunicado. On 30 September 2023, at around 6 p.m., three unidentified men in civilian clothes, posing as members of the security services, abducted Samira Sabou from her mother’s home in Niamey, hooded her, grabbed her mobile phone and took her by force to an unknown destination in an unidentified vehicle. Her family and lawyers tried to locate her and contacted the Niamey criminal police, who denied having arrested her. On 4 October 2023, after more than 72 hours without any news of her, and without any official acknowledgment of her arrest, her lawyers lodged a complaint against an unknown person with the public prosecutor at the Niamey High Court for “abduction, illegal confinement and arbitrary detention”. On 7 October 2023, after being held incommunicado for eight days, allegedly on the premises of Niger’s external security services (DGSE) -raising fears of torture and ill-treatment - Samira Sabou was located on the premises of the Niamey criminal police, where she was taken into custody for questioning on unknown charges. The day before her abduction, Samira Sabou had shared a confidential document on her Facebook page about the transfers of certain officers in the Nigerien army. According to sources close to her, this may have been the reason for her arrest. On 11 October 2023, she was brought before the judge of the Niamey Court, who ordered her provisional release pending the outcome of the investigation for “production and dissemination of data likely to disturb public order”. The investigation is ongoing at the time of publication of this report.

This is not the first time that Samira Sabou has been prosecuted for the legitimate exercise of her right to freedom of expression as a journalist. On 4 August 2023, she was intimidated by a member of the Nigerien army for sharing a message from Mohamed Bazoum, the former president overthrown by the military on 26 July 2023. In January 2022, the Niamey High Court gave Samira Sabou a one-month suspended prison sentence and a fine for “defamation by means of electronic communication” following her broadcast of an investigation into drug trafficking in Niger. In 2020, she was arbitrarily detained for 48 days and sued for defamation by the son of Niger’s former president, Mahamadou Issoufou, in relation to comments she had not made, before being acquitted.¹¹²

In March 2024, **Tchima Illa**, journalist and BBC correspondent in Niger, fled the country to Abuja, Nigeria, following threats against her due to her work as a journalist and after several unsuccessful attempts by the police to arrest her. According to corroborating sources, her only “fault” was that she regularly covered news about the deteriorating security situation in Niger. Her sudden departure from Niger followed her coverage of an attack in a village in the Tillabéri region, where she interviewed a number of nationals who deplored the attack and called on the Nigerien government to take measures to protect its citizens. One of those interviewed was arrested and remanded in custody at the Niamey prison, before being sentenced to three months in prison and released. According to some sources, the Nigerien authorities have repeatedly sought Tchima Illa’s extradition from Nigeria, but to date these requests have remained unsuccessful.

¹¹¹ Facebook post by the *Maison de la presse du Niger*, 14 August 2023, <https://www.facebook.com/share/p/ka8YeDkZHKZHESH/?mibextid=oFDknk>

¹¹² The Observatory for the protection of human rights defenders (FIDH-OMCT), Urgent Appeal NER 002/1023/OBS 040, “Niger : Détention au secret et liberté provisoire de Samira Sabou” (Niger: Incommunicado detention and provisional release of Samira Sabou), 16 October 2023, <https://www.fidh.org/fr/themes/defenseurs-des-droits-humains/niger-detention-au-secret-et-liberte-provisoire-de-samira-sabou>

Soumana Idrissa Maiga, editor of the Nigerien daily *L'Enquêteur*, was arrested by security forces at his office at around 5 p.m. on 26 April 2024 and taken to the Niamey criminal police. After more than 48 hours in police custody, he was charged on 29 April 2024 with “undermining national defence” and remanded to Niamey prison. According to the *Cadre d'Actions des Professionnels de Médias*,¹¹³ his prosecution followed the publication of an article entitled “Alleged installation of bugging equipment by Russian agents on official buildings: who exactly are they trying to monitor and why?” which referred to an article¹¹⁴ in the French newspaper *Le Figaro* published on 23 April 2024. Maiga faces at least five years in prison. He was released on 9 July 2024 pending trial.



Ousmane Toudou, a Nigerien freelance journalist, formerly with *Radio Télévision Anfani*, and communications adviser to the president of Niger under the ousted regime of Mohamed Bazoum, has been in arbitrary detention since 13 April 2024. Arrested on that date by members of the Gendarmerie in a hotel in Niamey, he was held illegally for 44 days in the premises of the National Gendarmerie in Niamey. On 25 May 2024, he appeared before a Niamey court on charges of “plotting against state security”, and was remanded in custody at the Kollo Civil Prison in the Tillabéri region, some 40 kilometres from Niamey. He faces five to 10 years in prison. The prosecution relates to an article published eight months earlier in which he called on “all democrats to oppose the undermining of the normal constitutional order”.

2. Infringements of freedoms of association and demonstration

Infringements of freedoms of association and demonstration are flagrant violations of national, regional and international human rights protection instruments. Numerous violations of the right to freedom of association have been reported in Burkina Faso, Mali and Niger, while obstacles to freedom of demonstration are particularly prevalent in Chad.

(2.1) Infringements of freedom of association

In Burkina Faso, Mali and Niger, the authorities suspend, dissolve and control associations, aiming to eliminate any attempt to organise civil society.

In a statement¹¹⁵ made at the 73rd Ordinary Session of the ACHPR in October 2022, Burkina Faso's NHRC sounded the alarm, condemning the suspension of the activities of civil society organisations and political parties by MPSR II. In a press release,¹¹⁶ the NHRC stated: “This decision, which is not limited in time or space, suspends the freedom to demonstrate indefinitely. It therefore runs counter to the clear desire of these organisations to publicly express their opinion on national concerns”.

In **Mali**, since 2023, the authorities have developed a new repressive approach, disbanding associations and political parties critical of the regime on spurious grounds. Since 2023, five associations have been disbanded, including the *Observatoire pour les élections et la bonne gouvernance* (Observatory for Elections and Good Governance), the *Coordination des mouvements, associations et sympathisants de*

¹¹³ Facebook post by *L'Enquêteur*, 26 April 2024, https://www.facebook.com/permalink.php?story_fbid=pfbid02ARjFMS5Bn5kykJJazWBkPT7p8RysccS1vJh7MbG3SM9A8eJatfwjcd98LjCFtnsjl&id=100063543878289

¹¹⁴ *Le Figaro*, Yves Thréard, “Niger : Mohamed Bazoum, président otage et oublié” (Niger: Mohamed Bazoum, a president hostage and forgotten), 24 April 2024, <https://www.lefigaro.fr/international/niger-mohamed-bazoum-president-otage-et-oublie-20240423#:~:text=ENQU%C3%80TE%20-%20Renvers%C3%A9%20par%20la%20junte,les%20abandonne%20%C3%A0%20leur%20sort>

¹¹⁵ Burkina Faso NHRC “73^{ème} session ordinaire de la Commission africaine des droits de l’homme et des peuples: La déclaration de la CNDH du Burkina Faso” (73rd Ordinary Session of the African Commission on Human and Peoples’ Rights: Statement by the Burkina Faso NHRC), 25 October 2022, <https://cndhburkina.bf/73eme-session-ordinaire-de-la-commission-africaine-des-droits-de-lhomme-et-des-peuples-la-declaration-de-la-cndh-du-burkina-faso/>

¹¹⁶ Declaration presented by the NHRC to the African Commission on Human and Peoples’ Rights at its 73rd Ordinary Session, <https://cndhburkina.bf/wp-content/uploads/2022/10/Declaration-de-la-CNDH-Burkina-Faso-73eme-Session-ordinaire-CADHP-Version-actualisee-.pdf>

l'imam Mahmoud Dicko (Coordination of movements, associations and supporters of Imam Mahmoud Dicko – CMAS), the *Association des élèves et étudiants du Mali* (Association of pupils and students of Mali – AEEM) and the *Association Karoual*. On 18 April 2024, at the end of the Council of Ministers,¹¹⁷ the government dissolved another association: the *Coordination des organisations de l'appel du 20 février 2023 pour sauver le Mali*. On 28 February 2024, the *Observatoire pour les élections et la bonne gouvernance* challenged the order to disband before the Supreme Court of Mali on the grounds of “abuse of power”. In its verdict of 15 August 2024, the Supreme Court rejected the application on the basis that it was ill-founded. The organisation plans to continue legal action.

Following the latest order to disband, the Office of the UN High Commissioner for Human Rights (OHCHR) called¹¹⁸ on “*the transitional authorities to allow the disbanded organisations to resume their activities*”, before reiterating that “[i]t is vital for state authorities to protect civic space and ensure full respect for and protection of the right to freedom of opinion and expression, as well as the rights to freedom of association and assembly – in line with Mali’s laws and obligations under international and regional human rights law”.

The ACHPR has also reacted to these flagrant infringements of fundamental freedoms. In a statement¹¹⁹ made public on 12 April 2024, it underlined that these measures are “of such a nature as to restrict the rights to freedom of expression and access to information, to freedom of association and assembly, and to participation in public affairs recognised to the Malian people under Articles 9, 10, 11 and 13 of the African Charter on Human and Peoples’ Rights and other relevant instruments duly ratified by Mali”.

On 6 March 2024, the NHRC expressed its indignation¹²⁰ “at the systemic trend to disband associations” and its concern at these “serious threats to the exercise of certain civil and political rights, in particular freedom of association”.

In addition, on 27 March 2024, the Council of Ministers adopted a draft ordinance amending Law No. 04-038 on associations.¹²¹ The government aims to tighten the conditions for the formation, financing, control and sanctioning of associations. According to the government, “once adopted the draft ordinance will make it possible to subject all associations to the administrative formality of prior authorisation and declaration, and to facilitate the exercise of the necessary state control”. This would undermine the Malian constitution, which in Article 17 enshrines freedom of association in the following terms: “The state recognises and guarantees freedom of association, assembly, procession and demonstration...”. This move confirms the determination of the Malian authorities to further silence independent voices.

In February 2022, the then president of the Republic of **Niger**, Mohamed Bazoum, issued a decree¹²² supplementing Ordinance No. 84-06 of 1 March 1984 governing associations, with implementing decree No. 84-49/PCMS/MI of 1 March 1984, amended and supplemented by Law No. 91-006 of 20 May 1991, which drastically limits freedom of association in the country by giving the Nigerien authorities total control over the activities of NGOs and imposing onerous formalities on them, both when they are set up and when they obtain funding, plan their activities or use their assets. In addition to these legal restrictions, human rights defenders who denounce violations committed by the authorities face arbitrary arrests and abusive legal action in an increasingly hostile environment.

¹¹⁷ Council of Ministers Press release of 17 April 2024, published by the Government of Mali on Facebook, 18 April 2024, https://www.facebook.com/story.php?story_fbid=964231005064490&id=100044327989459&mibextid=xfxF2i&rdid=8WG1CeXHFqsagWaD

¹¹⁸ Statement by Seif Magango at the Office of the High Commissioner for Human Rights, “Mali: Concern over closures of civil society organizations”, 13 March 2024, <https://www.ohchr.org/fr/statements/2024/03/mali-concern-over-closures-civil-society-organizations>

¹¹⁹ ACHPR, Press release on the human rights situation in Mali, 14 April 2024, <https://achpr.au.int/en/news/press-releases/2024-04-14/press-release-human-rights-situation-mali>

¹²⁰ Facebook post by NHRC Mali, 8 March 2024, https://www.facebook.com/story.php?story_fbid=812225290948853&id=100064841674592&mibextid=oFDknk&rdid=MYPrDS4sExrwUcrm

¹²¹ Council of Ministers of Mali Press release, CM No. 2024-13/SGG, 27 March 2024, <https://sgg-mali.ml/ccm/communiqu-du-conseil-des-ministres-du-27-mars-2024.pdf>

¹²² The Observatory for the protection of human rights defenders (FIDH-OMCT), Statement “Niger: one more decree, one less fundamental freedom”, 7 April 2022, <https://www.fidh.org/en/region/Africa/niger/niger-one-more-decree-one-less-fundamental-freedom>

(2.2) Infringements of freedom of demonstration

In **Niger** since 2020, at least 10 demonstrations have been banned, and several people have been remanded in custody for up to 19 months.¹²³ In 2022, other demonstrations against the government in Niger were violently repressed by the security forces with excessive use of force, leading to injuries. These latest demonstrations were organised to protest the presence of foreign military bases in the country.

In **Chad**, the right to freedom of peaceful assembly has been seriously challenged on several occasions since the start of the transition. In 2021, the transitional military government banned 14 peaceful demonstrations organised by civil society and political parties.¹²⁴ Those that took place were violently repressed. Several human rights defenders and Chadian civil society figures were arbitrarily arrested¹²⁵ on the sidelines of demonstrations organised in May and October 2022, in violation of the Chad Transition Charter of October 2022, which guarantees several fundamental rights and freedoms, including the right to freedom of demonstration, under Article 36.

On 6 June 2022, six Chadian human rights defenders and civil society figures were arbitrarily arrested. They were given suspended prison sentences on 16 June 2022. Their arrest followed their participation in an authorised peaceful demonstration against French support for the transitional military authorities in Chad, which was violently repressed in N'Djamena on 14 May 2022. At the end of the march, **Max Loalngar Yogangnan**, lawyer, spokesperson for the citizens' coalition "*Wakit Tama*" and former president of LTDH, **Gounoug Vaima Ganfare**, general secretary of the *Union des syndicats du Tchad* (Association of Trade Unions of Chad – UST), **Koudé Mbainaissem**, lawyer at the Chad Bar, both members of "*Wakit Tama*", **Hissène Massar Hissène**, president of the *Rassemblement des cadres de la société civile* (Gathering of civil society leaders), **Allamine Adoudou**, former ambassador and **Youssef Korom**, secretary general of the *Syndicat des commerçants fournisseurs tchadiens* (Chadian Merchant Suppliers' Union), were arrested by individuals believed to be members of Chad's intelligence services. They were remanded in custody by the public prosecutor at the N'Djamena Court, charged with "destruction of property" and "disturbance of public order", "attack on the physical integrity of persons, arson and destruction of property", and incarcerated at the Klessoum prison in N'Djamena. On 16 June 2022, the Moussoro court tried them and sentenced them to 12 months' suspended imprisonment and 10 million CFA francs (approximately 15,000 EUR) in damages.¹²⁶

On 20 October 2022, in response to a call from the opposition and civil society organisations, demonstrators gathered in several towns across the country, despite a ban imposed by the authorities, to protest against the two-year extension of the "transition" period and the retention of Mahamat Idriss Déby as President of Chad. These demonstrations were violently repressed by the Chadian authorities and resulted in at least 218 deaths, 40 missing persons and 1,369 arrests, according to the "Black Thursday" investigation report¹²⁷ by LTDH and OMCT. Among the victims was journalist **Narcisse Oredje**, shot dead in his home where he had taken refuge. The artist **Ray's Kim**, a rapper and slammer with many years' experience of promoting human rights and democracy, was seriously injured. These two cases are emblematic of the brutality exercised against all citizens present in the streets of Chad

¹²³ Tournons la page, "Niger : quand l'antiterrorisme justifie la restriction de l'espace civique - Rapport sur les interdictions de manifestation et de réunion au Niger depuis 2018" (Niger: When counter-terrorism justifies the restriction of civic space - Report on demonstration and assembly bans in Niger since 2018), March 2020, https://www.ritimo.org/IMG/pdf/tlp_niger_rapport_quand_l_antiterrorisme_justifie_la_restriction_de_l_espace_civique_2020.pdf

¹²⁴ Tournons la page and Agir ensemble pour les droits humains, "Chad : une répression héréditaire" (Chad: repression is hereditary), March 2022, <https://tournonslapage.org/fr/outils-et-ressources/Rapport%20Tchad-Tournons-la-Page-web.pdf>

¹²⁵ The Observatory for the protection of human rights defenders (FIDH-OMCT), Statement "Chad: Arrest and arbitrary detention of human rights defenders during demonstration in N'Djamena", 20 May 2022, <https://www.fidh.org/en/region/Africa/chad/chad-arrest-and-arbitrary-detention-of-human-rights-defenders-during>

¹²⁶ The Observatory for the protection of human rights defenders (FIDH-OMCT), Urgent Appeal TCD 002/0622/OBS 043, "Chad : Condamnation de six défenseurs des droits humains" (Chad: Six human rights defenders sentenced), 13 June 2022, <https://www.fidh.org/fr/themes/defenseurs-des-droits-humains/tchad-condamnation-defenseurs-droits-humains>

¹²⁷ OMCT, Jeudi Noir "Ils ont enlevé trois de mes fils" - Rapport d'enquête sur la répression sanglante des manifestations du 20 octobre 2022 au Tchad (Jeudi Noir "They abducted three of my sons" - Investigative report on the bloody repression of the demonstrations of 20 October 2022 in Chad), April 2023, <https://www.omct.org/site-resources/files/Rapport-Tchad-OMCT-LTDH--Avril-2023.pdf>

on Thursday, 20 October 2022.¹²⁸ At the beginning of December 2022, the transitional government announced that more than 250 demonstrators had been sentenced to prison terms in summary trials held in Korotoro Prison in the middle of the desert, without the presence of the defendants' lawyers.

In a joint statement¹²⁹ issued on 26 October 2022, independent experts from the UN and the African Union condemned the repression and called on the authorities to "promptly release these individuals whose only crime was to exercise their right to freedom of peaceful assembly". They also reminded "the Chadian authorities that under international human rights law they have an obligation to guarantee and protect the exercise of the rights to peaceful assembly and association, as well as to freedom of opinion and expression".

Nonetheless, the victims of these serious human rights violations have not seen justice. Instead, on 23 November 2023, the Chadian National Transitional Council, a legislative body, passed a general amnesty law¹³⁰ to terminate all proceedings arising from law enforcement agencies' violent repression of demonstrations organised by civil society and the Chadian opposition on 20 October 2022.

In this climate of constant repression, in addition to pressure from the military authorities, Chadian human rights defenders face rejection from part of the population. Traumatized by the violence of October 2022 – and sometimes isolated or challenged – they recognise that the fight for human rights and the defence of the rule of law present the risk of further violent repression. They now fear that the resignation of part of the population will lead to self-censorship.

Since the bloody demonstrations of 20 October 2022, the freedom to demonstrate has been considerably restricted. In 2023, Ordinance No. 011/PR/2023 of 1 August 2023 on public demonstrations and Ordinance No 009 IPT/2023 on assemblies were adopted, providing for severe penalties against demonstrators and authorising the use of force to disperse an assembly. Since then, at least five demonstrations have been banned on grounds of public disorder.



Credit: AFP

Caption: Demonstrators shout slogans during a demonstration in N'Djamena, Chad, on 20 October 2022.

¹²⁸ FIDH, "Tchad: répression systématique des manifestations contre la prolongation de la période de transition" (Chad: Systematic repression of demonstrations against the extension of the transition period), 20 October 2022, <https://www.fidh.org/fr/regions/afrique/tchad/tchad-repression-systematique-des-manifestations-contre-la>

¹²⁹ UN Special Procedures press release, "Chad: experts alarmed by lethal use of force against protesters and call for de-escalation", 26 October 2022, <https://www.ohchr.org/en/press-releases/2022/10/chad-experts-alarmed-lethal-use-force-against-protesters-and-call-de>

¹³⁰ FIDH, "Tchad : une loi d'amnistie au détriment de la justice" (Chad: an amnesty law at the expense of justice), 7 December 2023, <https://www.fidh.org/fr/regions/afrique/tchad/tchad-une-loi-d-amnistie-au-detrimet-de-la-justice>

Recommendations

In light of the many worrying elements documented in this report, the Observatory calls on the governments of the Sahel countries, in particular those of Burkina Faso, Mali, Niger and Chad, to respect their regional and international obligations concerning freedom of expression, freedom of association and freedom of the press, notably under the African Charter on Human and Peoples' Rights and the International Covenant on Civil and Political Rights. The Observatory calls on them to guarantee, in all circumstances, the physical integrity and psychological well-being of all human rights defenders. The authorities of these countries must put an end to all forms of attacks and harassment - including judicial harassment - against all human rights defenders, immediately and unconditionally release them and drop all charges against them.

The Observatory calls on the African Union, particularly the African Commission on Human and Peoples' Rights (ACHPR), and the United Nations (UN), particularly its Human Rights Council, to defend fundamental freedoms in these countries by urging the authorities and the groups supporting them to immediately cease acts of intimidation and judicial harassment, attacks, threats and acts of reprisal against human rights defenders and their families.

These regional and international institutions must continue to support the work of Sahelian human rights defenders, including by facilitating their full and regular participation in the work of their relevant bodies, such as the UN Security Council, in accordance with Resolution 2242 (2015), the ACHPR and other relevant bodies of the African Union.

To the authorities of Burkina Faso, Mali, Niger and Chad

- **Guarantee** in all circumstances the physical integrity and psychological well-being of all human rights defenders;
- **Ensure** the immediate and unconditional release of all human rights defenders in arbitrary detention and guarantee that human rights defenders in exile due to risk of persecution may freely return to their country, without any hindrance or fear of reprisal;
- **Put an end** to all forms of harassment, including judicial harassment, against all human rights defenders and drop all charges against them;
- **Respect** the provisions of the 1998 UN Declaration on Human Rights Defenders, in particular:
 - Articles 1 and 2, which state that “[e]veryone has the right, individually and in association with others, to promote and to strive for the protection and realization of human rights and fundamental freedoms at the national and international levels” and that “[e]ach State has a prime responsibility and duty to protect, promote and implement all human rights and fundamental freedoms, inter alia, by adopting such steps as may be necessary to create all conditions necessary in the social, economic, political and other fields, as well as the legal guarantees required to ensure that all persons under its jurisdiction, individually and in association with others, are able to enjoy all those rights and freedoms in practice.”
 - Article 12, paragraphs 2 and 3 of the Declaration, which states that the state shall take all necessary measures to ensure the protection by the competent authorities of everyone, individually and in association with others, against any violence, threats, retaliation, *de facto* or *de jure* adverse discrimination, pressure or any other arbitrary action as a consequence of the legitimate exercise of the rights referred to in this Declaration.
- **Respect** the rights of human rights defenders at all times, guarantee the conditions of an environment conducive to their legitimate action to promote and defend rights, and put an end to all forms of pressure on civil society;

- Effectively **combat** impunity for violations committed against human rights defenders, in particular by ensuring equal access to justice and by conducting prompt and thorough investigations into all cases of violence, threats of intimidation, harassment and other violations of the rights of human rights defenders;
- **Adopt**, in the case of Chad, and **respect**, in the case of Mali, Niger and Burkina Faso, laws on the protection of human rights defenders to guarantee their fundamental rights and freedoms;
- **Guarantee** respect for internationally recognised fundamental rights, such as the right to a fair trial and the rights to freedom of association, expression and assembly, recognised in particular by the International Covenant on Civil and Political Rights and the African Charter on Human and Peoples' Rights, to which the states concerned are parties;
- **Promote** a republican spirit based on peace, dialogue, respect for institutions, a diverse civil society and independent media to bring about a peaceful and vibrant democracy;
- **Support** civil society initiatives and programmes for the promotion and defence of human rights;
- **Cooperate** fully with the African Union, and in particular the ACHPR, as well as with all UN bodies, in particular the UN Special Rapporteur on the situation of human rights defenders and the UN Special Rapporteur on the rights to freedom of peaceful assembly and of association, notably by:
 - extending a standing invitation to the ACHPR Special Rapporteurs on Human Rights Defenders and Focal Point on Reprisals in Africa, and on Freedom of Expression and Access to Information;
 - extending a standing invitation to the UN Special Procedures and the ACHPR's human rights missions and responding promptly to outstanding requests for visits and to communications addressed to them.

To the African Commission on Human and Peoples' Rights and the African Union

- **Call** on the governments of Burkina Faso, Chad, Mali and Niger to put an end to all infringements and restrictions of fundamental freedoms and to guarantee respect for human rights;
- **Encourage** the authorities of the four countries to recognise the vital role of human rights defenders and use all means at their disposal to enable them to carry out their legitimate activities without hindrance or fear of reprisals;
- **Urge** the authorities of Burkina Faso to repeal the decree on conscriptions or cease its discriminatory application targeting human rights defenders;
- **Encourage** Chad to adopt a law on the protection of human rights defenders and other countries to respect such laws to guarantee their fundamental rights and freedoms;
- **Decide** to hold missions to promote human rights in Burkina Faso, Mali, Niger and Chad.
- To the United Nations
- **Call** on the authorities of Burkina Faso, Mali, Niger and Chad, as well as the groups supporting them, to immediately cease acts of intimidation, harassment - including judicial harassment - attacks and acts of reprisal against human rights defenders and their family members;
- **Continue** to fully support the regular, diverse and independent participation of civil society in the work of the UN Security Council in all relevant discussions, including country-specific meetings, in accordance with Resolution 2242 (2015);
- **Urge** these authorities to issue a standing invitation to the UN Special Rapporteur on the situation of human rights defenders and other UN Special Procedures;

- **Remind** the authorities of Burkina Faso, Mali, Niger and Chad of their obligation to respect the rights of human rights defenders at all times and in all circumstances; to guarantee the conditions of a favourable environment for their legitimate action to promote and defend their rights; and to put an end to all forms of pressure exerted on civil society in these countries;
- **Urge** the authorities of Burkina Faso to repeal the decree on conscriptions or cease its discriminatory application targeting human rights defenders;
- **Agree** with the Burkina Faso authorities on the appointment of a UN independent expert on the human rights situation in Burkina Faso.

To the international partners of Burkina Faso, Mali, Niger and Chad

- Systematically and publicly **condemn** violations of the rights of human rights defenders;
- **Support** civil society initiatives and programmes for the promotion and defence of human rights;
- In the case of the European Union (EU) and its Member States, **implement** the EU Guidelines on Human Rights Defenders.

Establishing the facts

Investigative and trial observation missions – Through activities ranging from sending trial observers to organising international investigative missions, FIDH has developed rigorous and impartial procedures to establish facts and responsibility.

Experts sent to the field give their time to FIDH on a voluntary basis.

FIDH has conducted more than 1,500 missions in over 100 countries in the past 25 years. These activities reinforce FIDH's alert and advocacy campaigns.

Supporting civil society

Training and exchanges – FIDH organises numerous activities in partnership with its member organisations, in the countries in which they are based. The core aim is to strengthen the influence and capacity of human rights activists to boost changes at the local level.

Mobilising the international community

Permanent lobbying before intergovernmental bodies – FIDH supports its member organisations and local partners in their efforts before intergovernmental organisations. FIDH alerts international bodies to violations of human rights and refers individual cases to them.

FIDH also takes part in the development of international legal instruments.

Informing and reporting

Mobilising public opinion – FIDH informs and mobilises public opinion. Press releases, press conferences, open letters to authorities, mission reports, urgent appeals, petitions, campaigns, website... FIDH makes full use of all means of communication to raise awareness of human rights violations.

17 passage de la Main-d'Or - 75011 Paris - France

TÉL.: + 33 1 43 55 25 18 / www.fidh.org

Created in 1985, the World Organisation Against Torture (OMCT) works for, with and through an international coalition of over 200 non-governmental organisations - the SOS -Torture Network - fighting torture, summary executions, enforced disappearances, arbitrary detentions, and all other cruel, inhuman and degrading treatment or punishment in the world and fighting for the protection of human rights defenders.

Assisting and supporting victims

OMCT supports victims of torture to obtain justice and reparation, including rehabilitation. This support takes the form of legal, medical and social emergency assistance, submitting complaints to regional and international human rights mechanisms and urgent interventions. OMCT pays particular attention to certain categories of victims, such as women and children.

Preventing torture and fighting against impunity

Together with its local partners, OMCT advocates for the effective implementation, on the ground, of international standards against torture. OMCT is also working for the optimal use of international human rights mechanisms, in particular the United Nations Committee Against Torture, so that it can become more effective.

Protecting human rights defenders

Often those who defend human rights and fight against torture are threatened. That is why OMCT places their protection at the heart of its mission, through alerts, activities of prevention, advocacy and awareness-raising as well as direct support.

Accompanying and strengthening organisations in the field

OMCT provides its members with the tools and services that enable them to carry out their work and strengthen their capacity and effectiveness in the fight against torture. OMCT presence in Tunisia is part of its commitment to supporting civil society in the process of transition to the rule of law and respect for the absolute prohibition of torture.

8 rue du Vieux-Billard - PO Box 21 - CH-1211 Geneva 8 - Switzerland

TEL: +41 22 809 49 39 / www.omct.org



THE OBSERVATORY

Activities of the Observatory

The Observatory is an action programme based on the belief that strengthened cooperation and solidarity among human rights defenders and their organisations will contribute to break the isolation they are faced with. It is also based on the absolute necessity to establish a systematic response from NGOs and the international community to the repression of which defenders are victims.

With this aim, the Observatory seeks to establish:

- > A mechanism of systematic alert of the international community on cases of harassment and repression of defenders of human rights and fundamental freedoms, particularly when they require urgent intervention;
- > The observation of judicial proceedings, and whenever necessary, direct legal assistance;
- > International missions of investigation and solidarity;
- > A personalised assistance as concrete as possible, including material support, with the aim of ensuring the security of the defenders victims of serious violations;
- > The preparation, publication and world-wide dissemination of reports on violations of the rights and freedoms of individuals or organisations working for human rights around the world;
- > Sustained action with the United Nations and more particularly the Special Rapporteur on Human Rights Defenders, and when necessary with geographic and thematic Special Rapporteurs and Working Groups;
- > Sustained lobbying with various regional and international intergovernmental institutions, especially the Organisation of American States (OAS), the African Union (AU), the European Union (EU), the Organisation for Security and Co-operation in Europe (OSCE), the Council of Europe, the International Organisation of the Francophonie (OIF), the Commonwealth, the League of Arab States, the Association of Southeast Asian Nations (ASEAN) and the International Labour Organisation (ILO).

The Observatory's activities are based on consultation and co-operation with national, regional, and international non-governmental organisations.

With efficiency as its primary objective, the Observatory has adopted flexible criteria to examine the admissibility of cases that are communicated to it, based on the "operational definition" of human rights defenders adopted by FIDH and OMCT: "Each person victim or at risk of being the victim of reprisals, harassment or violations, due to his or her commitment, exercised individually or in association with others, in conformity with international instruments of protection of human rights, to the promotion and realisation of the rights recognised by the Universal Declaration of Human Rights and guaranteed by the different international instruments".

To ensure its activities of alert and mobilisation, the Observatory has established a system of communication devoted to defenders in danger.

This system, called Emergency Line, can be reached through:

E-MAIL: alert@observatoryfordefenders.org

FIDH TEL: + 33 1 43 55 25 18

OMCT TEL: + 41 22 809 49 39



Me are matchings