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AFRICA

AFRICA POLICY

THE ISSUE:

U.S.-Africa policy is limited to two main focuses at the exclusion of almost all others: (1) security-focused efforts to guarantee access for the U.S. in the global war against terrorism and (2) ongoing humanitarian assistance. The results have been detrimental to good governance and accountability and for human rights and the rule of law.

The dominance of security-focused foreign policy overshadows other potential areas of U.S. engagement with sub-Saharan Africa. U.S. counterterrorism efforts have contributed to the erosion of accountability for security forces. U.S. military counterparts in Kenya, Nigeria, Cameroon, Chad and Niger have poor human rights records, with security forces in Nigeria and Cameroon credibly linked to torture and possible war crimes. Some experts fear that the impact of these human rights violations might be undermining support for counterterrorism initiatives. Despite this, the U.S. continues to train and assist these militaries, effectively supporting impunity.

Another consequence of the U.S. security-focused foreign policy is the ever-increasing export of U.S. arms to governments that have documented records of using them to commit abuses. While Boko Haram and Al Shabab constitute serious threats, easing human rights criteria in order to sell more weapons will create unsustainable dependency, prioritize militaristic approaches, and lead to more human rights violations.

Another casualty of the U.S.'s current foreign policy approach is civic space and accountability. U.S. agreements to coordinate counterterrorism efforts have resulted in governments passing sweeping legislation to restrict freedom of expression and assembly and access to information and have shut down government critics, members of the political opposition, civil society organizations and the media. Key U.S. military partners have passed legislation restricting civil society organizations, and independent media. In short, the governments are dismantling the very institutions needed to ensure human rights protections and to make sure that government policies and practice respect the rule of law and international and regional human rights standards.

U.S.-Africa policy is being shaped by what the United States is not prioritizing as much as by what it is. Programs to strengthen institutions and improve governance and accountability within the civilian sector have not kept pace with increases in security assistance, even though governments in Africa are dealing with displaced persons, climate change, and conflict over scarce resources. The funding imbalance sends a clear message about what the U.S. considers important.

U.S.-Africa policy needs to be reset and re-balanced. Increased human rights and governance programs must be complemented by the engagement of high-level officials in the executive branch. The administration must play a leading role in a communications campaign to build public and popular support for those priorities in those countries.

TALKING POINTS:

- U.S.-Africa policy has devolved into militaristic counter-terrorism partnerships and diminished humanitarian assistance. The United States must restore efforts to improve human rights and good governance by investing in programs to build strong, independent institutions, transparency, and accountability.

RECOMMENDATIONS:

- The White House should publicly reaffirm that promoting and protecting human rights globally is a U.S. foreign policy priority and direct the Secretary of State to have all U.S. embassies in Africa develop and implement

public relations campaigns on the importance of human rights and good governance, as well as the United States' commitment to those principles and to partner with African governments to achieve them.

- Instruct the Departments of Defense and State, including USAID, to conduct a review of the successes and challenges of U.S. counterterrorism strategy in Africa since 9/11, with a view to prioritizing security initiatives that have worked while not sidelining human rights.

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AFRICA & COVID-19

THE ISSUE:

Africa enters the COVID-19 period with familiar challenges that the crisis will worsen. While the situation varies by country, the majority of African countries have understaffed and underfunded healthcare systems as a result of decades of being neglected by African governments. One statistic noted that countries in sub Saharan Africa have .2 physicians for every 1,000 people, while OECD countries have [2.9 for every 1,000 persons](#). These figures do not take into account the ticking bombs in camps and settlements hosting Africa's displaced persons or its prisons. [According to UNHCR](#), Africa had 24,213,204 displaced persons. These people live in overcrowded conditions, have minimal access to healthcare and are dependent on assistance from governments that are being overwhelmed by the COVID-19 crisis.

Africa's economic progress will be decimated by the economic toll of the regional and global slowdown. [Economic growth is expected to be halved](#) as income from exports drops, foreign investment dries up and government revenue are reduced. Social distancing policies will hit the informal sector hardest as a result of halt of almost all economic activity.

Other areas of critical concern will be COVID-19's impact on Africa's conflicts. Somalia, Chad, the Central African Republic, Mali, Burkina Faso, South Sudan, north eastern Nigeria and Cameroon face conflicts that will not stop or go away, and hoping that the armed groups involved in these insurgencies will heed the UN Secretary General António Guterres' call for a universal ceasefire seems too optimistic. The question is not if but by how much the capacity of government forces in these conflict zones will be degraded and what military partners such as the United States and the European union, already consumed with rebuilding their own economies, will be able or willing to provide.

Basic human rights, already under pressure in many African countries, will also be further at risk with the COVID-19 crisis. The ability of the security forces to protect and maintain the rule of law in a manner that adheres to international and regional standards is doubtful as accountability and civilian oversight will be diminished. Police and military have been videotaped beating individuals for violating shelter in place restrictions. Persons arbitrarily detained now face an even higher risk of indefinite detention with courts being closed. They also face increased risk of exposure to COVID-19 due to chronic overcrowding of prisons across the continent.

Critical among the other areas of concern will be protecting and promoting access to information. Information about how to best avoid catching the virus, information about where resources and support to survive having the virus are can acquired could now be the difference between life and death. At the same time, information about what governments are doing, what they are not doing, and whether resources are being allocated fairly will all be essential to containing and reversing rates of infection.

Unfortunately, the record regarding African governments and access to information is not encouraging. While there are [safeguards](#) for access to information at the [regional level](#), too many African governments have laws that violate or restrict access to information or ignore their regional obligations by restricting freedom of expression and attacking independent media and human rights groups.

TALKING POINTS:

- As governments in Africa respond to the COVID-19 pandemic, ensuring access to information will be critical. Knowing how to avoid contracting the virus, and where resources and support to survive having the virus can be acquired, can be the difference between life and death. This means respecting and protecting the ability of news organizations and human rights groups to operate freely.
- Responding to COVID-19 will take more than just governments, which is why the United States calls on all governments to respect and protect civic space and human rights.

RECOMMENDATIONS:

- To address these challenges, the U.S. President should:
 - ◇ Reverse the decision to freeze funding for the World Health Organization.
 - ◇ Use the White House daily press briefings to address the need to ensure the protection of human rights in the responses of governments around the world, highlighting the need for access to information.

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CAMEROON

THE ISSUE:

Many Anglophone Cameroonians have long felt marginalized by the official actions and policies of the ruling government, including the abolishment of a federal form of government under which English-speaking Cameroonians had joined the government. Anglophone Cameroonians are concerned about calls for a unitary state, which they fear will marginalize them further and privilege their Francophone neighbors.

Starting in late October 2017, several peaceful protestors have been subjected to beatings by police forces. These crackdowns have targeted lawyers, human rights defenders, teachers, and Anglophone judges.

In 2017, Anglophone separatists launched a campaign to pressure school officials in the Northwest and Southwest Anglophone regions to go on strike as part of a boycott against the government of Cameroon and reportedly begun burning school buildings, threatening education officials with violence if they did not comply with a boycott. There were reports that armed groups killed religious leaders and civilians. Meanwhile, the administration arrested an Anglophone opposition leader Maurice Kamto in January 2019, and restricted freedom of expression by shutting down the internet.

Human rights violations continue to happen in the context of trials, as well; opposition party leaders' right to bail and habeas corpus have also been violated. An estimated 3,000 to 12,000 deaths have been documented in the country since the onset of the crisis. There are concerns that the country is on the verge of a possible civil war or genocide given that there is evidence of the commission of war crimes by the security forces.

The country also has a high number of displaced persons. According to the United Nations, rising insecurity led to the internal displacement of about 530,000 people. A growing number of Cameroonians are seeking safety in the United States – recent reports estimate that over 300 Cameroonians are currently detained in the U.S.

THE HUMAN COST:

Activist Franklin Mowha, the president of the NGO Frontline Fighters for Citizens Interests (FFCI), went missing on August 6 during a mission in the southwest region of Cameroon. His friends and family have not heard from him since. They fear he might have been caught up in one of the frequent raids that the military conducts in the region and subjected to enforced disappearance.

TALKING POINTS:

The widespread violation of human rights in Cameroon is staggering. We cannot wait for the situation to deteriorate further. The U.S. will not provide security assistance to security forces that are responsible for human rights abuses. This is the law of the land, and it will be the policy of the U.S. government.

RECOMMENDATIONS:

- The White House should announce the suspension of all security assistance to Cameroon, in particular to the Rapid Intervention Battalion (BIR) consistent with the Leahy Law, which prohibits military assistance to foreign security force units who violate human rights with impunity. It should also call upon the Cameroonian authorities to conduct credible and transparent investigations into all allegations of torture.
- The White House and Department of State must ensure that human rights and accountability are centered in any conflict resolution negotiations between the government and separatist groups in the Anglophone region.

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CENTRAL AFRICAN REPUBLIC

THE ISSUE:

The current crisis in the Central African Republic (CAR) dates back to 2006, when armed rebel groups launched an incursion into the northeast region of the country. Different militias continue to rob and kill civilians with impunity. Over a million people – 20 per cent of the Central African Republic's population – is displaced. The country faces one of the worst humanitarian crises in the world, with well over two million people facing starvation according to UN reports. The country's very weak judicial system is unable to impartially investigate, arrest, and prosecute individuals charged with human rights violations. Despite some small gains, such as the successful formation of Special Criminal Courts, the training and infrastructure for judges and police is alarmingly limited.

The CAR government's control is limited to the capital of Bangui. Despite the presence of UN peacekeeping forces, violence along ethnic and religious lines continues in both rural areas and in Bangui itself, particularly by Muslims from the north against Christians and animists in the rest of country. A February 2019 peace deal between the government and various rebel groups did not end the violence.

TALKING POINTS:

The United States will work with other donors of the Central African Republic to continue providing urgent humanitarian assistance and funding for capacity-building for improved governance. Stability in the CAR will ensure that the country will not serve as a conduit for weapons and armed units to Boko Haram and other armed groups operating in the region.

RECOMMENDATIONS:

- Continue financial and technical support for the UN peacekeeping mission (MINUSCA) in the Central African Republic and prioritize funding for the protection of human rights, strengthening the rule of law, and the disarmament, demobilization, and reintegration of former combatants.
- Continue support for humanitarian aid to address the 2.8 million people at risk of starvation.

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ETHIOPIA

THE ISSUE:

Ethiopia is at a crossroads, and the United States must do more to make sure that the reforms enacted by Prime Minister Abiy Ahmed do not fail. Over the past 18 months, Ethiopia has gone through profound changes. Thousands of political prisoners have been released, and some restrictive laws have been revised with more under review. Political parties have been unbanned and Prime Minister Abiy signed a peace treaty with Eritrea ending a 20-year-old border dispute.

However, ethnic clashes and religious conflicts have resulted in the displacement of millions. In response to the assassination of political leaders, the government has arrested numerous people, some without due process. Further, there are growing concerns over the failure of security forces to protect people and property. In the context of ongoing political discourse, media and social outlets in Ethiopia and outside the country have become platforms for inflammatory language and misinformation.

The government of Prime Minister Abiy must address the alarming rise in violence that made Ethiopia the country with the highest number of internally displaced persons in the world in 2018. Most recently, in October 2019, the government itself reported 86 people killed and more than 200 injured in protests. Ten of those were killed in direct clashes with security forces, while the others were killed by intercommunal violence. Over 400 people have been arrested in connection with the violence. In the Western Wollega and Guji Zones (both in Oromia), civilians have been massively impacted by clashes between government security forces and factions of the Oromo Liberation Army.

There have been reports of attacks on churches and mosques in different parts of the country. Additionally, there are reports showing an escalating number of deaths among university students in the various higher education institutions of Ethiopia, which also resulted in disruption of learning and teaching processes. The violence is contributing to and exacerbating a humanitarian crisis of over three million internally displaced persons in Ethiopia according to a figure provided by Office for the Coordination of Humanitarian Affairs (OCHA). There are growing concerns over the instability, the increasing levels of violence, and the deterioration of the rule of law.

With a general election scheduled for August 2020, there are fears that the violence will spread and could lead to a breakup of the country in an already volatile region of Africa dealing with extremist jihadists operating in and around Somalia (al Shabab) and a fragile peace between Ethiopia and the countries with which it has gone to war, as well as neighboring countries trying to move towards post-conflict reconstruction (Sudan and South Sudan).

TALKING POINTS:

In August 2020, Ethiopia will hold critical elections that could determine the fate of the country and impact regional stability. The United States must do its part to ensure that the Ethiopian people can fully realize the reforms and respect for human rights and inclusive governance that they have fought for over the last several years.

RECOMMENDATIONS:

- Publicly reiterate the importance of Ethiopia moving forward towards improved governance and respect for human rights and call for all people living in Ethiopia and abroad to do their part to prevent the spread or escalation of

violence.

- Call upon the Department of State to work with USAID and civil society to design and implement a violence prevention mechanism with civil society organizations in Ethiopia to monitor and serve as an early warning and response system to mitigate risks of ethnic- and religious-based violence.
- Ensure rule of law and respect for human rights by government actors and non-state actors alike, including the creation of a safe space for human rights concerns to be addressed without the threat of violence.

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ERITREA

THE ISSUE:

Eritrea is one of the most closed off countries in the world and remains an unsafe place for political dissenters or anyone who attempts to escape its indefinite national service program.

Government critics outside the country are often harassed, intimidated, or even threatened by members of the ruling party (the only party permitted to operate in Eritrea). Those inside the country who publicly criticize or who are perceived as critical of the government are frequently arrested without being formally charged and are usually detained indefinitely, typically without access to a lawyer. Many human rights defenders and independent journalists have been subjected to enforced disappearance, with friends and relatives deprived of information about their fate or whereabouts for many years after their arrest.

Repression of political dissent in Eritrea continues, despite their 2018 peace deal with Ethiopia. In September 2018, three months after the restoration of relations between the two countries, Eritrean security forces arrested Berhane Abrehe, former Minister of Finance, barely a week after he published a book entitled *Eritrea Hagerey* (Eritrea, My Country). The book criticized the Eritrean government and called on Eritreans to use peaceful means to bring about democracy in the country.

The repression also targets religious figures in the country. On December 18, 2019, the Department of State re-designated Eritrea one of the “Countries of Particular Concern” under the International Religious Freedom Act of 1998 for having engaged in or tolerated “systematic, ongoing, [and] egregious violations of religious freedom.”

THE ISSUE:

22-year-old Ciham Ali Ahmed hasn’t seen her family in five years. She’s been in detention in Eritrea since she was 15 years old. Born in California, but raised in Eritrea, Ciham is a dual Eritrean and US national. In 2012 —aged just 15—Ciham was arrested after attempting to cross from Eritrea into Sudan. Anyone caught crossing this border is usually imprisoned for approximately six months, but despite never being charged with any crime, Ciham has remained in detention for more than six years.

Ciham is in incommunicado detention, meaning her family hasn’t seen or heard from her in over five years. This is an enforced disappearance.

RECOMMENDATIONS:

- Mandate the Department of State to convene a consultation on improving human rights in Eritrea to develop recommendations for improving the protection of basic human rights in the country.
- Publicly call on the government of Eritrea to end indefinite military and national service.
- Call on the government of Eritrea to release journalists, religious figures, and political dissidents, and to end arbitrary detention and enforced disappearances.

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KENYA

THE ISSUE:

Kenya has made considerable progress in terms of rule of law following the unprecedented Supreme Court of Kenya decision that nullified Kenya presidential elections in 2017 and asserted judicial independence. However, Kenya is facing numerous challenges, among them rising economic costs, a disenfranchised public that is apathetic towards politics, and burgeoning youth population that remains practically excluded from the workforce.

President Uhuru Kenyatta and opposition leader Raila Odinga agreed to put an end to several months of tensions following another disputed election in 2017. Their agreement produced the Building Bridges Initiative (BBI) report, which is considered by some as a unifying, thoughtful plan for a process of rebuilding the nation. For others it is a formula of sharing positions in the future government of 2022.

Social and political polarization based on ethnic and economic divisions continue to widen as people feel more alienated from their government. Lack of accountability for serious human rights violations perpetrated largely by security forces remains a major concern in the country. The 2017 presidential elections period saw abusive police operations, including the beating and shooting of opposition party members. The peace deal between the president and the opposition leader eased political tensions but authorities had not taken serious measures to ensure accountability for police brutality. Accountability for the use of excessive force by the security services requires urgent action.

Freedom of expression and media remain at risk, despite promises by the president to protect press freedom. Police and senior state officials continue to threaten journalists writing on corruption and security issues.

Kenya continues to host almost 500,000 refugees, most of who reside in the Dadaab and Kakuma refugee camps. Other refugees are located in Nairobi. Although Kenya is a party to the U.N. Refugee Convention and the 1993 African Union Convention on Refugees, reports indicate that authorities have violated the conventions, including the principle of non-refoulement, which prohibits returning individuals to places where they would be at risk of harm.

TALKING POINTS:

- Kenya's long-term stability depends on communal violence being curtailed. The United States calls on the administration of President Kenyatta to end decades of impunity and facilitate a credible investigation into the Rift Valley violence of the 1992 Presidential elections.

RECOMMENDATIONS:

- The White House and the U.S. Department of State should:
 - ◇ Maintain funding and technical support for the Kenyan government to support its refugee commitments in policy, including helping Kenya implement programs under the Global Compact for Refugees aimed at improving livelihoods and access to education.
 - ◇ Call upon the Kenyan government to break the culture of impunity by allowing credible, independent investigations into past human rights abuses, in particular in the Rift Valley during 1992 elections.

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NIGERIA

THE ISSUE:

Respect for human rights in Nigeria is at risk as the civic space continues to be squeezed by the administration of President Muhammadu Buhari and the Nigerian security forces.

The government has responded violently to criticism of its handling of the insurgency of the armed group Boko Haram in the northern provinces of the country, inter communal violence in the Middle Belt provinces that have taken on religious tones, and outrage over government corruption.

The government has passed multiple laws to muzzle dissent including the Freedom of Information bill, the Protection from Internet Falsehood and Manipulation bill, the Prohibition of Hate Speech bill and the Cybercrimes and Anti-Terrorism Act. All of these directly violate regional and international human rights standards and impede the work of human rights defenders and journalists. The government has also taken steps to restrict funding for NGOs including requiring profile checks of staff and possible board members of civil society organizations (even if they do not reside in Nigeria).

Members of some civil society organizations have faced intimidation and physical harm for expressing concerns over the government's Boko Haram counter insurgency or have encountered obstacles when investigating human rights abuses committed by the military against alleged Boko Haram suspects. Groups operating in the restive Niger Delta region face similar impediments.

In December 2018, for example, the Nigerian army responded to an Amnesty International report on the alleged failure of the military to protect residents vulnerable to attacks in central Nigeria by threatening to shut down the group's Nigeria office. On March 20, 2017, protesters carrying a coffin invaded Amnesty International's office in Abuja chanting slogans against the organization like "Amnesty International supports Boko Haram," and "You are demonic, leave Nigeria now." The protesters, some of whom were internally displaced persons from camps outside Abuja, said they were paid N1400 every day by agents of the sponsors of the protest, who they met at Unity Fountain, Abuja.

THE HUMAN COST:

Nigerian authorities continued to detain human rights defenders Olawale Bakare at the Department of State Services in Abuja, and Agba Jalingo in Calabar prison, southern Nigeria. They are facing trumped-up charges of treason because they demanded government accountability. Their cases are emblematic of the harassment faced by Nigerian civil society and the governments abuse of the judicial system.

Security services including the DSS and police periodically arrested and detained journalists who criticized the government. Army personnel in some cases threatened civilians who were assumed to have provided information to journalists or NGOs on misconduct by the military.

TALKING POINTS:

- The United States is extremely concerned over possible abuses by the Nigerian security forces, in particular the Department of State Services.

- The White House should urge President Buhari to uphold the rule of law and ensure accountability for all starting with the public release of the findings of the Panel to Review Compliance of the Armed Forces with Human Rights Obligations and Rules of Engagement, which submitted its report in February 2018.
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- Nigeria is facing a growing threat to freedom of association, freedom of expression and freedom of religion. As Africa's largest democracy, President Buhari must reverse this trend and protect political space.

RECOMMENDATIONS:

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- Nigeria is facing a growing threat to freedom of association, freedom of expression and freedom of religion. The White House should press President Buhari to reverse this trend and protect political space.

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REPUBLIC OF THE CONGO

THE ISSUE:

President Denis Sassou Nguesso has maintained power for more than three decades by using legislation and his security forces to intimidate citizens and repress political opponents.

Although the Republic of Congo constitution guarantees the right to assembly and peaceful protests, freedom of expression, access to information and communication, and prohibits censorship, government authorities regularly violate these rights using national law provisions. Political opponents, human rights defenders, and journalists are pressured, threatened, and imprisoned. Groups must receive official authorization from local and national authorities to hold public assemblies, and permission is routinely denied. Government forces employ excessive violence against protesters or to disperse assemblies.

The constitution and national laws also prohibit arbitrary arrest and detention. But the current government frequently ignores these laws and relies on more restrictive legislation for arrests and detentions of political opponents, journalists and human rights defenders. The constitution and laws give detainees the right to challenge their detention before a judge or authority and due process, but these are routinely ignored.

The Nguesso administration has been consistently linked to cases of torture, which is prohibited under the constitution. National law contains a general prohibition against assault and battery, but there is no legal framework specifically banning torture under the criminal code and the judicial remedy is impossible as the judicial system is underfunded, dominated by Sassou Nguesso's administration and his allies and is vulnerable to corruption and political influence.

As a result, dozens of political opponents remain in detention; some are prisoners of conscience. There are reports of cases of cruel, inhuman, and degrading treatment by security forces and prison guards. But no investigations have been conducted into these allegations.

TALKING POINTS:

- The Republic of Congo is a signatory to the Torture Convention. It is therefore incumbent on President Sassou Nguesso to change his country's laws to comply with international standards, the United States urges him to do that as quickly as possible and to ensure his security forces adhere to these standards.

RECOMMENDATIONS:

- The White House and the Department of State should write to President Denis Sassou Nguesso and urge him to:
 - ◊ **Change the definition of torture in its criminal code to align with the UN Convention Against Torture and investigate all allegations of torture and ill-treatment, and bring suspected perpetrators to justice in fair trials**

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RWANDA

THE ISSUE:

Rwanda's government frequently trumpets its democratic system, developed since the military conclusion of the 1994 genocide. In reality, the country's government has severely restricted human rights. Although international donors often describe the country as a successful model of development, the price of development has been the forced subordination of the population so that no criticisms of the state are tolerated. This has resulted in elections with opposition parties largely suppressed, and opposition candidates imprisoned or driven out of the country or assassinated. It has further resulted in the suppression of freedom of the press, and suppression of independent human rights organizations. In short, it bears the marks of a police state, under the guise of a democracy.

Freedom of expression in Rwanda is severely restricted at all levels. Independent civil society and media have been decimated; political opponents face numerous obstacles to operate and have been imprisoned and attacked; legislation and the mere threat of prosecution for genocide ideology have a chilling effect on public discourse and encourage self-censorship. Following the presidential election in 2017 and amendments to the constitution that allow President Kagame to stand for three more terms, restrictions on political space continue to be of concern.

The Rwandan government has been credibly accused of extra-judicial killings of opposition figures. It has arrested important figures and held them in prison for long periods. More pertinently, it has assiduously pursued a policy of quashing any expressions of opposition, not only among political parties, or in military entities, but among the civilian population. There is little to no real freedom of expression in the Rwandan press, human rights organizations have limited margins to act, and no credible statements of opposition to any government policies are tolerated.

TALKING POINTS:

- Rwanda is a signatory to the International Covenant on Civil and Political Rights and the African Union Charter on Human Rights, both of which protect freedom of expression, association and assembly. We therefore call upon the Kagame administration to release all prisoners of conscience, including Jackie Umuhoza.

THE HUMAN COST:

Jackie Umuhoza, daughter of exiled pastor Deo Nyirigira, was arrested on the morning of November 27, 2019 in Kigali. After her family and friends raised the alarm on social media the next day, the Rwanda Investigation Bureau confirmed on Twitter that Jackie Umuhoza had been arrested on suspicion of treason and espionage. She remains in detention without having been brought before a judge. Her detention follows a familiar pattern of harassment and arbitrary detention by the government against critics and their family members

- President Kagame must address the culture of fear and intimidation drowning Rwanda. He can do this by ensuring a credible independent investigation into the death of people like Syldio Dusabumuremyi and the other FDU-Inkingi party members who have been found dead or who have disappeared without a trace.

RECOMMENDATIONS:

- The White House should write to President Kagame and urge him to release all prisoners of conscience, including Jackie Umuhoza. .
- As part of improving respect for human rights and the rule of law in Rwanda the White House should mandate the Department of State to prioritize expanding programs to strengthen the independence of the Rwandan judiciary.

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SOMALIA

THE ISSUE:

Human rights conditions and security in Somalia remain poor. Attacks on civilians by armed group al-Shabaab have continued. In Somalia, al-Shabab conducted attacks in 2017 at a hotel in Mogadishu, resulting in the death of 512 people. On January 2, 2020, the group killed more than 80 people in a bomb attack.

The Somali people have also been victims of counterterrorism efforts, including by the United States. U.S. forces carried out 34 strikes in Somalia in the last nine months of 2017 – more than in the entire five years from 2012 to 2016. That number increased again in 2018, to 47 strikes. There were already 24 strikes by the end of February 2019. Following years of claims that the strikes had not resulted in any civilian casualties, in April 2019, the US Africa Command acknowledged that strikes had led to two civilian deaths.

Instability and insecurity caused by the conflict with al-Shabab and drought have contributed to a humanitarian crisis. There has been a significant increase in the number of internally displaced persons, to 943,000 by the end of 2019. Over 3 million people experienced emergency levels of food insecurity.

TALKING POINTS:

We must continue to support the African Union Mission in Somalia, which is protecting people from al-Shabab. We will also work with other donors to help build capacity for improved governance and the protection of human rights.

RECOMMENDATIONS:

The White House must:

- Continue supporting the African Union Mission to Somalia (AMISOM), whose mandate expires in March 2020, and prioritize conducting human rights due diligence trainings for AMISOM and for government security personnel.
- Call on other donor governments to continue capacity building initiatives for the Federal Government of Somalia, including for its judicial and law enforcement systems.

TIME URGENCY:

AMISOM's mandate is up for renewal in March of 2020; security analysts suggest that Somali defense forces are not yet ready to fully shoulder peacekeeping responsibilities and that al-Shabaab currently continues to demonstrate an ability to launch sophisticated and deadly attacks both in Somalia and neighboring Kenya.

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SOUTH AFRICA

THE ISSUE:

In South Africa, there have been an alarming number of lootings, burned shops, an attack on a mosque, and several foreigners killed. The ongoing and escalating attacks are a consequence of—among other things—years of impunity, the failure of South Africa’s criminal justice system to uphold the rule of law, corruption, and frustration with stalled reforms following the end of the apartheid era. Consequently, foreigners, migrants, and refugees are increasingly vulnerable to violence.

Dozens of people were killed in anti-foreigner riots in 2008 and 2015. An outbreak of violence in 2019 highlights the dangerous and inflammatory rhetoric being spread by South African politicians, including blaming migrants for “taking jobs” from South Africans and committing crimes.

Businesses belonging to Nigerians and other foreign nationals have been targeted in Pretoria and Johannesburg, with property worth millions of dollars burnt. The attacks against migrants violate freedom of movement as well as the right to the security of person as protected under the South African constitution and the African Charter on Human and People’s Rights, as well as the International Covenant on Civil and Political Rights, both of which South Africa has signed. South African authorities must come up with a security plan to ensure the safety of all refugees and migrants and seek to end these attacks once and for all. That begins with holding suspected perpetrators of xenophobic crimes to account and breaking this cycle of impunity.

TALKING POINTS:

The United States condemns all forms of xenophobia and calls upon President Ramaphosa of South Africa to use to all the powers of his office to publicly oppose xenophobia against refugee and migrants including developing a security plan to ensure the safety of all foreign nationals living in South Africa.

The United States calls upon the government of South Africa to end the cycle of violence and xenophobia against foreign nationals by holding perpetrators of abuses against them accountable.

RECOMMENDATIONS:

The White House should:

- Publicly condemn xenophobia in South Africa.
- Call upon the South African government to:
 - ◊ Take action to stop acts of xenophobia and curtail rhetoric that fuels xenophobia in accordance with African and international human rights standards;
 - ◊ Develop a security plan with necessary operational mechanisms to ensure the safety of all foreign nationals including, but not limited to, businesspeople, professional workers, refugees, and migrants;
 - ◊ Hold perpetrators of past and present xenophobic and related crimes/violence accountable.

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SOUTH SUDAN

THE ISSUE:

In South Sudan, civilians have borne the brunt of the ongoing armed conflict between the government and armed opposition forces. The security and human rights situation remains unstable. Nearly 400,000 people have died since December 2013, often as a result of their ethnic background. The violence has also forced up to 1.9 million people, 85% of whom are women and children, from their homes, displacing them within South Sudan and forcing thousands to UN camps in search of protection. Currently, these camps protect over 180,000 people. Over 2.2 million people have sought refuge outside the country, creating the largest movement of refugees in Africa and the third largest movement of refugees in the world.

Parties to the conflict have deliberately blocked humanitarian assistance, using food as a weapon of war. Recent reports also show an estimated 6.9 million people faced severe food insecurity from May – July 2019, and 50,000 people were expected to face a famine-like situation.

There have not been any judicial proceedings before civilian courts related to serious crimes committed in connection with the conflict since December 2013. The government's failure to prosecute and punish the perpetrators of crimes committed by both government and opposition armed groups necessitates a meaningful and effective alternative justice mechanism for the people of South Sudan.

THE HUMAN COST:

On July 15, 2019, Michael Rial Christopher—40-year-old South Sudanese newspaper editor—was taken off of a flight to Kenya by South Sudanese National Security Service (NSS) agents and arbitrarily arrested in Juba. He remains in detention at the NSS headquarters in Juba.

TALKING POINTS:

The government of South Sudan and the opposing groups must ensure that the current peace agreement leads to the protection of human rights and the unrestricted delivery of humanitarian assistance to those in need.

The situation in South Sudan underscores the need for the South Sudan government to meet a clear deadline for signing the Memorandum of Understanding and enact a law to establish a hybrid court. Failing action by the South Sudan government by the deadline, the US should support the unilateral establishment of an ad hoc tribunal for South Sudan in order to create an impartial mechanism that will deliver justice to the countless victims of crimes committed during the ongoing conflict.

RECOMMENDATIONS:

- Call on the Government of South Sudan to sign the proposed Memorandum of Understanding with the African Union (AU) and adopt the necessary legislation that will enable the establishment of the Hybrid Court for South Sudan (HCSS).
- Call on the Government of South Sudan to bring those who have committed human rights violations to justice.

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SUDAN

THE ISSUE:

The Sudanese people have been protesting since December 2018, when they took to the streets to express their anger over rising costs of living and the decline of political freedom. Their pressure worked, and on April 11, 2019, Sudan's military overthrew the National Congress Party (NCP) government, arresting President Omar al-Bashir and other senior party leaders.

Bashir's tenure was marked by war crimes, crimes against humanity, and systematic human rights violations. Bashir was succeeded by a partnership between the Transitional Military Council and the Forces of Freedom and Change alliance, who launched a 39-month transition process to return the country to democratic rule.

Sudan's transition is extremely fragile and faces several threats from official security forces and allied militias that have committed egregious human rights violations over the last four decades, such as arbitrary detention, torture, assault, and extrajudicial executions, including the massacre of protesters in 2019, killing over 100 in just one attack on July 11. Equally of concern is the fact that the key architect of the killings in Darfur—General Hamdan, known as Hemeti—retains significant control of troops and militias as a member of the Transitional Council.

TALKING POINTS:

- The United States supports the people of Sudan, who, after four decades of brutal repression, have demanded democracy and greater respect and protection of human rights by their government.
- The United States calls upon Prime Minister Hamdok to ensure that his administration pursues accountability for past crimes by former President Omar al-Bashir, the RSS, and the Janjaweed militias.
- The United States urges the Transitional Government to repeal the oppressive public order laws that dictate the dress code for women, disband the Public Order Police and the Dedicated courts, and abolish flogging as a form of punishment.

RECOMMENDATIONS:

- The White House and the Department of State should publicly indicate US support for the democratic transition in Sudan and fast track funds and technical support for democracy and governance programs
- Call upon the Department of State and USAID to develop a long-range program of support to serve as an early warning system to prevent and mitigate violence linked to the anticipated elections at the end of the transition period.

ADDITIONAL RESOURCES:

- Amnesty International, 17 April 2019, "Why former Sudan president Omar al-Bashir must not escape justice." <https://www.amnesty.org/en/latest/news/2019/04/why-former-sudan-president-omar-al-bashir-must-not-escape-justice/>

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TANZANIA

THE ISSUE:

Elected in 2016, President John Magufuli has restricted Tanzanians' freedom of expression, assembly, press, and association through repressive laws and tightly amended national government orders. In mid-2016, the administration enacted a ban on all political activity until the 2020 elections. This has resulted in mass suppression of opposition party politicians and the suspicious disappearance of opposition party leaders. Moreover, several major leaders of the opposition party, CHADEMA, have been imprisoned or targeted in violent attacks, likely committed by members of the Magufuli administration. In June 2016, the Media Services Act was amended, impeding the right to information, and in June 2019, parliament amended the Political Parties Act to restrict peaceful assembly. Human rights groups have continued to be silenced, with Tanzanian officials controlling the dissemination of information used for research purposes – a massive violation of freedom of information. Any published information that can incite “fear and alarm” is subject to heavy court fines.

While these—among other restrictive laws—impact every Tanzanian citizen at large, human rights groups, opposition party members, researchers, low-income individuals, and online bloggers are most affected by President Magufuli's repressive and draconian restrictions on basic freedoms.

AMNESTY CASE:

Erick Kabendera, a respected journalist whose investigations have been critical of the human rights record of the Tanzanian government, was taken by six men on July 29, 2019, and held incommunicado for more than 24 hours. He was charged on August 5 with three offences that he allegedly committed between January 2015 and July 2019 in Dar es Salaam. Concerns have been raised for his wellbeing, as his health has deteriorated since his detention.

TALKING POINTS:

- In Tanzania, restrictions to freedom of expression, assembly, press, association, and political activity have resulted in the denial of basic freedoms for all Tanzanians and mass suppression of the opposition party.
- Tanzania must revoke restrictions on freedom of expression, association, and assembly that undermine the ability of civil society organizations to advocate for basic freedoms.

RECOMMENDATIONS:

- Issue a public condemnation of the state of human rights and basic freedoms in Tanzania, drawing specific attention to the Political Parties Act and the Media Services Act.
- Publicly raise the cases of Erick Kabendera and Tito Elia Magoti and call on the government of Tanzania to release them and other prisoners of conscience.

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