

WORKBOOK ON SECURITY: PRACTICAL STEPS FOR HUMAN RIGHTS DEFENDERS AT RISK



CHAPTER 2: RISK ASSESSMENT

“We can’t avoid risks as defenders, but we have the responsibility to take time to manage them”

HRD, Americas

This Chapter looks at some of the risks faced by HRDs. It introduces the Risk Formula - a tool that assists you to identify the different components that increase or reduce your risk. There is a case study based on the Risk Formula for you to consider. Then there is an exercise so you can complete your own Risk Assessment. There is also an explanation of the Risk Matrix, which uses the concepts of probability and impact to assist you to assess the most important risks you face.

Introduction

What you do as a HRD can challenge the interests of powerful actors and this can put you at great risk. The more effective your work is, the more likely it is that this will put you at risk. Defenders in many countries throughout the world face risks because of their work.

The challenge is to be able to assess – as far as possible – the degree of risk, and take actions to minimise this risk.

Assessment of risk will be based on your unique context. Understanding your context is the prerequisite for being able to take effective security measures. We include a chapter on this topic at the end of this Workbook (Chapter 6: Understanding your context). While such a chapter would normally be at the beginning of publications on security, HRDs have advised us that - because the exercises may not be as easy to begin immediately - it is better to start with the more immediate issue of risk.

Risks

Risks will differ according to the context of your country, the patterns of threats and attacks, the perpetrators, the degree of impunity, and the individual’s identity, profile, activities and location. In many countries, WHRD and LGBTI HRDs are more at risk than others; HRDs working in the rural areas with fewer resources and without close access to protective allies or institutions are also often more at risk. However, many risks faced by HRDs are of a similar nature, such as:

- Stigmatisation of HRDs as ‘anti-state’, ‘anti-religious’, ‘agents of Western powers’, ‘members of armed opposition groups’, ‘sex workers’, ‘traffickers’, ‘corrupt’.....the list is endless.
- Interference with travel, writing or associating with others
- Blackmail (eg “if you don’t stop your activities, your son will be arrested”)
- Being targeted with Administrative measures – such as requirements to provide extensive financial information, proof of ownership of legitimate computer software, difficulties in registering or re-registering organisations
- Physical and sexual assaults (by personnel or by devices such as bombs)
- Attacks on livelihood – losing job or education opportunities
- Attacks on property – vehicle, house or office vandalised or destroyed

“A human rights journalist was denounced by the President as a traitor. All the other journalists wrote articles defending him and this helped protect him”.

HRD, Middle East

“I was having a meeting with an Ambassador in his embassy when I got a call to say that armed thugs had surrounded our office. The Ambassador came with me to the office and when the thugs saw who I was with, they retreated.”

HRD, Asia

“I was threatened all the time that I would lose my job if I didn’t stop my human rights work. I set up my own business so these threats would have no impact.”

HRD, Eastern Europe



Nabeel Rajab, Bahrain with tear gas canisters fired on his home

- Detention / arrest / imprisonment - perhaps based on false or spurious accusations, or civil or criminal cases on defamation
- Ill-treatment / torture
- Abduction / kidnap
- Murder

The perpetrators might be the authorities, companies, powerful groups or sections of the community.

This list may appear intimidating, but there are ways to minimise the risks. To begin this, we will look at a tool which is at the heart of this Workbook – the Risk Formula.

The Risk Formula

$$\text{RISK} = \frac{\text{THREATS} \times \text{VULNERABILITIES}}{\text{CAPACITIES}}$$

The **definitions** for the terms are:

RISK – the possibility of events that result in harm

THREAT – declaration or indication of an intention to inflict damage, punish or hurt (recent or immediate)

CAPACITY – any resource (including abilities and contacts) which improve security

VULNERABILITY – any factor which makes it more likely for harm to materialise or result in greater damage

This may look complicated, but let us look at a true story of a HRD at risk to identify the different components.



Role play of attack by armed men on a WHRD, illustrating a security plan in action

Activity

While you are reading it, make notes on what were the risks Juan faced, the threats, the vulnerabilities and the capacities.



Juan, an LGBTI HRD in the Americas, knew that there was a lot of hostility in the community towards his organisation's work and him personally. One day he was walking in town and saw two men pointing at him and appearing to talk about him. Juan became alert to a potential risk.

In his head he had a 'map' of the town, knowing where his friends and sympathisers were located. He quickly walked to a nearby shop where the shopkeeper was a friend of his.

Juan and the shopkeeper saw a mob start forming on the other side of the street. The shopkeeper locked the door and pulled down the metal shutter. Juan had his mobile phone with him, charged and with credit. He rang a contact of his (his emergency security contact, who had been prepared for such a scenario) – he had inserted the number as a speed-dial number on his phone.

His emergency security contact rang the local police (who could be relied on to help the HRD, due to previous advocacy work) immediately.

The police arrived and rescued Juan just as the mob was starting to break the door down.

- Risks
- Threats
- Vulnerabilities
- Capacities

Check these with our assessment:

Risks:

- assault / torture (including sexual assault)
- murder

(There are also risks for the shopkeeper and the shop premises)

Threats: it is useful to look at the threats at 3 different levels -

- 1) the 2 men pointing and talking about Juan. This can be called a 'security incident' (an event which could indicate a threat or lead to one) – it could be that the men were just admiring Juan's jeans! At this stage it wasn't clear.
- 2) the mob forming across the street
- 3) the mob attacking the shop

Vulnerabilities:

- antagonistic community
- known personally as an LGBTI HRD
- alone
- walking

Capacities:

- mobile phone, charged, with credit, emergency contact number on speed-dial
- friends and allies: the shopkeeper; the emergency contact; the police
- advance planning – 'map' of the town
- psychological aspect – keeping calm

The risk analysis is presented as a formula, because if one item changes, it will affect the level of risk.

- Threats: if the two men who initially pointed at Juan had approached him in a hostile manner, this would still have been less of a threat than a hostile mob forming, and the risk (of assault or murder) would have been reduced
- Vulnerabilities: if the community had not been hostile, or he was with three colleagues (not alone), or he was on a motorbike (or not on foot), his vulnerability would have been less and the risk would have been reduced
- Capacities: if Juan had left his mobile phone at home, or had no credit on it, his ability to deal with the threats would have been much reduced and the risk would have increased. If he hadn't had each of the three friends and allies, he would clearly have been much more at risk. If he hadn't had a plan he might have panicked and run and the mob might have caught him. If he hadn't kept calm, he could have dropped and broken his mobile phone.



Members of the Bagua community demonstrating to protect the land rights of indigenous communities, Peru

This example is not meant to provide a perfect escape plan from a threatening situation. It is clearly specific to this context and is used here to assist you to identify the various components of the Risk Formula and how they can be used to assess the level of risk.

You will see that vulnerabilities and capacities can be two sides of the same coin. For example, if Juan had not carried his mobile phone, that would have been a vulnerability. Having it would be a capacity.

Comments on this case study and the Risk Formula from HRDs:

Comment: ‘Isn’t the fact that he was well-known and disliked in the community a threat, not a vulnerability?’

Response: In this example, the community’s attitude has been long-term. It is not a recent declaration or indication, so it is a vulnerability. If the week before, a community spokesperson had, for example, said in a radio programme that LGBTI HRDs should be hounded out of town, that would have been a threat. Or a stone thrown through his window that morning, that could have been a security incident (if he didn’t know who did it and why) or a threat (if it was accompanied by a homophobic message).

Comment: ‘This couldn’t work in our community – the police would never come to our aid. And ‘Why didn’t Juan run, or jump in a taxi? Didn’t he bring risk to the shopkeeper?’

Response: Yes, all risk situations have different contexts, different vulnerabilities and capacities. Juan also did have other options, but in his assessment, at that time, he made his choice. The case study isn’t meant to be a blueprint for a successful strategy (although it did work in this specific context). It is included to illustrate the components of the Risk Formula.

Comment: As it is a formula, like a mathematical formula, shouldn’t there be a final answer? If you have 2 threats, 5 vulnerabilities and 10 capacities, doesn’t that mean the risk is 1 ($2 \times 5 = 10$. 10 divided by 10 = 1) and therefore very low?

Response: The risk formula is based on human knowledge and subjective assessment. It could be dangerous to reduce it to numbers in this way. It is meant as a tool, to assist you to identify the components in the risks you face, not to provide a mathematical answer to a human problem.

The key messages are:

- a) that risk varies depending on the level of threat, but also the level of our capacities and vulnerabilities;
- b) that the risk might be different for different actors in the same situation because of their different vulnerabilities and capacities;
- c) that even when we cannot reduce the threat we can reduce the risk by reducing vulnerabilities or increasing capacities.

Working with the Police

In some countries, HRDs do not contact the police as a matter of policy, because they believe the police are behind some of the threats they receive. In other countries HRDs work closely with the police. Here are some very different comments from HRDs about working with the police:

“We set an objective to improve our relationship with the police. We worked together with them to set up mobile units to issue driving licences to overcome corruption. This was popular with the police and the community, so we improved our reputation.”

HRD, Asia

“An activist was threatened after talking to the UN Special Rapporteur for Human Rights. The police gave him protection.”

HRD, Asia

“If we talked to the police, someone may see us and say that we are informers. The way we deal with this is to have only formal contacts with high level police officers.”

HRD, Africa

“We are scared to talk to the police, but we think it is essential to build up our contacts. So in our network of NGOs, we identified one person who already knew the Police Commissioner, who would be the contact person for all our organisations.”

HRD, Americas

“Some of our members say that the police have carried out atrocities and we should have no contact with them. But our leadership says that if Nelson Mandela could work to develop relations with his captors, we can work with the police in the interests of our country.”

HRD, Europe

“We know the police support the people who threaten us, but some police officers are our brothers, our cousins and former school friends. They warn us when there is going to be a raid or an arrest.”

HRD, Africa

Sometimes HRDs have comments on this case study – either in terms of the Risk Formula, or in terms of the tactics used by Juan.

Why is the risk formula a useful tool?

- It is versatile and can work in any part of the world*
- It is flexible and can be used in any situation
- It can be used to predict what capacities will be required in the future – in this case you would define the threats and risks as they might be in the future
- The Risk Formula helps to focus on separate elements. In order to reduce risk, one of these three things needs to happen:
 - Threats are reduced (we will look at this in the next Chapter)
 - Vulnerabilities are reduced
 - Capacities are increased

* However, it may not be suited to communities or cultures where there is no familiarity with formulas, eg illiterate communities. See Appendix 3 for an alternative suggestion of how to discuss issues of risk and threat with illiterate communities.



My Assessment of risks, vulnerabilities and capacities

Now list each of the risks you face, and consider your vulnerabilities for each one and then the capacities you already have, and the capacities you have or can reasonably acquire.

Fig. 2.1

Risks	Vulnerabilities	Capacities existing	Capacities required

Notes:

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This exercise results in a basic action plan. We will develop this plan through the following exercise and chapters.

Example: Here is a short example from Matthew, a HRD in Africa. (Fig. 2.2)



Risks	Vulnerabilities	Capacities existing	Capacities required
Abduction	Live alone	Good security at home fence, alarm, camera	Get a guard dog
		Neighbours will keep a lookout for suspicious characters and events	For now, leave a schedule of all my movements with a colleague. If the situation worsens, my cousin should come and stay with me and travel with me
		Other places to stay in times of danger	Communicate with colleague twice a day to confirm I'm safe
Arrest	False charges may be used	Knowledge of the law	
		Lawyer* briefed and ready to act	Learn lawyer's number in case mobile phone taken
		Office and home have no compromising materials	
	Medical condition	Medication	Carry medication at all times

(*Note: in some countries legal process is not followed. In Chapter 5 we look at the plan of a HRD vulnerable to arrest in such a country)

You will see that it is important that you **initially** consider vulnerabilities and capacities in relation to each risk. Knowledge of the law is unlikely to be of any use if you are abducted outside of the law; good neighbours will not be of any help if you are arrested at your workplace.

Many of the vulnerabilities and capacities are common to different risks, so take a few minutes to review your list and group together the risks where the vulnerabilities are similar.

(However, it is also important that you consider other vulnerabilities you have or become aware of. You can never know in advance the totality of the risks you face, so reducing your vulnerabilities overall will give you a stronger base against any type of threat.)



Anara Ibrayeva, HRD and lawyer training HRDs in Kazakhstan on legal issues



Grouping risks, vulnerabilities and capacities

Fig. 2.3

Group of Risks	Risks	Vulnerabilities	Capacities existing	Capacities required
Group 1				
Group 2				
Group 3				



Example: This example is to illustrate that some vulnerabilities (and capacities) are common to different risks.



Fig. 2.4

<u>Group of Risks</u>	<u>Risks</u>	<u>Vulnerabilities</u>	<u>Capacities existing</u>	<u>Capacities required</u>
Group 1	Abduction	Live alone		
	Assault	Travel alone	Own vehicle	Plan to change routes, vehicles and time of travel to and from work
Group 2	Arrest		Lawyer* briefed and ready to act	
	Stigmatisation		Legal knowledge	More specialist knowledge about libel and slander
			Office and home have no compromising materials	

More information on some general capacities (the lack of which are vulnerabilities) identified by HRDs are to be found in Appendix 4.

Now you have a broad overview of risks, vulnerabilities and capacities, it is useful to consider how to rank the different threats.

The Risk Matrix - assessing the probability and impact of risks

Sometimes when HRDs live in risky situations for a long time, it is difficult for them to take a step back and assess how risky a situation really is. Also, when the situation for HRDs deteriorates, it is not always clear at which stage HRDs should take action to avoid the danger.

“HRDs living in risky situations for a long time don’t always realise when the environment is becoming more dangerous. You can liken the situation to a frog in a cooking pot. If the frog is placed in hot water, it will jump out quickly. If it is placed in warm water on a lit stove, and the water heats slowly, the frog will not realise and will be cooked! We need to constantly assess and reassess the risks.”

HRD, Americas

A tool that assists in both of these situations is the Risk Matrix. It can be used as the next step in building up your security plan. It helps you think through the risks you face so you don’t spend time considering risks that are unlikely to arise, or risks that don’t cause much harm.

First, consider each of the risks you have identified earlier in this Chapter, asking two questions:

- 1) what is the **probability** of this risk occurring?
- 2) what will be the **impact** on me if this risk happens?

How do you assess probability? This is subjective, but you will base your response on the history of repression and the actions taken against defenders. Similarly your assessment of impact is subjective, but you should take into account the damage to yourself and your organisations, remembering that some HRDs – for example women and LGBTI – are more at risk because they are more vulnerable in some situations.



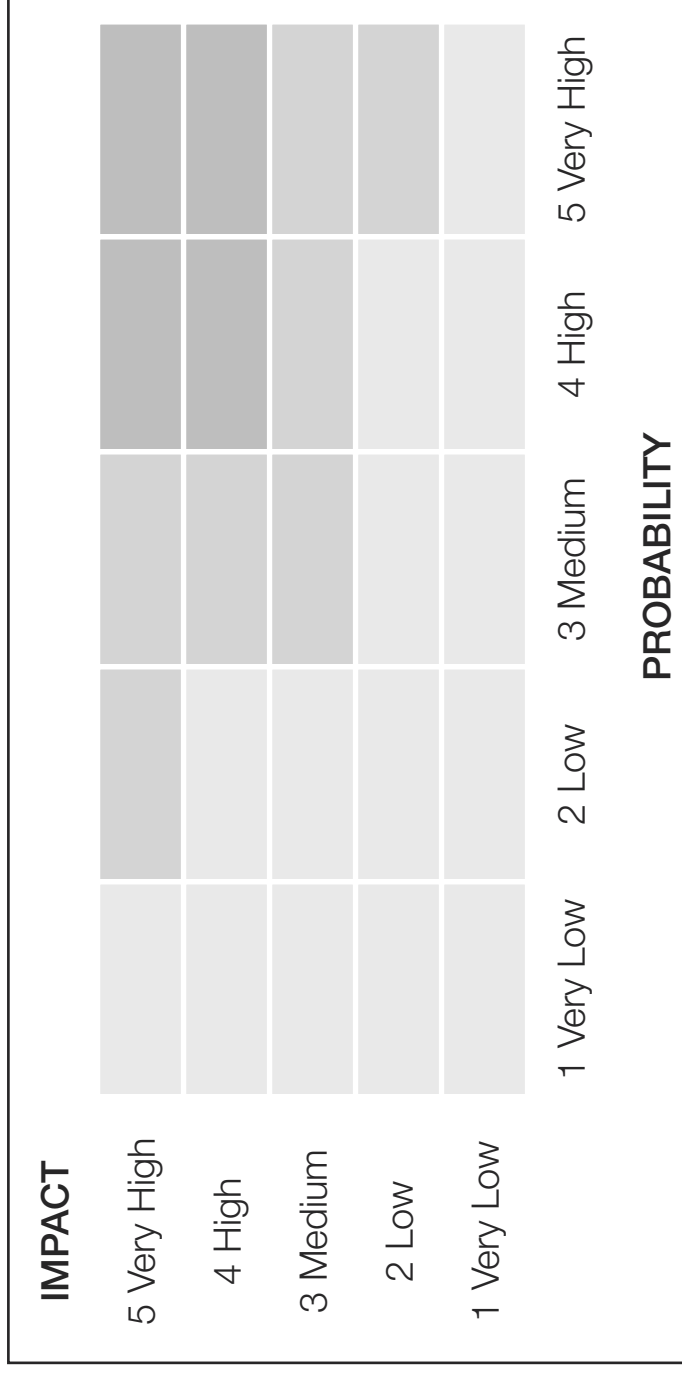
Father Tomayo, Honduras



ACTIVITY:

My Risk Matrix

Fig. 2.5: On the Risk Matrix below, plot each of your risks in terms of probability and impact. On the following page is an example of how Juan (featured in the story at the beginning of this Chapter) could have plotted his risks.



ACTIVITY

If the probability of the risk occurring is low, and the impact is low, or the probability is very low (although the impact would be high) - these are the lightest grey cells - you may consider that these are acceptable risks, and use your normal security measures.

For the risks that are probable, but medium to high impact (the medium grey cells in the table), you can produce Action Plans to reduce the probability.

For risks that are high to very high impact (the darkest grey cells), you can produce Action Plans and also a Contingency Plan for each - what to do in case this terrible event does in fact occur in order to reduce the impact.

Juan's Risk Matrix

Fig. 2.6

IMPACT						
5 Very High				Murder		
4 High				Assault		
3 Medium						
2 Low			Robbery			
1 Very Low		Attack on office				
		1 Very Low	2 Low	3 Medium	4 High	5 Very High
		PROBABILITY				

Attack on office – the organisation is very unpopular, but the office is near the police station, so an attack is unlikely

Robbery – this is common in the area. Everyone takes precautions not to carry expensive or sensitive equipment, information or personal resources.

Assault and murder – the probability of these risks rose from medium to high when a high profile colleague was murdered.

Assessing risk, impact and probability are key activities in improving your security. However, the assessment needs to be backed up with action – taking measures to reduce the probability of the risk materialising (here called Action Plans) and plans for what to do if the worst does indeed happen (Contingency Plans). Action Plans and Contingency Plans are covered in Chapter 5. Before we look at completing those, we will focus on the second element of the Risk Formula – Threats.



Majda Puaca (right) was one of a group of lesbian and gay people attacked during a Queer Belgrade event. She took a case against the leaders of the gang