

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



APPENDIX 9

Check list: Detention / Arrest / Abduction / Kidnap

This check list is not intended to be a blueprint for security. Your own context is the key determining factor. Consider the risks and threats you face, and any vulnerabilities you have in order to supplement and personalise this list.

Arrest or detention (by the authorities) and kidnap or abduction (by the authorities or other group) are separate risks, but they have some elements in common. Therefore it is worth looking at these risks together.

NB: Detention in this check list also covers arrest. Abduction and kidnap are similar but in the case of kidnap, a ransom or demand is made.

Arrest / Detention

1. If you are at risk of arrest, secure the services of a lawyer in advance if at all possible (there are some strategies below from HRDs who live in countries where lawyers are not guaranteed the right to meet their clients)
2. Memorise your lawyer's telephone number – your mobile phone may be taken from you but there may still be an opportunity to make a phone call
3. Know your rights (eg telephone call, family to be informed etc) and request them firmly
4. Know the law – eg a witness is required to answer questions; a suspect is not required to reveal anything which may incriminate them
5. Ask those detaining you for the precise reason for your detention. Ask for your current location (if not known)
6. Do not answer any questions without the presence of your lawyer
7. Carry any necessary medication with you at all times
8. When you are arrested, have a colleague to accompany you, if possible
9. Have a security contact who will take measures to find you if you do not check in at certain times during the day and knows where you might be taken if arrested
10. Do not resist arrest – you could be assaulted and charged with more offences

Here are some strategies HRDs have used in countries where they were not allowed to meet with lawyers:

"I sent a message on Twitter and Facebook and 50 people turned up outside the police station - the police wanted to arrest me secretly so they let me go." HRD, Asia

"I said 'I feel ill, I just can't remember anything.'" HRD, Middle East

"I just deny everything – I think once I admit something I might be abused to get more information"

HRD, Africa

"When I saw the police arriving, I rang a friendly contact in the media who publicised my detention, and I was later released." HRD, Asia

Abduction / Kidnap

The context here is key. You should know in advance if there is a risk of abduction / kidnap, who is at risk, the behaviour of kidnappers and how kidnaps in your area have been resolved.

Your protection strategies to avoid abduction / kidnap will include:

1. Develop local contacts who can warn you about heightened risks
2. Develop influential local contacts who could protect you (eg you could use their name if abducted, they could be called upon to mediate with the kidnappers)
3. Always act on local advice
4. Practise situation awareness:
 - if you are going to be abducted, you are likely to be under surveillance by the abductors

before being taken. They will probably know where you work and where you live and follow you – be alert to any signs of surveillance (see also Appendix 11 – Check list : Surveillance)

- if you are under surveillance anyway, an indication that an abduction is planned may be more open surveillance and more people following you
 - if you have a good relationship with your neighbours (at work and at home), they may alert you to suspicious activities
 - empty markets, deserted roads etc could be a sign of activity by armed groups
5. Only let trusted contacts know your travel plans. Avoid routines.
 6. Blend in as much as possible – consider which is the safest method of transport to do so, and how to dress to avoid attention
 7. Have a security contact who will take measures to find you if you do not check in at certain times during the day
 8. In times of heightened risk, take steps not to be alone

What do do while being abducted / kidnapped

1. Stay calm* and quiet (the kidnapers may be nervous and inexperienced – your behaviour could trigger violence). It does not make sense to shout or struggle unless you reasonably expect that these tactics will ensure your rescue
2. Do not try to escape – unless you are certain you are going to be killed. If you are able to fight back, aim to do the attacker maximum damage (eg kick in the groin, poke in the eye) so that he cannot run after you easily.
3. Be careful about eye contact especially during tense moments: eyes can show fear, anger or contempt which can trigger violence. Face your captors (it is more difficult to harm someone who is facing you) but avoid making eye contact
4. If you are in a group, try not to be separated from the group
5. If there is a rescue attempt by force, drop to the floor, seek cover and keep your hands over your head

* You can use deep breathing techniques: breathe into the abdomen for 4 counts, out for 4 counts, and/or recite a prayer, mantra or affirmation

Surviving the kidnap period – relations with the kidnapers

1. Try to gain the kidnapers' respect and build rapport with them
2. Avoid talking about controversial topics; an excellent topic is family and children
3. Obey orders without appearing servile
4. Avoid surprising, alarming or threatening your captors; don't indicate that you would testify against them
5. Be cautious about making suggestions to your captors, as you may be held responsible if something you suggest goes wrong
6. If there are several people kidnapped, elect one spokesperson to speak for the group. This presents a common front and avoids the kidnapers playing you off against each other
7. Regard all information they give you with scepticism
8. Ask for permission to call your organisation to let them know you have been kidnapped. Do not call without permission
9. If asked to talk on the radio, telephone or on video, say only what you are asked or allowed to say and refuse to negotiate even if pushed by your captors
10. You may develop some sympathy with your captors' cause, but remember this does not justify your abduction.

Surviving the kidnap period – physical and mental health

1. It is normal to feel extreme shock and depression
2. Accept that you may be held captive for a long period of time. Try to keep a record of the days
3. Inform your captors of any medical treatment you have been receiving
4. Take care of your health by eating (even if the food you are offered is unappealing),

- developing an exercise routine, and prayer/meditation
5. Keep your mind occupied. If books or writing materials are not available, pray, meditate, recall favourite books and films, compose music, plan for the future in your head – all this can lift your mood
 6. Keep your environment clean and tidy, ask for adequate washing and toilet facilities
 7. Be mentally prepared for changes: of location, or guards, being separated from others
 8. You may be treated in a humiliating or terrifying way. Fear of pain or death are normal reactions – do not lose hope
 9. Know that your organisation has a Crisis Management plan and is doing everything in its power to get you released

Release

1. During the initial kidnap and during release are the most tense times for the kidnapers. Stay calm and obey orders exactly, but also:
2. Stay alert - you may need to make a run for it
3. Be prepared for delays and disappointments
4. Do not try to interfere with negotiations for your release
5. Try not to allow your kidnapers to exchange clothes with you: you could be mistaken for a kidnapper and attacked
6. If there is a rescue attempt by force, drop to the floor, seek cover and keep your hands over your head

Contingency Plan for Abduction / Kidnap

If abduction / kidnap is a threat, all organisations should have a contingency plan in case one of their members is kidnapped. This could include the following:

1. Everyone knows (and memorises the phone number of) the key person to contact if they believe they may be abducted / kidnapped
2. The organisation sets up a crisis committee with key roles designated in advance, such as:
 - description of the abduction, names and other details of those involved, time, date, location
 - establishing as far as possible where the person is being held and by whom (with independent verification as far as is possible)
 - person authorised to talk to the kidnapers, if they contact you (have a recording device available for phone calls)
 - contact with influential people who may be able to assist with negotiations
 - dealing with the authorities if appropriate
 - contact with and support of the family
 - contact with local, regional, national, international human rights groups if appropriate
 - media spokesperson - primed with a careful media strategy if news of the kidnapping has leaked out
 - developing a plan of support (need for medical treatment, recuperative leave, counselling and other services) for the member when released/returned home (to be implemented in direct consultation with the member and/or their family).
 - keeping other staff informed, as appropriate
 - offering psycho-social support to affected colleagues as required
3. Post crisis: Conduct a debrief and evaluation of whether the steps taken to prevent the abduction were sufficient and how the organisation could improve its reaction to the situation.