



ACDHR

**COUNTRY RECOMMENDATIONS ADOPTED AT THE FORUM ON THE PARTICIPATION OF NGOS
IN THE 57TH ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES'
RIGHTS AND THE 31ST AFRICAN HUMAN RIGHTS BOOK FAIR
31ST OCTOBER-2 NOVEMBER, 2015
KAIRABA BEACH HOTEL
BANJUL, THE GAMBIA**

**CREC/001/11/15 : RECOMMENDATIONS ADOPTED FOR COUNTRIES UNDER REVIEW: ALGERIA,
BURKINA FASO, KENYA AND SIERRA LEONE**

We, the participants of the Forum on the Participation of NGOs in the 57th Ordinary Session of the African Commission on Human and Peoples' Rights and the 31st African Human Rights Book fair held in Banjul, The Gambia from 31st October–2nd November 2015;

Call upon the African Commission on Human and Peoples' Rights to include the following recommendations in the Concluding Observations of following countries under review:

Algeria

- Immediately end restrictions and harassment of human rights defenders and ensure fair trials for journalists, activists and lawyers. Moreover, Algeria must allow international observers to monitor trials in order to insure transparency.
- Urge the Algerian authorities to allow ICRC to visit all detention facilities in order to insure medical assistance to detainees and human treatment
- Urge the Government of Algeria to ensure the right to freedom of expression and peaceful assembly, by amending the respective laws accordingly, particularly the law on information and the law on public meetings and demonstrations (law 91-19 of 1991), as well as the penal code.

Burkina Faso

- Consult broadly and inclusively to ensure broad civil society input into the adoption process of the draft human rights defenders protection law

- Guarantee greater transparency in the gold sector of the extractive industry. In particular, mineral resource exploitation must not negatively affect human rights, especially the use of children as laborers.
- Integrate gender mainstreaming into the transition process in Burkina Faso, as women make up 52% of the population
- Involve in the decision making process during and after the democratic transition.

Kenya

- Commence the Public Benefit Organizations Act in its **current form** and refrain from starting a fourth attempt to put restrictive conditions to limit the working environment of civil society organizations. This includes laws limiting foreign financial support thus infringing on the rights to freedom of expression and association
- Develop and enact specific laws and policies in line with UN Declaration on Human Rights Defenders, the Kigali and Grand Bay declarations and Human Rights Council Resolutions 22/6 and 24/21 which Kenya supported, to ensure a safe and enabling environment for civil society actors and HRDs.
- Accept ACHPR and UN Special Rapporteur requests for visits.
- Ensure that all alleged attacks against HRDs are promptly and thoroughly investigated, that perpetrators are held accountable, and that victims have access to effective remedies.
- Amend or repeal the Information Communication Amendment Bill 2013 and the Media Council Bill 2013 to comply with the regional and international human rights instruments ratified by Kenya.
- Enact specific laws and policies that give effect to the right of safe and unhindered access to international human rights and criminal justice mechanisms and condemn and punish acts of intimidation and reprisals against HRDs who engage with the UN and regional systems.
- Ensure strong public statements recognising the legitimate and important role of human rights defenders, including journalists, those who work on issues of corporate accountability, those working to combat impunity and ensure criminal accountability, and those working on women's rights or gender issues.

Sierra Leone

- Consult and adequately revise the draft NGO Policy of Sierra Leone so as to guarantee freedom of association and expression for national and international NGOs operating in the country.
- Refrain from criminalising the legitimate activities of HRDs and repeal or amend all laws and policies that restrict their activities and rights, including: Part V of the *Public Order Act* (POA) 1965 to render it compatible with international human rights standards on freedom of expression.
- Develop and enact specific laws and policies to recognize and protect the work of HRDs and which give full force and effect to the international Declaration on Human Rights Defenders at the national level.
- Combat impunity by ensuring prompt, thorough and transparent investigations of all violations against Human Rights Defenders, the prosecution of perpetrators, and access to effective remedies for victims.
- Implement campaigns to raise awareness about the important and legitimate work of Human Rights Defenders, targeting public officials and law enforcement agencies, as well as wider society.

Done in Banjul, The Gambia – 2nd November, 2015