



THEMATIC RECOMMENDATION ADOPTED AT THE NGOs FORUM PRECEDING THE 60TH ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS AND 34TH AFRICAN HUMAN RIGHTS BOOKFAIR 4-6 MAY, 2017 - PALAIS DES CONGRES - NIAMEY, NIGER

TREC/001/5/17 - RECOMMENDATION ON ENFORCED DISAPPEARANCES

We, the participants to the Forum on the Participation of NGOs in the 60th Ordinary Session of the African Commission on Human and Peoples' Rights held at the Palais des Congres in Niamey, Niger from 4th – 6th May, 2017.

Noting with concern the alarming increase in the number of enforced disappearances on the African continent;

Noting the extreme gravity of this crime which, in certain circumstances can constitute a crime against humanity;

Mindful that enforced disappearance is a multiple human rights violation simultaneously affecting the right to security, the prohibition on torture and cruel, inhuman or degrading treatment; the right to liberty and security of the person, the right to a fair and public trial, the right to legal representation, the right to a family life, and the right to life, when the abducted person is killed.

Noting that the perpetrators of these crimes are rarely brought to justice;
Affirming the right of all victims to know the truth surrounding the circumstances of the disappearance and to know the fate of the disappeared person, as well as the right to collect, receive and disseminate information to this end;

Noting that 30 African states have to date signed the International Convention for the protection of all persons against enforced disappearances, adopted by the United Nations General Assembly on 20 December 2006;

Recalling previous resolutions on enforced disappearances adopted by the NGO Forum in November 2007, November 2008 and April 2011;

Concerned that the African Commission on Human and Peoples' Rights is yet to authoritatively deal with the problem of enforced disappearances.

The NGO Forum calls on the African Commission to:

1. Urge all States to take all the necessary measures to eradicate enforced disappearances
2. Generate a soft law instrument delineating the obligations of States regarding enforced disappearance in terms of the African Charter;
3. Urge the African Union Summit of Heads of States and Government to call on Member States to condemn and fight against impunity of perpetrators of enforced disappearances.

Done in Niamey- May - 6 May 2017,