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**TRAINING ON INTERNATIONAL HUMAN RIGHTS  
SYSTEM**

**DATE: 25-27 OCTOBER, 2017**

**BANJUL, THE GAMBIA**

**REPORT**

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**Banjul, The Gambia**

## **I. INTRODUCTION**

1. The training workshop on international human rights mechanisms was held on from 25 – 27 October 2017 in Banjul, The Gambia. The workshop was conceptualized as the result of a key demand to boost the engagement and impact of most African NGOs for a deep understanding of the international human rights system as well as the regional system, including the African Commission on Human and Peoples' Rights and its mechanisms.
2. The objectives of the workshop were: to strengthen the capacity of representatives of African human rights NGOs and to familiarize them with regional and international human rights mechanisms in order to strengthen their capacities to address issues of human rights, to engage effectively with these mechanisms, to equip participants with the use of international human rights procedures for the promotion and protection for civil society actors and human rights defenders in Africa.

## **II. THE PARTICIPANTS**

3. The three-day training held in Banjul, The Gambia was attended by more than 25 CSO representatives from the following Member States: Botswana, Benin, Burkina Faso, Burundi, Cameroon, Cape Verde, Democratic Republic of Congo, Ethiopia, Gambia, Ivory Coast, Kenya, Liberia, Mali, Nigeria, Rwanda, Sierra Leone, South Africa, Togo, Uganda, Zimbabwe. The training was also attended by the Representative of the United Nations High Commissioner for Human Rights for the Regional Office of West Africa, Mr Andrea Ori, the Representative of the United Nations Office for Human Rights based in Geneva, Mr Saranbaatar Bayarmagnai, the Representative of the International Service for Human Rights Ms. Pooja, the Representative of CIVICUS, Ms. Teldah Mawariri, and Mr. Raphael Sanchez-Carmona (Observer of the meeting) of the Office of the European Union in Ethiopia.

### **III. OPENING CEREMONY**

4. Ms. Hannah Forster welcomed all of the participants to the Training and proceeded to the installation of the panel members as part of the opening ceremony.
5. The welcome note was delivered by Ms. Hannah Forster who recalled that the training was organized in partnership with CIVICUS, the International Service for Human Rights, the African Commission on Human and Peoples' Rights, the United Nations Human Rights Office based in Geneva and the United Nations High Commissioner for Human Rights for the Regional Office of West Africa. She acknowledged the presence of the facilitators, Mr Saranbaatar and Ms Pooja. She also acknowledged the presence of Mr Rafael Sanchez from the Delegation of the European Union in Ethiopia. This workshop is held on the sidelines of the NGO Forum preceding the 61<sup>st</sup> Session of the African Commission on Human and Peoples' Rights. She also gave an overview of the creation of the African Center for Democracy and Human Rights Studies (ACDHRS). The center is an autonomous regional human rights organization established in 1989 in Banjul, The Gambia. Since its creation, it has been at the forefront of promoting and protecting human rights on the continent through training, capacity building, research, advocacy, and networking. These activities enabled civil society actors and human rights defenders to interact with the sub regional, regional and international human rights system, with particular emphasis on the African human rights system. It collaborates with sub regional focal points in Africa and the Diaspora. In addition, ACDHRS is a member of several networks and coalitions at different levels. It provides technical assistance and expertise to governments and NGOs that support the implementation of international human rights standards. The NGO Forum is an advocacy platform coordinated by the ACDHRS to promote advocacy, lobbying and networking among human rights NGOs for advocacy and protection in Africa. This training will take into account thematic such as freedom of association and assembly, human rights regional instruments and mechanisms. Ms. Hannah wished participants to enjoy hospitality in The Gambia. She recalled that everyone must play a militant role and speak the language of freedom, peace, democracy, inclusion and respect for

human rights. Lastly, she thanked the financial partners who made the resources available for the organization of this training.

6. Mr Saranbaatar Bayarmagnai of the United Nations Office for Human Rights based in Geneva delivered a message of friendship. He stressed that every human being is born equal in law and dignity and the Office strives to ensure that this is respected at Member State level. The Office also provides tools and guarantees space for civil society. Ms Pooja, Representative of the International Service for Human Rights (ISHR) pointed out that this training was very timely in terms of strengthening human rights capacities.
7. Ms. Teldah of CIVICUS paid tribute to all Human Rights Defenders who fought in their communities for human rights even at the cost of their lives. The horizon seems bleak, but we see that the human spirit cannot be defeated and hope is expected from the deliberations of the meeting.
8. The Representative of the United Nations High Commissioner for Human Rights for the Regional Office for West Africa, Mr Andrea Ori, reminded participants that this meeting is on the eve of the 30th anniversary of the African Commission on Human and Peoples' Rights (ACHPR), represented by Ms. Hannah Forster. He also recalled that **OHCHR-BRAO** is the principal United Nations institution responsible for the protection and promotion of human rights in West Africa and that the Office is able to share best practices and lessons learned on the partnership with NGOs. He recalled the obligation to promote and respect human rights, which is the responsibility of States, and that the office is there to sound the alarm when states do not comply with the treaties they have ratified. He also mentioned that in the case of The Gambia and Burkina Faso, Civil Society Organizations played a key role in changing dictatorial regimes.
9. The Representative noted that CSOs have played an important role in supporting the Office with regard to the mechanism of the Universal Periodic Review. He reminded that at the Human Rights Council, there is an expertise of the Rapporteurs who intervene in key countries like Eritrea and they are delighted that the Civil Society provides the necessary information to hold Member States accountable.

#### **IV. PRESENTATION OF PARTICIPANTS AND ADOPTION OF THE PROGRAM**

10. Ms. Hannah Forster facilitated the introduction of participants by asking them to introduce themselves and list their expectations for the Training. Some of the expectations of the participants included the following:

- To master regional and international human rights mechanisms;
- To find strategies to promote women's rights;
- To encourage and support the monitoring of human rights organizations;
- To be able to educate people in our communities about the principles of human rights and the basic tools for the promotion and protection of human rights;
- To serve as an agent of change by raising awareness and building people's capacities on human rights;
- To understand the mechanisms of the African Commission;
- To learn how to submit reports to international mechanisms;
- To build a platform of exchange between civil society organizations defending human rights;
- To adopt common approaches to improve human rights and governance in Africa;
- To share experiences and best practices on human rights;
- To network.

#### **V. SESSION I: OVERVIEW OF THE SITUATION OF DEMOCRACY, THE STATE OF LAW AND HUMAN RIGHTS IN AFRICA**

11. Ms. Frances Algali, Representative of Human Rights Defenders Network served as Facilitator while Ms. Pooja of ISHR was designated as Time Keeper. Each participant has been selected to present the state of human rights reports in their respective countries.

- **CASE OF SIERRA LEONE**

The human rights situation in Sierra Leone remains worrisome as a result of arbitrary detentions, illegal arrests by the police, lack of freedom of association, violation of women's and children rights. We can note incidents

such as the refusal of permission to protest although this is provided in the constitution and denial of permission to grant women a march as part of gender mainstreaming the constitution. Although Sierra Leone has ratified the MAPUTO Protocol, implementation remains a critical issue.

- CASE OF NIGERIA

In Nigeria, we note an economic recession followed by the issue of non-payment of wages in states including embezzlement of some governors. Many families also suffered from non-payment of pensions. States also refused to sign the law on children's rights and we are currently recording cases of child rape in some states of Nigeria although Nigeria has signed the African Children's Charter Act.

- CASE OF TOGO

Togo does not have specific laws regarding the protection of human rights defenders. It should be noted that human rights defenders are persecuted and threatened, and their activities are seen as a group of political opponents, and in terms of stereotypes, many argue that women should not speak in public.

- CASE OF THE DEMOCRATIC REPUBLIC OF CONGO

In Congo, there is a sharp increase in the number of people being raped and arbitrary detentions and disappearances of human rights defenders.

- CASE OF SUDAN

In Sudan, we note an absence of freedom of association and expression. Many human rights defenders have been arrested, laws on the protection of public order are used, Christians are targeted by the state, and there are extra-judicial assassinations.

- CASE OF BENIN

In Benin, the issue of sexual harassment is very present at Universities and this remains a barrier to the full enjoyment of women's rights even though Benin has ratified the MAPUTO Protocol. We note an absence of women in the

political sphere with quotas like 6 women out of 83 deputies and 3 women out of 21 ministers. Female Genital Mutilation is also a major problem in northern Benin.

- CASE OF CAMEROON

In Cameroon, the rights of minorities are violated precisely attacks or imprisonment of people based on their sexual orientation, a sharp intensification of violence, torture, and targeted abductions.

- CASE OF THE GAMBIA

We note political intimidation and non-access of children to their rights to education.

- CASE OF BURUNDI

It has been observed that the constitution has been violated. In May 2015, the regime decided to burn all independent radios so that there are no more dissonant voices. The political opposition cannot express its rights. We are also witnessing assassination attempts and more than 3,000 people have died of malaria.

- CASE OF RWANDA (the participant promised to send it to the secretariat)

Improvements have been observed in access to information and justice. A law has also been adopted to allow women to inherit the property of their parents, but this is not effective at the grassroots level.

- KENYA CASE

There is a permanent violence against journalists, police brutality, extrajudicial killings and enforced disappearances. The absence of freedom of the press remains a major problem. The space of civil society is restricted by the government, threats upside down defenders of human rights.

- CASE OF UGANDA (the participant promised to send it to the secretariat)

At the end of the presentations, Ms. Hannah Forster recalled the key words that emerged from the presentations on the state of human rights in Africa. We can note: defense of human rights, good governance, self determination, LGBTI, social inclusion, women's and children rights.

## **VI. SESSION 2: OVERVIEW OF UNITED NATIONS HUMAN RIGHTS STANDARDS AND MECHANISMS**

12. The second session was facilitated by Mr. Saranbaatar and began with a presentation of Art. 1 of the United Nations Charter which emphasizes the achievement of international cooperation by promoting and encouraging respect for human rights and fundamental freedoms.
13. Mr Saranbaatar articulated his presentation around the norms and mechanisms of United Nations standards and its implementation around three international human rights instruments: the Universal Declaration of Human Rights of 1948, the International Covenant on Civil and Political Rights adopted in 1966, and the International Convention on Economic, Social and Cultural Rights adopted in 1966. Several other conventions were also created between 1979 and 2006. He explained the human rights mechanisms of the United Nations, in particular the Human Rights Council, which promotes respect, protection and promotion of human rights; secondly the Universal Periodic Review which is carried out by the peers of every 4 years and half; thirdly, the Special Procedures, which are independent experts appointed by the HRC to monitor the situation on a specific human rights issue in a country and, lastly, the Treaty Bodies which are independent expert committees in the field of human rights. These treaties provide a basis for how states must respect and protect their peoples so that they are held accountable. The United Nations Human Rights Mechanism was exposed to the participants followed by the activities of the United Nations High Commissioner for Human Rights, its mission and their representations around the world.



14. Mr. Saranbaatar concluded on the connectivity of the three major pillars of the United Nations, particularly Development, humanitarian peace and security, and human rights. He also explained that the mechanisms are complementary and since last year, the office has set up an online database. Links were given to participants so that they could consult the mechanisms.

## **VII. QUESTIONS AND ANSWERS FOR SESSION II**

15. Among the issues raised by the participants were the effectiveness of the human rights declaration, the abstention of the representative of MONUSCO on the accession of the DRC to the Human Rights Council and the operation of special procedures.

16. Mr. Saranbaatar provided answers to his questions by pointing out that in terms of the effectiveness of the Universal Declaration of Human Rights, ratification is one thing and its implementation is a major challenge within States. There are states that ratify international instruments to please partners. He also noted that people do not know the number of instruments that has been ratified by their states to hold them accountable.

17. He emphasized that as United Nations staff, every member of the system is subject to the Charter of Human Rights. They must speak out against the violence of human rights. Once the Human Rights Council makes a decision, the United Nations backs up the state for execution. The Secretary-General of the United Nations has also created a program to sensitize all employees to denounce any violation of human rights and that the question of hierarchy was also respected at the United Nations.

18. Mr. Saranbaatar explained to the participants that you must first be mandated by the victims to have a procedure and that there is also an opportunity to submit the cases to the treaty bodies.

## **VIII. SESSION 3: Introduction and engagement with the Human Rights Council; Universal Periodic Review, Special Procedures and Treaty Bodies**

19. Mr. Saranbaatar served as facilitator of this session, which was to provide a deeper explanation on how to interact with his mechanisms. It was noted that information gathering is critical, but implementation and monitoring is the most critical step.

20. In 2016, 526 urgent appeals letters and letters of allegation were sent to 119 countries and 23 non-state actors (83% sent jointly). Government responses can be evaluated at 59% of all communications sent. Governments were invited to: Clarify the case and take action and inform the special procedures mandate holders.
21. With regard to the engagement of civil society, it may submit individual cases to special procedures, in accordance with the guidelines, provide information and analysis on specific human rights issues for consideration as a whole special procedures mandate holders, Provide support for country visits to special procedures, Work locally or nationally to advocate, disseminate, monitor the work of special procedures and their recommendations, Invite mandate holders to participate in their special procedures initiatives and Propose candidates.
22. He also pointed out that independent expert committees are unpaid and serve only in their personal capacity. There are also two optional protocols to UN treaties that are primarily in the form of procedures, namely the communication of proceedings and the establishment of a system of regular visits to places of detention. The second form of procedure is substantial.
23. Civil society can collaborate with independent expert committees by providing information and shadow reports (6 to 3 weeks before the session) to treaty bodies, sending individual complaints of violations on the basis of eligibility criteria, Raising public awareness by issuing concluding observations, Encouraging ratification and implementation of human rights treaties (reporting, monitoring), Promoting compliance of national laws and practices with international standards, Interacting with stakeholders to identify trends in human rights violations, propose remedies, comment on state responses, participate in treaty body consultations with civil society.

## **IX. SESSION 4: INTEGRATING A GENDER PERSPECTIVE INTO THE OVERALL WORK OF INTERNATIONAL HUMAN RIGHTS MECHANISMS**

24. Ms. Isatou Harris, Regional Adviser on Gender Issues for the Office of the United Nations High Commissioner for Human Rights - Regional Office for West Africa explained that gender-based concepts are related to gender, gender equality,

gender equity, sexual orientation and gender-based discrimination. She recalled that the Human Rights Council has assigned gender mainstreaming mandates, which are : **Resolution 6/30** specifying a systematic gender mainstreaming in the implementation of mandates, a qualitative and quantitative analysis of women's rights in reporting and a primary consideration of gender balance in appointments. The 2nd resolution which is the Res. 5/1 pays special attention to women's rights.

25. Among the issues to be raised by each actor in civil society are:

- Gender dimension of human rights violations;
- Monitoring human rights violations in the private sphere;
- Impact of violations on women, girls, men and boys;
- Audit of rights holders with respect to the adaptation of mechanisms and access to protections and remedies;
- Comparison of corrective actions between men and women related to human rights issues;
- Adapting corrective measures to the specific needs of women, men, girls and boys.

She highlighted about gender-based analysis which provides insights into how human rights issues affect women, men and others differently. The facilitator provided clarifications on what gender mainstreaming does not mean: monitoring only women's rights and gender-based violence. On the contrary, gender mainstreaming is a tool to better understand how women, men and others are affected differently by human rights violations; ensure that violations against all individuals become visible; Identify adequate measures to protect human rights for all.

26. The Facilitator also proposed approaches to the collection of information on human rights situations to note disaggregated data by sex and age, formal requests for information from relevant government institutions; legal research to identify areas of discrimination where women are not adequately protected.

27. Ms. Isatou discussed about the gender-sensitive language and relationships which are: Recognize that gender involves more than women's issues, Regularly include data disaggregated by sex and age, Assess the differential impact of

human rights violations on women, men and others throughout the report, Apply systematically gender sensitive language. She then pointed out the role we have to play on integrating a gender perspective into our work. To this end, an information strategy was shared with participants, including analysis, strategic planning, design, monitoring and evaluation.

## **X. QUESTIONS AND ANSWERS FOR SESSION IV**

28. Among the issues raised by participants was the differentiation between gender equity and gender equality, media awareness of the positive portrayal of women, harmful practices of female genital mutilation, forced marriage of girls, non-compliance regional instruments ratified by member states, gender justice, autonomy and integrity.
29. Ms. Isatou provided answers to these questions by noting that a project is being put in place by the Office with regard to the positive presentation of women in the media, the local sensitization related to gender violence based and its implementation at the grassroots level. She also recalled that a high-level meeting is currently being held in Dakar and will deliberate on effective mechanisms for mainstreaming gender and that we have hope for its effectiveness.

## **XI. CASE STUDY: COMMITMENT OF THE HUMAN RIGHTS COUNCIL PROCESS / UNIVERSAL PERIODIC REVIEW**

30. During this session, Mr. Saranbaatar presented the Human Rights Council as an intergovernmental mechanism of 47 United Nations Member States (elected for 3 years), established on 15 March 2006 by the United Nations General Assembly, with a mandate to:
- Promote universal respect for the protection of all human rights and fundamental freedoms for all without distinction;
  - Address and make recommendations on human rights violations, including gross and systematic violations;
  - Promote, coordinate and mainstream human rights at the UN;
  - Serve as a forum for dialogue on thematic issues relating to human rights;

- Recommend opportunities for the development of international human rights law at the UN General Assembly;
- Promote and ensure full respect of States' human rights obligations.

31. In order to participate in the HRC, NGOs are required to have ECOSOC consultative status, to assist and observe all acts of the HRC, to submit written statements, to make oral interventions, to participate in debates, interactive dialogues, round tables and Informal meetings, Organize "side events" on issues relevant to the work of the HRC.

32. He also presented the Universal Periodic Review documentation which consists of the National Review, the United Nations Compilation and the Stakeholder Report. The report which is presented by the State in consultation with national stakeholders is submitted 10 weeks before the review and has 10,700 words (20 pages). The United Nations Compilation is submitted 6 months before the review and submitted by OHCHR to summarize the information and other UN documents (5350 words - about 10 pages). The Stakeholder Report is also submitted by OHCHR, summarizing information from NGOs, and regional organizations (5350 words - approximately 10 pages) and submitted 6 months prior to the review.

33. With regard to the Universal Periodic Review process, we can note: the preparation of the national process, the completion of the review in the UPR working group, the written reviews after the session, the review and the adoption of the results of the HCR plenary, the implementation and follow-up of the recommendations and the next revision of the cycle.

34. Mr Saranbaatar finally asked the participants to adopt a SMART approach in all their initiatives.

## XII. QUESTIONS AND ANSWERS FOR SESSION V

35. Among the issues raised by the participants, was if the impact of the universal periodic review can be measurable.

36. The facilitator provided answers to this question by noting that on the question of evaluation, one should be on the ground and that this was impossible to be done because of the budget.

## **DAY 2**

### **XIII. RECAP OF DAY 1**

37. Mme Hannah welcomed the participants to the second day of the training. Mr John GBENAGNON, Rapporteur of the training summarized the main discussions and outcomes of the first day of the meeting.

### **XIV. INTRODUCTION TO THE AFRICAN SYSTEM OF HUMAN RIGHTS, THE AFRICAN CHARTER ON HUMAN RIGHTS AND PEOPLES AND RELATED INSTRUMENTS / PROTOCOLS INCLUDING THE AFRICAN COURT, THE RIGHTS OF WOMEN; RIGHTS AND WELFARE OF THE CHILD; AFRICAN CHARTER OF YOUTH; REFUGEES AND DISPLACED PERSONS**

38. The first 2 sessions of the day were combined in one session by the presenter. Ms. Hannah Forster presented an overview of the evolution of the African Charter and the factors influencing the development of a regional treaty. Although treaties are ratified by governments, we continue to notice an increase of violations, and this can be explained by people's ignorance of the existence of the African Charter and its provisions. It should also be noted that the preamble of the Charter recognizes the link between the universality of human rights and African customs and traditions, and the level of implementation is unequal for the Charter to be legally binding for the incorporation of States into national legislation.

39. The formulation of its provisions was inspired by the historical tradition and values of African civilization, the recognition that fundamental human rights derive from the attributes of human beings, which justifies their protection. The African Charter guarantees the enjoyment of the fundamental rights and freedoms of the African peoples which imposes rights on populations and states. Through its Article 1, the State is identified as the chief implementer of the provisions therein.

40. She gave an overview of the establishment of the African Commission on Human and Peoples' Rights, the challenges encountered, particularly certain shortcomings of the charter that raise crucial points such as the lack of political will to face the implementation of the decisions taken, the lack of provision for legal aid, the use of derogation clauses which restricts the guaranteed rights, the non-permissibility of the emergency provisions of the Charter which slows down actions such as the the case of Ken Sara Wiwa of Nigeria when he was executed even before the Commission could make a decision.
41. Other challenges include: lack of financial means to meet human rights costs, non-submission of periodic reports by States, undue delay by States in responding to correspondence of the Commission on Communications, lack of African Union budgetary allocations to the Commission leading to the non functioning of the secretariat and limited sessions, irregular reporting by NGOs with observer status.
42. Ms. Hannah informed participants that these various concerns have led to proposals for the development of relevant protocols and non-binding laws to strengthen the Charter, including:
- <http://www.achpr.org/instruments/>
  - The Protocol to the African Charter on Human and Peoples' Rights for the Establishment of an Effective African Court (adopted in 1998);
  - The Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (adopted in 1981);
  - The African Charter on the Rights and Welfare of the Child (adopted in 1990), The Constitutive Act of the African Union (adopted in 2000);
  - African Union Convention Governing the Specific Aspects of Refugee Problems in Africa (adopted in 1969);
  - The African Charter on Democracy, Elections and Governance (adopted in 2011).
43. In terms of civil society engagement opportunities with the commission, we can note:
- Observer status after fulfilling the criteria;
  - Attend and make statements at public meetings;
  - Popularization, awareness of the Charter, the Commission, CSO engagement;

- Submissions of petitions;
- Memoirs of Amicus, complaints and representation on behalf of individuals;
- Organization of joint activities;
- Submission of various reports.

## **XV. QUESTIONS AND ANSWERS**

44. Among the issues raised by participants was the lack of human rights enforcement, the lack of knowledge of the content of the protocols.

45. Ms. Hannah provided answers to the questions by noting that the establishment of the African Charter on Human and Peoples' Rights was a major step in the struggle for the protection of human rights in Africa and that it is achievable only if African governments and their peoples have the will and commitment to translate the rights and freedoms guaranteed into reality.

## **XVI. SECOND SESSION: GUIDELINES FOR THE SUBMISSION OF A SUBMISSION TO THE AFRICAN COMMISSION ON HUMAN AND PEOPLES 'RIGHTS (ACHPR)**

46. Ms. Hannah served as facilitator for this session, which helped to build the capacity of participants on: who can submit a communication to the African Commission, the legal Representation, the conditions of submission of a communication, the number of violations to insert by communication, the elements of a valid communication, the emergency communication, the standard format for the submission of communications.

## **XVII. DEFENDERS OF HUMAN RIGHTS: REGIONAL AND INTERNATIONAL PROTECTION MECHANISMS**

47. Ms. Pooja facilitated the session by presenting the mission, the commitment and the activities of Human Rights Defenders. Adopted in 1998, the United Nations Declaration on Human Rights Defenders aims to protect, empower and support



defenders. In its Resolution 22/6 of March 21, 2013, the United Nations Human Rights Council established principles and standards for states to create an enabling environment for defenders of human rights. The United Nations special procedures became effective in 2000 while the special mechanisms of the ACHPR took effect in 2004.

48. She explained the important role played by women rights defenders, from its definition as working to promote and protect human rights, and they are involved in the promotion and protection of rights related to gender and sexuality. It should be noted that they deserve to be recognized as they encounter all kinds of violations in a specific way and that there is a significant need for specific protection and that their participation in decision-making and implementation is important.
49. With regard to the international legal framework, we can note: Basic Human Rights Treaties, United Nations Declaration on Human Rights Defenders, in addition to the Universal Periodic Review Recommendations and the recommendations of the Special Procedures. In terms of the African Legal Framework, we have the African Charter, the Maputo Protocol, the Kigali Declaration, the ACHPR Resolution 336 and the ACHPR Resolution 275.

## **XVIII. ADVANCING THE FREEDOM OF ASSOCIATION AND MEETING IN AFRICA**

50. Ms. Teldah Mawariri made a presentation on the CIVICUS Alliance. She highlighted Articles 10 and 11 of the African Charter on Human and Peoples' Rights, which deal with freedom of association and assembly. It should be noted that the African Charter on Democracy, Elections and Governance in its Articles 12, 27 and 28 calls on States to guarantee the space of civil society, the promotion of the participation of peoples, followed by a strong partnership between CSOs and a dialogue between the government and the private sector. Similarly, Article 8 of the African Charter on the Rights and Welfare of the Child reminds us that every child has the right to freedom of association and freedom of peaceful assembly.

51. The facilitator invited the participants from the DRC, Cameroon, Togo, South Africa, Kenya and Burundi to present on the state of the rights in their respective countries. She recalled that the right to freedom of association applies to "any group of individuals or legal entities united to act collectively" while sharing some examples of legal obstacles to freedom of association. Finally, she presented the CIVICUS Monitor Tool, a cutting edge research tool built by civil society. It aims to share reliable, up-to-date data on the state of civil society freedoms in all countries. Its interactive world map allows to access live updates from civil society around the world, track threats to civil society and learn about the ways in which their right to participate is being realized or challenged. The three most frequently reported violations of civic space are the detention of Human Right Defenders; the use of excessive force during protest and attacks on journalists.

## **XIX. ROLE PLAY**

52. Facilitated by Ms. Hannah, the last session was interactive. The participants were divided into groups. The 1st Group had the imaginary role of presenting itself as the Commissioners of the African Commission, while the second group was to assume the representation of the state of Utopia to present the state of human rights in their country. The last group named Banana NGO played the role of civil society to serve in a session of the ACHPR.

53. These exchanges allowed participants to have in-depth knowledge of the functioning of the African Commission sessions and their activities.

54. The facilitator congratulated the different groups for their exemplary reactivity by saying that it was like a session of the commission. She also made corrections on some interventions so that the audience is better equipped as participants will take part in some public sessions of the African Commission.

## **DAY 3**

### **XX. RECAP OF DAY TWO**

55. Mme Hannah welcomed the participants to the second day of the training. Mr John GBENAGNON, Rapporteur of the training summarized the main discussions and outcomes of the second day of the meeting.

### **XXI. HUMAN RIGHTS IN AGENDA 2030**

56. Mr Saranbaatar explained the importance of human rights in achieving the goals of sustainable development. He presented an overview of the transition from the Millennium Development Goals to the Sustainable Development Goals, focusing on the three pillars of the United Nations: development, peace and security, and development. The facilitator recalled that the 2030 Agenda is:

- People-oriented: an agenda for the people led by the people;
- Universal: applicable to all countries and peoples;
- Indivisible: civil-political and socio-economic;
- Based on equality and non-discrimination: "leave no one behind", inequalities, indicators and disaggregation of data;
- Participative: potential for opening the civic space;
- Focused on accountability: states to their citizens.

57. Mr Saranbaatar recalled that among the 17 goals for sustainable development, there are 169 targets linked in part to human rights. In addition, the SDG indicators aim to measure progress towards the SDG targets. The Office of the High Commissioner for Human Rights is responsible for developing and measuring some of the SDG indicators. OHCHR's main priority is to ensure that the SDGs are implemented in accordance with human rights standards and principles.

58. Lastly, he then recalled the role of Civil Society Organizations in using human rights mechanisms and recommendations. We note: Analyzing the root causes / identification of marginalized groups, Identifying actions / Policy changes for implementation, Monitor using indicators and disaggregation of data, control prioritization of budgets, allocations and expenditures, Ensure accountability by involving United Nations human rights mechanisms.

## **XXII. TOOLS TO MONITOR HUMAN RIGHTS**

59. During this session, Facilitator Mr Saranbaatar explained the need of indicators for human rights and the sustainable development goals. This will highlight the practical content, measure the aspects of "progressive realization", provide transparency and objectivity, and assist in the follow-up of recommendations.

## **XXIII. AGENDA 2063 OF THE AFRICAN UNION**

60. Ms. Hannah Foster, Facilitator of the session, began with a video presentation to participants, including President Paul Kagame, Mr. Mo Ibrahim, and the Vice President of Kenya, Samuel Ruto. They discussed the situation of leadership and renewal of mandates by African heads of state. She made the connection of this with the absence of women in decision-making circles.

61. She also presented the African Union Agenda 2063, which has seven pillars:

- A prosperous Africa based on inclusive growth and sustainable development;
- An integrated, politically united continent based on the ideals of pan-Africanism and the vision of Africa's renaissance;
- An Africa where good governance, democracy, respect for human rights, justice and the rule of law prevail;
- A peaceful and secured Africa;
- An Africa endowed with an identity, a common heritage, shared values and a strong cultural ethos;
- An Africa where development is people-centered, including the potential of women and youth.
- An Africa, as a strong actor and partner, united and influential on the world stage.

62. The participants were separated into groups and develop answers on the involvement of NGOs in United Nations systems and human rights in Africa: opportunities, successes and challenges. The participants' responses were taken into account in the recommendations of the workshop.

## **XXIV. SUCCESSES OF NGO COMMITMENT TO INTERNATIONAL AND REGIONAL HUMAN RIGHTS SYSTEMS**

- Movement of holding government accountable ;
- Successful resolution of political impasse during 2016 Gambia presidential election (NGO protest, letters etc.);
- Election annulment in Kenya and government decision to respect it;
- Regional: Building of capacity of CSOs and lobby Government to ensure fulfillment of recommendation e.g. CEDAW report;
- Universal Periodic Review: Engagement in the process, lobby government / institutions to ensure implementation of recommendation;
- Submission of shadow report (combined country report) by CSOs to complement country reports;
- Capacity-building: Training of Government institution e.g. police, NHRCs etc.

## **XXV. CHALLENGES**

1. ECOSOC status requirement is a barrier to engage with the Human Right Council;
2. Funding – to attend session particular for small organizations remains a challenge due to: Air Tickets, Accommodations, sustenance;
3. Universal Periodic Review – visa restrictions particularly for those who don't have Procedures;
4. The disparity between the requirement period for NGOs and states to submit reports in view of the funding and Disparity in the time given to address the bodies;  
Vulnerable / Specialized Group
5. Changing perception of states regarding their opinions of human rights defenders as dissidents;
6. The obstruct developments efforts are not receptive for the work and recommendations of Human Rights Defenders;
7. Communication is a biggest challenge. When a communication is submitted and it takes such a long time to have a response acknowledgement. Time frame brakes implementation and recommendation and communication gap between the NGOs and Remedies;

8. Mechanisms of the African Commission are unclear when you look at the jurisprudence;
9. Domestication of the charter by members states is a challenge when it comes to engaging with the process;
10. The commission website is not updated;
11. The capacity of secretariat of the commission and its independence particularly in terms of finance does not hamper interactions with NGOs.

## **XXVI. RECOMMENDATIONS**

1. Invite states to produce regular reports;
2. Reform the African Commission for Human and Peoples Rights to the image of Human Rights to facilitate the regular presentation of Human Rights Reports;
3. Make the international and regional systems accessible to Human Right Defenders;
4. Empower the capacities of Human Right Defenders on the international and regional Human Rights systems;
5. Facilitate the conditions to acquire the observer's status for Civil Society Organization on both UN and AU systems;
6. Facilitate visa and travelling conditions for Human Right Defenders to participate in Universal Periodic Reviews and African Commission periodic reports;
7. Fixing a time-frame for the implementation of recommendations;
8. Imposing sanctions on states which do not implement recommendation;
9. Establish a monitoring teams for the implementation of recommendation;
10. Set up platforms for citizens to access directly the African court of justice.

## **XXVII. CONCLUSION**

The training was officially closed by Ms. Hannah Forster, Executive Director of the African Center for Human Rights Studies, who sent a motion of thanks to all those who contributed to the success of the training through their participation, the financial contribution and animation.