



PANEL ON THE ISSUE OF REPRISALS IN AFRICA

68th ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES RIGHTS

A. Background

In 2014, the African Commission on Human and Peoples' Rights extended the mandate of the Special Rapporteur on Human Rights Defenders in Africa to include the issue of reprisals, following multiple reports of threats and harassment against persons working with the African human rights system. Thus, under the terms of Resolution ACHPR/Res.273 (LV) 14 of 12 May 2014, the mandate of the Special Rapporteur on human rights defenders was expanded to include the competence Focal Point on Reprisals in Africa, with the remit to:

- Gather information and respond effectively to cases of reprisals against civil society actors, in particular;
- Document cases of reprisals received by the Mechanism and create a database thereon;
- Propose urgent measures to the Commission to address specific cases of reprisals;
- Present a report on cases of reprisals to each regular session of the Commission as part of the Special Rapporteur's Activity Report; and
- Follow up on recorded cases.

B. Overall objective

In fulfilment of its new mandate, the Mechanism developed *Fact Sheet No. 1 on reprisals in Africa*¹. It also issued a call for contributions to various actors requesting them to participate in the preparation of the mandate's first general report on the issue of reprisals in Africa, notably by providing relevant information on cases of reprisals that they have documented.

The report is still being prepared. However, some difficulties were noted in its preparation, relating in particular to its conceptualization, the clear identification of State practices that are associated with reprisals, despite the directives contained in the above-mentioned Fact Sheet No. 1. Moreover, as yet no contributions have been received from States. Indeed, despite the common belief that the States are the main perpetrator of acts of reprisal, they sometimes introduce measures to remedy and prevent such acts. However, these measures are seldom highlighted

DATE, TIME And VENUE

DATE

23 Avril 2021

TIME

11H30-12H30
(Banjul Time).

VENUE

https://zoom.us/webinar/register/WN_qaIAghJMQEGhBzv79Pj5vQ

¹https://www.achpr.org/public/Document/file/French/ACHPR%20Fact%20Sheet%201%20on%20Reprisal%20in%20Africa_FRE.pdf

PANELISTES

Commissaire Ngoy Lumbu:
Special Rapporteur on Human Rights Defenders and Focal Point on Reprisals in Africa

Mrs Hannah Foster: *Executive Secretary to the African Center for Democracy and Human Rights Studies*

Dr. Bernard Mogesa : *Secretary to the Kenya National Commission on Human Rights*

Mrs Aimée G. Zebeyoux:
Former Secretary of State to the Keeper of the Seals, Minister of Justice and Human Rights, in charge of Human Rights of the Republic of Côte d'Ivoire.

and therefore remain unnoticed by the public, and their effectiveness is thus diminished or even non-existent.

Measures to prevent and protect against reprisals include laws for the protection of human rights defenders adopted by certain countries, notably Côte d'Ivoire, Mali and Burkina Faso. These laws, by organizing the protection of human rights defenders, provide them with de facto protection against reprisals.

This panel is intended to discuss the issue of reprisals from the viewpoint of State and inter-State actors, vis-à-vis civil society actors, with a view to reconciling the different viewpoints and finding common solutions to enhance the efforts to combat reprisals and strengthen the protection of all those working to promote and protect human rights on our continent.

C. Specific objectives

- Assess the capacity of participants to identify and document acts of reprisals;
- Ensure that more input is received for the ongoing report writing;
- Ensure that actors understand the importance of reporting reprisal

cases to the mechanism;

- Identify the different protection mechanisms and measures put in place by States.

D. Expected outcomes

- Greater understanding of the issue of reprisals by the various actors ;
- Improved protection of persons working for the promotion and protection of human rights through the sharing of good practices

PROGRAMME

Commissaire Ngoy Lumbu : *Allocution de bienvenue, présentation du panel et des intervenants (5 minutes)*

Mrs Hannah Foster: *Overview of the situation of reprisals on the continent (7min)*

Dr. Bernard Mogesa: *National Human Rights Commissions to address the issue of reprisals (7min)*

Mme Aimée G. Zebeyoux: *The State and the protection of human rights actors against reprisals/Law on the protection of human rights defenders in Côte d'Ivoire (7min)*

BIOGRAPHIES DES PANÉLISTES



Commissioner Rémy Ngoy Lumbu

Commissioner Rémy Ngoy Lumbu is the Deputy Chairperson of the African Commission on Human and Peoples' Rights, he is also a member of the Working Group on the Death Penalty and Extrajudicial, Summary or Arbitrary Executions in Africa, Working Group on Indigenous Populations/Communities and Minorities, Working Group on Extractive Industries, Environment and Human Rights Violations, Working Group on Economic, Social and Cultural Rights, Working Group on Communications, Working Group on Resolutions, Committee on Budget and Staff. Doctor of Law and University Professor, since joining the African Commission in November 2017, he is Special Rapporteur on Human Rights Defenders in charge of the issue of freedom of association and Focal Point on Retaliation in Africa.



Mrs; Hannah Forster

She is the Executive Director of the African Centre for Democracy and Human Rights Studies (ACDHRS) based in Banjul, The Gambia (from 2001 to date), a regional institution whose main objective is to build and maintain a human rights movement in Africa to promote greater respect and observance of human rights and fundamental democratic principles. A Gambian, she has been with ACDHRS since 1990 and have worked with both the African and International Human Rights System and Mechanisms for over three decades. During her tenure, she has had the opportunity to learn about and engage with the African Union Commission as well as Regional Economic Communities (RECs) in Africa.

She graduated from the University of Ghana, Legon; Loughborough Technical College and Loughborough University in the United Kingdom, respectively where is received a DipHE and BLS (Hons). She also holds an MA in Human Rights and Conflict Management from Scuola Superiore Sant'Anna, in Pisa, Italy. She has also undertaken internships and training in paralegal services as well as various areas of human rights and specialises in human rights documentation and information handling techniques; human rights education; women's human rights; child rights, governance and elections.

She has extensive experience in human rights, as a mediator and peace activist, in the design, planning, implementation and monitoring and evaluation of programmes and projects, and in the development of training and education programmes on human rights, governance, gender and conflict management; she has also designed and carried out various research in these areas as well as directed a number of human rights and democracy initiatives in Africa. She served as an expert on the Committee on the Prevention of Torture in Africa (CPTA); the Study Group on Freedom of Association, Assembly which is now the Reference Group supporting the work of the Special Rapporteur on Human Rights Defenders. She also served on the Advisory Group on the Report of

Women Human Rights Defenders of the African Commission on Human and Peoples' Rights.

She has involved the development and drafting of the African Women's Protocol, among other documents and have written some publications on civil society, the African Commission.

As an initiator and Head of ACDHRS, she leads as Convenor of the Forum of NGOs on the Participation of NGOs in the Work of the African Commission on Human and Peoples' Rights held twice a year, where a watershed of civil society contribution and participation in the African Human Rights System is institutionalised.



Dr. Bernard Mogesa PhD, CPM

A passionate and visionary leader who within a span of 7 years has risen within the KNCHR ranks from Head of Public Education and Training; Head of Research and Compliance and Deputy Commission Secretary and now the Commission Secretary.

A teacher by profession, Dr. Mogesa began his career as a high school Principal employed by the Teachers Service Commission in 1992 before venturing to his calling of working on and with learners with disability. His previous employers include Dysons Wood trust, England, Lake Institute of Tropical Medicine, Kenya Society for the Blind and International Council for the Education of People with Visual Impairment. This cumulative experience led him to the Kenya National Commission on Human Rights where he has honed his human rights skills.

A doctorate degree holder with a keen interest in teaching, writing and training, he has reviewed, authored, co-authored varied publications and undertaken a raft of consultancies that reflect leadership per excellence and his passion for the education sector in Kenya.

He has chaired and has been a member to various Government and Non-Governmental committees and task-forces. He is a Certified Public Mediator and accredited trainer in the field of Human Rights, Human Rights Based Approach to planning and development and Monitoring and Evaluation. He has over time acquired vast experience at an advisory and supervisory capacity in several African countries.



Mrs Aimée G. Zebeyoux

Former Secretary of State to the Keeper of the Seals, Minister of Justice and Human Rights, in charge of Human Rights of the Republic of Côte d'Ivoire, Mrs Zebeyoux is a Magistrate Hors-Hiérarchie. In addition to her main duties, she is a judge at the Court of Arbitration of Côte d'Ivoire (CACI), an arbitrator at the Common Court of Justice and Arbitration of OHADA (CCJA), and also a lecturer in police procedures at the National Police School.

Her expertise as a experienced jurist led to her appointment as a legal expert to the Dialogue, Truth and Reconciliation Commission (CDVR). An activist against legal inequalities and discrimination related to rights, she is also a member of the Association of Women Lawyers of Côte d'Ivoire (AFJCI), of which she was president. Mrs Zebeyoux is also a gender specialist and has been involved in numerous women's rights initiatives at both regional and international levels.

As Secretary for Human Rights, she has been heavily involved in the promotion, protection and defense of human rights; notably with the implementation of the law on human rights defenders in Côte d'Ivoire, the monitoring of the application of legislation and regulations relating to human rights; the study of draft legislation and regulations, draft international conventions relating to human rights as well as their implementation among others.

She graduated from the National School of Administration, Magistracy Section of Côte d'Ivoire, holds a Master's degree in Law, Judicial Career from the University of Cocody, a Certificate of Professional Training in Mediation, Arbitration and Negotiation (UCAO.UUA) and a Certificate of Training in Gender issued by the United Nations Institute for Peace Operations (Resolution 1325)