



RECOMMENDATIONS ADOPTED DURING THE ZOOM WEBINAR OF THE FORUM OF NGOS IN THE 68TH ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS

12-13 APRIL, 2021

We, the participants of the Forum on the Participation of NGOs in the 68th Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held virtually on Zoom Webinar from 12-13 April, 2021 due to the current global Coronavirus (COVID19) pandemic on the theme '*The Africa we want: the role of Arts, Culture and Heritage in the realization of human rights in a post-Covid19 environment*' adopted the following recommendations to the African Commission on Human and Peoples' Rights for consideration during its virtual 68th Ordinary Session (14 April-4 May, 2021).

| <u>NO.</u> | <u>THEMATIC ISSUE</u> | <u>RECOMMENDATIONS</u> |
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| TREC/001/04/21 | Enforcement of Covid19 measures in Africa | <p>The NGOs Forum recommends to the African Commission on Human and Peoples' Rights to urge Member States to:</p> <ol style="list-style-type: none">1. prioritize the provision of social safety nets for vulnerable groups as a way of mitigating the loss of livelihoods and ensuring access to basic necessities such as food, water and proper sanitation even as curfews and lockdowns are imposed as part of the Covid19 response measures.2. mainstream inclusion and representation in all decision-making processes in the Covid19 response that targets both key state and non-state actors. Special consideration should be placed on the needs and priorities of indigenous communities to address the negative impacts on their culture, heritage, and livelihood. |



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| | | <ol style="list-style-type: none"> 3. ensure that the measures taken to fight the threat of Covid19 do not further restrict the human rights of prisoners, ensure that all detained persons receive adequate health care, ensure the possibility of independent monitoring of places of detention with the conduct of legal proceedings. 4. foster protection of human rights during pandemics through guaranteed access and allocation of State resources/funding to National Human Rights Commissions and CSOs providing basic needs and humanitarian services to marginalized communities. 5. reform of laws and policy guidelines on Covid19 to ensure compliance with States human rights' obligations, and in particular, analyze their impact on vulnerable groups with a view of adopting mitigating measures. |
| TREC/002/04/21 | Shrinking civic space and human rights defenders | <p>The NGOs Forum recommends to the African Commission on Human and Peoples' Rights to:</p> <ol style="list-style-type: none"> 1. highlight the legitimate work carried out by human rights defenders, and the need for their protection from harassment and attacks; 2. systematically raise the question of the situation of human rights defenders and condemn all human rights violations they face during the examination of the periodic reports of States parties to the ACHPR, and on the occasion of all visits conducted in a State Party; |



3. denounce the impunity that prevails with regard to these violations, and urge States to hold all those responsible to account;
4. increase capacities to respond to urgent situations faced by human rights defenders;
5. ensure the effective implementation of ACHPR resolutions, concluding observations and decisions on communications in order that everyone, including human rights defenders, be able to effectively enjoy all the rights and freedoms recognised by the ACHPR, the Universal Declaration of Human Rights and the UN Declaration on Human Rights Defenders;
6. continue to strengthen the collaboration with the UN Special Rapporteur on the Situation of Human Rights Defenders, as well as with the other regional mechanisms dedicated to the protection of human rights defenders.

The NGOs Forum recommends to the African Commission on Human and Peoples' Rights to urge Member States to:

1. implement all the provisions of the 1998 United Nations (UN) Declaration on Human Rights Defenders, especially by guaranteeing in all circumstances their physical and psychological integrity;



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| | | <ol style="list-style-type: none"> 2. release all defenders who are arbitrarily detained for their human rights activities; 3. develop differentiated measures for the protection of the most vulnerable groups of human rights defenders such as land and environmental rights defenders, defenders working in rural areas, women human rights defenders or defenders working on LGBTI issues; 4. put an end to all acts of harassment - including at the judicial level - against human rights defenders; 5. order immediate, thorough, transparent investigations into alleged violations of the rights of human rights defenders, in order to identify all those responsible, bring them before an independent tribunal, and apply them the sanctions provided by the law; 6. refrain from adopting any provisions that do not comply with international and African human rights standards, and abrogate or revise any such provisions that may be in force; 7. send a standing invitation to the United Nations and the African Commission's Special Rapporteurs on Human Rights Defenders and facilitate their country visits |
| TREC/003/04/21 | Economic, Social and Cultural Rights in Africa (with a focus the rights to health) | <p>The NGOs Forum recommends to the African Commission on Human and Peoples' Rights to urge Member States to:</p> <ol style="list-style-type: none"> 1. apply a waiver on intellectual property rights as a means of securing States' obligations to take all the necessary measure to ensure |



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| | | <p>the right to health in the Covid19 environment.</p> <p>2. strengthen the capacities of their health sectors by rededicating themselves to realizing the Abuja Declaration pledge of allocating at least 15% of their annual budgets to improve the health sector.</p> |
| TREC/004/04/21 | Role of youths in the implementation of the African Union's Agenda 2063 | <p>The NGOs Forum recommends to the African Commission on Human and Peoples' Rights to urge Member States to:</p> <p>1. undertake to support youth-led initiatives by enhancing their technical capacities and deploying affirmative measures such as special representative seats in legislative bodies and regional decision-making organs, eliminating barriers to registration processes for youth political groups and nongovernmental organisations and availing funding for the implementation of their initiatives.</p> |
| TREC/005/04/21 | Impact of Covid19 on elections in Africa | <p>The NGOs Forum recommends to the African Commission on Human and Peoples' Rights to:</p> <p>1. instigate a continental dialogue on the state of elections in Africa; one that can foster ideas on electoral reforms which include enhancing the independence of the Electoral Commissions, prohibiting the undue use of State resources in electoral campaigns and ensuring judicial remedies for electoral disputes.</p> <p>2. urge Member States to embrace a holistic election monitoring approach which consists of investing in local-led observation efforts that are long-term in nature as opposed to focusing on the</p> |



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| | | <p>Election Day alone. Therefore, civil society efforts to monitor elections should not be curtailed by the State and should instead be granted all necessary accreditation and access to the electoral process.</p> <ol style="list-style-type: none">3. urge the AU Peace and Security Council, the African Peer Review Mechanism to effectively coordinate their mandates in countries conducting elections so as to provide the necessary early-warning systems and remedial measures when required.4. urge the African Union to apply the principles of its Constitutive Act in relation to unconstitutional changes in government as well those enshrined in the African Charter on Democracy, Elections and Governance, by imposing appropriate sanctions (including the suspension of membership) on States that undertake elections which fail the test of being credible. |
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Adopted on Zoom – 13th April, 2021