



**COUNTRY RESOLUTIONS ADOPTED AT THE NGOs FORUM PRECEDING THE
69TH ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN
AND PEOPLES' RIGHTS
10-12 NOVEMBER, 2021 - ZOOM WEBINAR**

**CRES/001/11/21: RESOLUTION ON THE SITUATION OF HUMAN RIGHTS IN
THE KINGDOM OF e-SWATINI**

Noting the submission by the Government of e-Swatini of its long overdue combined 1st to 9th Periodic Reports on the African Charter on Human and Peoples' Rights and the Initial Report to the Protocol of the African Charter on the Rights of Women in Africa;

Further noting that the Constitution of 2005 has failed to restore multi-party democracy and political parties in the Kingdom remain banned;

Concerned by the continued deterioration of the humanitarian and human rights situation in Eswatini, which impacts the enjoyment of the economic, social and political rights and freedoms of the people;

Further concerned by the continued use of restrictive laws, including the Suppression of Terrorism Act and the Public Order Act to persecute human rights defenders, civil society and opposition leaders for exercising their freedoms of assembly and association, and the escalated violations by state agencies including law enforcement and the military, including through misuse of Covid-19 emergency measures;

Deeply concerned by the systematic targeting of civil society leaders and human rights defenders, media practitioners, trade union leaders, youth, school children, and legislators, as well as the lawyers who defend these groups that are increasingly intimidated, harassed and threatened in the execution of their work;

Gravely concerned by the massive killings, arbitrary detentions, torture, assault, intimidation

by law enforcement agencies aimed at preventing, disrupting or stopping mass protests, and the wanton disregard of the right to life due to the use of disproportionate force by security agencies especially when managing protests and the failure to promptly investigate and prosecute responsible officers by government;

Disturbed by the denial of public access to diverse sources of information and media, including the imposition of internet and telecommunication shutdowns in response to the mass protest movement for democracy;

Call upon the African Commission on Human and Peoples' Rights to:

1. Ensure the protection and promotion of human and peoples' rights in the Kingdom of e-Swatini in accordance with the African Charter on Human and Peoples' Rights, the Maputo Protocol and other relevant human rights instruments, and to promote democratic principles and institutions, popular participation and good governance.
2. Support calls for:
 - a. constitutional reform to restore the multi-party system and participatory democracy;
 - b. legislative reform that enables the exercise of freedom of association, assembly, and expression, as the cornerstone for

democracy, and the protection of economic and social rights for all individuals; and

- c. authorities to desist from using Covid-19 measures to suppress rights, and ensure that they respect and implement the ACHPR's Resolution 449.
3. Call upon the Kingdom of e-Swatini to cease the killings, torture, assaults, arbitrary arrests, intimidation of citizens and hold state actors accountable for documented rights violations, including loss of life and use of internet shutdowns and telecommunication blockages to silence civic voices.
4. Ensure that meaningful engagements are held with the country's civil society and pro-democracy movements to resolve the current crisis.
5. Call upon the Kingdom to refrain from deploying the military to suppress protests and ensure that law enforcement agents and security personnel respect standards for managing assemblies and use of force in accordance with the African Commission's Guidelines for the Policing of Assemblies by Law Enforcement Officials in Africa and the Guidelines on Freedom of Association and Assembly in Africa.
6. Engage all stakeholders in a national consultative process to agree on durable solutions to the ongoing economic and social crisis to forestall against a state of protracted conflict.

Done on virtually on Zoom - 12th November 2021

**CRES/002/11/21: RESOLUTION ON THE SITUATION OF HUMAN RIGHTS IN
NIGERIA (FRENCH)**

La Commission Africaine des Droits de l'Homme et des Peuples réunie à sa 69^e session ordinaire à Banjul-Gambie :

Considérant l'engagement pris par les Etats membres de la Charte Africaine des Droits de l'Homme et des Peuples en son article 1^{er} en ces termes : « Les Etats ...parties à la présente Charte, reconnaissent les droits, devoirs et libertés énoncés dans cette Charte et s'engagent à adopter des mesures législatives ou autres pour les appliquer »

Préoccupée par les restrictions de l'espace de la société civile au Nigéria manifestées par les obstacles à l'enregistrement des ONG manifesté par le projet d'établissement d'une agence fédérale chargée de superviser, coordonner et surveiller les OSC au Nigeria et qui obligerait les Organisations de la société civile opérant au Nigeria à s'enregistrer auprès du gouvernement tous les deux ans, avec possibilité offrant aux autorités le pouvoir de décider quelles organisations peuvent s'enregistrer et quels types d'activités elles seront autorisées à mener ;

Encore préoccupée par la répression des médias sociaux notamment la récente interdiction indéfinie de Twitter et la tentative du gouvernement du Nigeria de réglementer d'autres plateformes de médias sociaux;

Inquiète de la situation délétère des défenseurs des droits de l'homme y compris les femmes défenseures travaillant sur la responsabilité sociétale des entreprises, la bonne gouvernance, le plaidoyer législatif, le processus électoral, la santé reproductive, la violence liée au sexe, les défenseurs des femmes qui remettent en question les normes sociétales, les LGBTI et le journalisme d'investigation ;

Particulièrement préoccupée par les exécutions extrajudiciaires, les arrestations et détentions arbitraires, la torture, la discrimination et autres mauvais traitements, les disparitions forcées, la violence contre les femmes et les filles sur le territoire du Nigéria ;

Offusquée par l'impunité vis-à-vis des homicides illégaux ;

Exhorte l'Etat du Nigéria à:

S'acquitter de ses obligations telles que stipulées dans la Charte Africaine des Droits de l'Homme et des Peuples et tout autre instrument des droits de l'homme qu'il a ratifié par:

Respecter les dispositions de la Charte Africaine des Droits de l'Homme et des Peuples en son article 1er et les dispositions des lignes directrices sur la liberté d'association et de réunion pacifiques en Afrique;

Adopter et mettre en oeuvre une loi de protection des défenseurs des droits de l'homme, en impliquant les organisations de la société civile à toutes les étapes du processus

Mettre fin à la repression des medias sociaux

Ouvrir des enquêtes pour établir les responsabilités sur les exécutions extrajudiciaires, les arrestations et détentions arbitraires, la torture, la discrimination et autres mauvais traitements, les disparitions forcées, la violence contre les femmes et les filles

CRES/003/11/21: RESOLUTION ON THE SITUATION OF HUMAN RIGHTS IN SUDAN

We, the participants at the Forum on the Participation of NGOs in the 69th Ordinary Session of the African Commission on Human and Peoples' Rights held virtually due to the global Covid19 pandemic from 10th-12th November 2021,

Considering the provisions of the African Charter on Human and Peoples' Rights and other regional and international human rights instruments to which the Sudan is a state party, and that Sudan is legally bound to fully and effectively implement the provisions of these instruments, and respect and promote the human rights and fundamental freedoms set therein without discrimination on any ground;

Appreciating efforts of the African Commission on Human and Peoples' Rights (African Commission) to address the situation in Sudan and recalling, in this regard, previous missions conducted by the Commission to Sudan in 2004, 2009 and 2015 as well as its resolutions on the situation of human and peoples' rights in the country since its 35th Ordinary Session held in Banjul in May-June 2004;

Applauding the people of Sudan for the peaceful outcomes of the popular uprising that took place in their country in April 2019 thus ending about 30 years of military rule and marking the beginning of political transformation towards democratic governance, political pluralism, peace, justice and accountability;

Abhorring the military coup d'état reported in Sudan on 25th October 2021, the unconstitutional takeover of political power by the Sudanese military and the serious and large-scale violations of human rights and fundamental freedoms documented in the country since then, including the arrest of Prime Minister Dr. Abdalla Hamdok;

Welcoming Communiqué No. PSC/PR/COMM.1041(2021), adopted by the African Union (AU) Peace and Security Council at its 1041st meeting held on 26th October 2021 in which the Council suspended Sudan from participation in all activities of the African Union, following the military takeover;

Taking note of the Statement of the UN Security Council (SC/14678) of 28 October 2021 on the situation in the Sudan; as well as resolution (A/HRC/S-32/L.1) of 5th November 2021, adopted by the 32 Special Session of the UN Human Rights Council on the situation in Sudan;

Welcoming regional and international efforts to combat impunity and to uphold justice to the victims, particularly the decisions of the International Criminal Court to hold accountable individuals accused of planning, executing, condoning or encouraging the commission of war crimes, crimes against humanity and genocide in Darfur;

call upon the African Commission to adopt a resolution on the situation of

human and peoples' rights in Sudan in which the Commission:

1. Condemns in the strongest terms the military coup d'état of 25 October 2021 and the overthrow of the Transitional Government led by Prime Minister Dr. Abdallah Hamdok, the suspension of transitional institutions and the imposition of a state of emergency in violation of Sudan's Constitutional Declaration of 2019 and the provisions of Juba Peace Agreement of 2020.
2. Calls on leaders of the military coup d'état to immediately reinstate the civilian-led Transitional Government under leadership of Prime Minister Abdallah Hamdok and remove all restrictions on his movement and freedom to communicate with the external world.
3. Expresses deep concern about the ongoing violations of human rights and fundamental freedoms perpetrated by the military since the coup d'état on 25 October 2021, especially the use of excessive force to quell public protests which led to the killing and injury of dozens of peaceful protesters, torture and cruel and inhuman treatment of political detainees, dismissal from public service on political grounds, the internet blackout and the closure of newspapers and TV stations.
4. Condemns the arbitrary arrests and incommunicado detention by the Sudanese military of hundreds of politicians and pro-democracy activists, including cabinet members, senior national and regional officials appointed by the transitional Government and leaders of the Resistance Committees and calls upon the Sudanese military to immediately and unconditionally release all individuals detained arbitrarily since 25th October 2021.
5. Calls on leaders of the coup d'état to restore political life in the country, observe the internationally supported governing principles in compliance with Sudan's Constitutional Document and Juba Peace Agreement.
6. Places special emphasis on the importance of fully upholding human and peoples' rights and reminds Sudan of its obligations to respect

the rights to freedoms of expression, association and peaceful assembly and urges Sudan to ensure the safety and personal security of journalists as well as lifting restrictions on access to the Internet and allow the people of Sudan to receive and impart information freely.

7. Urges all AU member states and the international community at large to continue their efforts in combating impunity and to expand regional and international coordination to apprehend and hand over all individuals accused by the International Criminal Court (ICC) of committing war crimes, crimes against humanity and genocide in Darfur.

Done virtually on Zoom on 12 November 2021