



**SUB-REGIONAL RECOMMENDATIONS ADOPTED AT THE NGOs FORUM PRECEDING
THE 71ST ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN
AND PEOPLES' RIGHTS
19TH-20TH APRIL, 2022 - ZOOM WEBINAR**

**SREC/001/04/22 RECOMMENDATIONS ON THE SITUATION OF HUMAN RIGHTS AND
DEMOCRACY IN CENTRAL AFRICA (CAMEROON, CHAD, DEMOCRATIC REPUBLIC OF
CONGO AND CENTRAL AFRICA REPUBLIC)**

We, the participants of the Forum on the Participation of NGOs in the 71st Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held virtually in the form of a Zoom Webinar from 19th -20th April, 2022 due to the current global Coronavirus (Covid19) pandemic;

Hereby recommend to the African Commission on Human and Peoples' Rights to urge the Governments of the States mentioned above to:

1. **Respect** the provisions of the African Charter on Human and Peoples' Rights;
2. **Release** human rights defenders, journalists and prisoners of conscience, in particular in Cameroon, Gabon and the DRC;
3. **Encourage** respect for fundamental freedoms through the effective implementation of the Guidelines on Freedom of Association and Assembly in Africa;
4. **Put in** place mechanisms to effectively combat impunity;

5. **Cease** all forms of threats, reprisals and intimidation against human rights defenders, in particular women human rights defenders, defenders of LGBTQIA persons and journalists;
6. **Adopt** laws for the promotion and protection of defenders, with particular emphasis on women human rights defenders;
7. **Accountability** for Covid19 response policies in order to effectively fight corruption;
8. **Put in** place the appropriate frameworks for conflict resolution in order to silence the weapons in accordance with Resolution 446 of the ACHPR; by putting in place Truth, Justice and Reconciliation Commissions and/or by strengthening them in all the States of the sub-region.
9. **To request** the Government of Cameroon, to accept a mission for the promotion and protection of human rights led by the ACHPR and to accept the establishment of a cease-fire and to cease all forms of reprisals against journalists;
10. To the State of **Chad** to respect for democratic institutions through the implementation of the African Charter on Democracy, Elections and Governance.

Adopted on Zoom - 20th April, 2022

SREC/002/04/22: RECOMMENDATIONS ON THE SITUATION OF HUMAN RIGHTS AND DEMOCRACY IN EAST AND HORN OF AFRICA (ETHIOPIA, SOUTH SUDAN)

We, the participants of the Forum on the Participation of NGOs in the 71st Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held virtually in the form of a Zoom Webinar from 19th -20th April, 2022 due to the current global Coronavirus (Covid19) pandemic;

Hereby recommend to the African Commission on Human and Peoples' Rights to:

1. **Urge** all Member States, particularly the Governments of Ethiopia and South Sudan to ensure the protection of human rights defenders, notably by the implementation of African Charter on Human and Peoples' Rights;
2. **Encourage** all Member States to adopt specific legislative measures to recognize and protect the status of Human Rights Defenders and provide a working environment conducive for civil society, as per Resolution 376 (LX) 2017 adopted by the Commission during its 60th Ordinary Session held in Niamey, Niger;
3. **Urge** Member States to cease the harassment and arbitrary detention of Human Rights Defenders, including those working on Lesbian, Gay, Bisexual and Transgender rights;
4. **Call on** States to abide by the Guidelines on Freedom of Association and Assembly adopted by the African Commission during its 60th Ordinary Session;
5. **Insist on** all Member States who have not done so to deposit the Declaration under Article 34 of the Protocol to the African Court on Human and Peoples' Rights to allow individuals and NGOs to directly submit their cases to the Court;

6. **Exhort on** the Federal Government of Ethiopia through independent and impartial bodies to investigate allegations of human rights violations thoroughly and effectively and to hold those responsible accountable, and urge the Government to cooperate with African and international mechanisms, including the African Commission-established Commission of Inquiry on Tigray and the International Commission of Human Rights Experts on Ethiopia established by the UN Human Rights Council;
7. **Adopt** a resolution that strongly condemns the military coup in Sudan and calls for restoration of the civilian-led Transitional Government and urges respect for human rights and fundamental freedoms including the right to freedom of association and peaceful assembly; and
8. **Adopt** a resolution urging, among other things, the government of South Sudan to immediately establish and operationalize the Hybrid Court for South Sudan and other transitional justice institutions as per Chapter V of the Revitalized Peace Agreement (R-ARCSS), and to ensure accountability for crimes committed since 2013, and to put an immediate end to harassment, intimidation, and repression, including by the National Security Service, of independent human rights actors and those reporting on human rights in the country.

Adopted on Zoom - 20th April, 2022

SREC/003/04/22 RECOMMENDATION ON THE SITUATION OF HUMAN RIGHTS AND DEMOCRACY IN LUSOPHONE COUNTRIES

We, the participants of the Forum on the Participation of NGOs in the 71st Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held virtually in the form of a Zoom Webinar from 19th-20th April, 2022 due to the current global Coronavirus (Covid19) pandemic;

Hereby recommend to the African Commission on Human and Peoples' Rights to:

1. **Intensify** dialogue with countries to reduce police brutality, especially in the civic space; especially the holding of demonstration and meeting that are carried out in accordance with the Constitutions and the Law;
2. **Strengthen** dialogue with Portuguese-speaking States, namely: Cape Verde, Guinea-Bissau, Equatorial Guinea, Mozambique and São Tomé and Príncipe to present reports on the implementation of the African Charter on Human and Peoples Rights and other human rights instruments and Protocols;
3. **Engage** in dialogue with Lusophone speaking countries on compliance with the Robben Island Guidelines and other instruments on the treatment of prisoners and persons in police custody;
4. **Intensify** the dialogue for the investigation and punishment of law enforcement officers involved in cases of arbitrary arrests, summary executions in Portuguese-speaking countries, namely Angola, Guinea-Bissau, Equatorial Guinea and Mozambique.

Done on Zoom - 20th April, 2022

SREC/004/04/22 RECOMMENDATIONS THE SITUATION OF HUMAN RIGHTS AND DEMOCRACY IN NORTHERN AFRICA:

We, the participants of the Forum on the Participation of NGOs in the 71st Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held virtually in the form of a Zoom Webinar from 19th-20th April, 2022 due to the current global Coronavirus (Covid19) pandemic;

Hereby recommend to the African Commission on Human and Peoples' Rights to:

1. **Call on** the Government of Tunisia to halt arbitrary arrests and respect the international agreed norms of pre-trial detention and stop targeting human rights and local civil society activists;
2. **Encourage** the Government of Libya to organize democratic and transparent elections in the light of Skhirat Negotiation and to respect the right of Migrants and protect them from terrorist abuse and slavery;
3. **Urge** the Government of Morocco to ratify the African Charter on Human and Peoples Rights and other African Union Human Right Instruments;
4. **Call on** the Government of Egypt to respect human rights and guarantee just trial to Human Rights Defenders and journalist who spend long years in prison before having access to justice.
5. **Request** the Government of Mauritania to stop impunity to corrupt officials and to guarantee social, economic rights to all Mauritians without discrimination;
6. **Urge** the Government of Algeria to remove all restrictions against the registrations of associations, make legislative reforms that guarantee the Algerian NGOs to receive national and international funds in accordance with the best practices

presented by the Special Rapporteur on the right to Peaceful Assembly and Associations.

Done on Zoom - 20th April, 2022

SREC/005/04/22 RECOMMENDATION ON THE SITUATION OF HUMAN RIGHTS AND DEMOCRACY IN SOUTHERN AFRICA:

We, the participants of the Forum on the Participation of NGOs in the 71st Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held virtually in the form of a Zoom Webinar from 19th -20th April, 2022 due to the current global Coronavirus (Covid19) pandemic;

Hereby recommend to the African Commission on Human and Peoples' Rights to:

1. **Condemn** xenophobic attacks in South Africa targeting migrants: Reinstatement of ACHPR Resolution 131 & ACHPR Resolution 304 urging South Africa to protect all citizens, particularly migrants against vigilante groups, opposition parties', anti - migrant movements, ensuring no one is above the law, including arrests, prosecution and conviction of suspects of violation of migrant's rights.
2. **Support** the Special Rapporteur on Refugees, Asylum Seekers, Migrants and Internally Displaced Persons to be accompanied by the Country Rapporteur on South Africa to conduct a fact-finding mission to South Africa with a view of assisting the country initiate a national dialogue.
3. **Urge** South Africa to arrest with immediate effect all suspects of the heinous crime, with no grant bail granted and prosecution of the killers of Elvis Nyathi, ensuring adequate compensation is considered for the pains, suffering and devastation brought to the family and people of this region.
4. **Encourage** the Southern Africa Development Community (SADC) States to cooperate with the peoples of the region, foster closer relations among communities, associations and hold State Parties accountable for implementing policies that undermine principles and objectives of the SADC (Articles 23 (2) & 33 (b) of the SADC Treaty & Declaration)

5. **Support** the country Rapporteur of the Kingdom of Eswatini, Malawi, Zambia and Zimbabwe to provide technical assistance to State Parties prevent promulgation of repressive laws, and repeal all Bills, policies and administrative conducts undermining the full realization and implementation of Guidelines on Freedom of Association and Assembly

6. **Urge** SADC States to implement (Article 7 of the African Charter) to respect individual's right to have their cause heard, & to guarantee independent courts and improvement of appropriate national institutions promoting protection of safeguarded rights (Article 26 of the African Charter) and respect individual's right to contribute in the society to achieve African unity (Article 29 (8) of the African Charter)

Done on Zoom - 20th April, 2022

SREC/006/04/22: RECOMMENDATIONS ON THE SITUATION OF HUMAN RIGHTS AND DEMOCRACY IN WESTERN AFRICA

Nous, les participants du Forum sur la participation des ONG à la 71e session ordinaire de la Commission africaine des droits de l'homme et des peuples (CADHP) qui s'est tenu virtuellement sous la forme d'un webinaire Zoom du 19 au 20 avril 2022 en raison de la situation actuelle pandémie mondiale de coronavirus (Covid19);

Recommandons par la présente à la Commission africaine des droits de l'homme et des peuples de:

1. Rappeler aux Etats qui ont connu des coups d'Etat la nécessité de se conformer aux exigences démocratiques telles que contenues dans la Charte Africaine de la Démocratie, des Elections et de la Gouvernance;
2. Lancer un appel à l'endroit de toute la communauté international afin qu'elle évite l'adoption de sanctions deux fois, deux mesures à l'endroit des Etats victimes de coups d'Etat , et surtout de sanctions qui mettent en quarantaine des populations occasionnant une double victimisation deces dernières;
3. Appeler les Etats à reviser les mesures de riposte à la pandémie de COVID, en les adaptant au recul de la pandémie dans la sous-région;
4. Appeler les désengorgement des prisons;
5. Inviter les Etats à respecter la déclaration de Maputo dans la mise en oeuvre de leurs politiques et programmes et dans le fonctionnement de leurs institutions;.
6. Appeler les Etats à respecter le droit à la liberté de manifestation et de réunion pacifique;
7. Appeler les Etats à lutter contre la montée de la criminalité;
8. Lancer un appel afin d'appeler la jeunesse africaine à se désolidariser des groupes terrorists;
9. Appeler les Etats d'Afrique Occidentale à renforcer leur mobilisation autour du Sahel dans la lutte contre le terrorisme et son expansion;

10. Interpeler les Etats à respecter la Résolution 474 de la CADHP sur l'interdiction de l'usage excessif de la force par les responsables de l'application des lois dans les Etats africains;
11. Demander aux Etats de remettre en liberté les prisonniers d'opinion, y compris d'opinion politique toujours en détention.

A l'endroit :

1. Du **Togo**, respecter la liberté d'expression, de manifestation et de réunion pacifique en:
 - a. Remettant en liberté les enseignants et élèves arrêtés pour avoir exercé ces libertés;
 - b. En levant les interdictions aux manifestants sur tout le territoire national
 - c. En renonçant aux suspensions de plus en plus fréquentes des journaux.
2. Du **Cap Vert**:
 - a. Ouvrir une enquête sur les abus commis par les policiers sur les populations y compris en détention, pour établir les responsabilités;
 - b. Accroître les efforts pour désengorger les prisons
3. Du **Sénégal**:

Prendre des dispositions pour rendre justice à Guy Marius Sagna et travailler à la non répétition des attaques contre les défenseurs des droits humains.
4. Du **Nigeria**

Accroître les efforts dans la lutte contre la criminalité dans le respect des engagements de l'Etat en droits de l'homme.
5. **Ghana**

Domestiquer la déclaration des Nations Unies sur les défenseurs des droits de l'homme par l'adoption et la mise en oeuvre d'une loi protectrice des défenseurs des droits humains, y compris les journalistes et les bloggers.
6. **Libéria**
 - a. Prendre des dispositions pour lutter contre la criminalité montante dans le respect des instruments internationaux des droits de l'homme;
 - b. Ouvrir une enquête pour établir les causes de cette montée de criminalité et envisager des solutions conformes aux droits de l'homme.
7. **Nigeria**
 - a. Adopter et mettre en oeuvre une loi de protection des défenseurs des droits de l'homme;

- b. Prendre des dispositions pour lutter contre la criminalité et l'impunité dans le respect des droits de l'homme.

8. Gambie

- a. Respecter les lignes directrices sur la liberté d'association et de réunion en Afrique;
- b. Adopter et mettre en oeuvre une loi de protection des défenseurs des droits de l'homme, y compris les journalistes et les bloggers.

9. Niger

- a. Arrêter toute usage de la loi contre la cybercriminalité contre les défenseurs des droits de l'homme;
- b. Prendre des dispositions pour annuler le décret N°2022-182/PRN/MAT/DC du 24 février 2022 portant modalités d'applications de la Loi N°91-006 du 20 mars 1991, modifiant et complétant l'ordonnance n°84-06 du 1^{er} mars 1984, portant régime des associations, sur le fondement duquel les ONG et les Associations non autorisées par le Ministère de l'Intérieur ne peuvent plus exercer sur la base du simple récépissé de la mairie

10. Mali

- a. Prendre des dispositions pour se conformer aux exigences démocratiques telles que contenues dans la Charte Africaine de la Démocratie, des Elections et de la Gouvernance;
- b. Se conformer dans la lutte contre le terrorisme à la Résolution N° 88 de la CADHP sur la protection des droits de l'homme et de droit dans la lutte contre le terrorisme.

11. Sierra Leone

- a. Accroître les efforts pour lutter contre la mortalité maternelle et infantile;
- b. Se conformer aux lignes directrices de la CADHP sur la liberté de manifestation et de réunion pacifique dans l'encadrement des manifestations par la police.

12. Mauritanie:

- a. Ouvrir la jouissance de l'espace publique à la population et aux défenseurs des droits de l'homme;
- b. Adopter et mettre en oeuvre une loi de protection des défenseurs des droits de l'homme;
- c. Ouvrir des enquêtes pour établir les responsabilités, afin de procéder aux réparations des violations des droits de Madame Aminetou MINT ELY;
- d. Amener le pouvoir judiciaire à immédiatement remettre en liberté les quatre manifestants pacifiques de Ngaolé, qui sont en prison à Rosso, et à ouvrir une enquête sur les allégations de tortures à leur endroit.

Adopté sur zoom - 20 avril 2022