



**FORUM ON THE PARTICIPATION OF NGOs IN THE 75TH ORDINARY SESSION  
OF THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS  
BANJUL, THE GAMBIA**

**29th April- 1st May 2023**

**THEME: THE YEAR OF AFCFTA: "ACCELERATION OF THE AFRICAN  
CONTINENTAL FREE TRADE AREA IMPLEMENTATION"**

The Forum on the participation of NGOs in the ordinary session of the African Commission on Human and Peoples' Rights (ACHPR) also known as the NGOs Forum is an advocacy platform established and coordinated by the African Centre for Democracy and Human Rights Studies to promote advocacy, lobbying and networking among human rights NGOs and between human rights NGOs and other stakeholders for the promotion and protection of human rights in Africa. The Forum shares updates on human rights, democracy and the rule of law in Africa by the African and International NGOs community with a view to identifying responses as well as adopting strategies towards improving the situation on the continent.

**OBJECTIVE:** The objective of the NGOs Forum is to foster collaboration between and among NGOs within the African Commission as well as other African Human Rights mechanisms for the promotion and protection of human rights in Africa.

Human rights violations continue to increase on the continent. Efforts to realize and safeguard human rights mechanisms, build unity, solidarity and social cohesion to achieve peace and security in the SADC region are undermined, mainly by the state parties. The region features common crimes committed to the people, including CSOs, HRDs, trade unionists, journalists and media houses promoting democracy through dissemination and public participation. Opposition parties and the judiciary are victims of persecution for their independent and objective roles in holding states accountable for human rights violations.

The SADC leaders missed the opportunity to hold the Kingdom of Eswatini accountable for crimes against humanity committed to citizens during the SADC Summit held in August 2022. Little is done to hold member states accountable for undermining the SADC Treaty and Protocols, African Charter on Human and Peoples Rights and international treaties that are binding States. Access to justice is also denied for citizens to prosecute atrocities committed by states as the SADC Tribunal continue to be disbanded.



In Cameroun, the security situation in the Far North in the northwest and southwest remains unstable, characterized by incursions and attacks by armed groups which continue to increase the number of deaths accompanied by looting of property, livestock, and sometimes house fires resulting in a large number of internally displaced persons (IDPs), i.e. more than 7,653 distributed as follows: 60% in the Far North, and more than 730,000 displaced in the regions English speakers. In eastern DRC, the MONUSCO military bases located in the towns of Goma and Butembo were stormed by the civilian populations who are demanding the departure of blue helmets from Congolese territory. These demonstrations revealed numerous killings and cases of serious injuries, both on the side of the civilian population and elements of MONUSCO.

The Central African Republic (CAR) has been ravaged by conflict and violence for more than a decade. More than 4.9 million Central Africans have been traumatized by displacement, often repeatedly. This situation has allowed humanitarian and development actors to work hand in hand with the government to allow internally displaced persons (IDPs) and refugees in the CAR to resume a normal life, when circumstances permit.

The year 2022 has also been tumultuous for Africa for other reasons. The continent held several general elections, many of them marred by violence. Authorities responded to popular protests and critical political commentary with violent repression, including arrests, detention, and torture and in some cases killing of protesters, dissenters and journalists, notably in Nigeria and Zimbabwe. The conflict in Ethiopia's Tigray region was the latest of the dire humanitarian and human rights crises gripping Sub-Saharan Africa in which civilians have borne the cost.

Conflicts have harmed civilians in the Central African Republic, the Democratic Republic of the Congo (DRC), in Cameroon Ethiopia and South Sudan, along with horrific abuses related to terrorism and counter-terrorism operations in the Sahel, Nigeria, Somalia and Mozambique. Government security forces and non-state armed groups have been implicated in massacres, targeted killings, sexual violence, burning and looting of villages, kidnappings, forced recruitment of children, attacks on students, teachers and illegal occupation of schools. The near-total impunity for abuses worsens an already fragile humanitarian and human rights situation on the continent.

During the pandemic, Africa experienced an increase in gender-based violence, poverty, discrimination with multitudes of people on the continent lacking access to healthcare services and lived in highly congested spaces. They had limited access to water, food, education, and decent housing which are basic human rights and essential in achieving sustainable development.



A large number of the populations in Africa depend on the informal economy as most of the laborers and traders are women. The burden of household work and the increase in SGBV have worsened the plight of women in Africa and made gender equality and development harder to achieve in the continent.

The effects of climate have not only impaired the enjoyment of basic fundamental human and social rights but also the economic livelihood of Africans. This has led to a scarcity of resources and exposed the majority of the population to hunger and starvation.

The African Union has declared 2023 theme as: “The Year of AfCFTA: Acceleration of the African Continental Free Trade Area Implementation”. The theme aims to generate a greater political commitment to trade as a developmental Agenda for Africa. This is expected to mobilize solutions and solidarity, strengthen relationships between and among member states, AU bodies, private sector actors, development partners, CSOs, and other relevant stakeholders, who also have important roles to play to expedite the implementation of the AfCFTA. It aims to ensure the inclusion of women and youth in the growth of Small and Medium Enterprises (SMEs), and industrialization in Africa. This theme coincides with the 20th Anniversary of the African Charter on Human and People’s Rights Protocol on the Rights of Women , which the NGO Forum will use the opportunity to review its impact on women’s and girls’ rights across the continent.

With all 54 member states signing the AfCFTA agreement and 44 of these states depositing their instrument of ratification, the theme presents a unique opportunity to ensure that trade contributes to development, and that the expected increase in economic growth and national productive capacities, would lead to increased employment opportunities, reduce poverty , improve wellbeing and promote sustainable development in Africa. Implementation of the AfCFTA will provide more resources for governments to invest in human rights address inequalities and create an enabling environment where all human rights can be realized.

Considering the importance of the AU theme for 2023 and in a bid to keep civil society actors engaged on important continental discussions, the NGOs Forum will deliberate on the above mentioned theme, focusing on the role of NGOs to transform commitments into actions. Giving the linkages between trade, business and human rights, the forum will take this opportunity to establish a network of NGOs working on Business and Human Rights as well as Trade and human rights in Africa. to work with Such network could be tasked to work with African Commission on the implementation of the two resolutions on Business and Human rights and Trade and



human rights, adopted at the 74th Ordinary session held virtually from 21 February to 7 March 2023.

The network could also be tasked to report regularly at each forum on the status of the implementation of the AfCFTA as well as the state of human rights respect and violations by business enterprises in Africa. The forum will also create a space to build strategies for digital and technological innovation access to digital economy. It will promote advocacy for internet access through infrastructure development, including protection, particularly of women, girls living in rural areas, as well as HRDs, CSOs activist, journalists working in risk environments constantly subjected to harassment, digital violence. The African Commission on Human and Peoples' Rights adopted a Resolution during its 72nd Ordinary Session held from 19 July to 2 August 2022, noted the legislative gaps in States legal frameworks for increasing access to digital tools through infrastructure and protection

Despite the challenges presented by the post-COVID-19, the Secretariat of the NGOs Forum and its partners were able to organize a highly successful physical forum in October 2022. The exceptional planning and execution ensured that the event was a resounding success, demonstrating their unwavering commitment to advancing their goals and objectives despite the unprecedented circumstances. The last Forum brought together over 266 (two hundred and sixty-six) participants working on human rights and related issues, coming mainly from 40 African countries, 5 from Europe and 2 from North America. The proceedings of the Forum were conducted in English, French and Portuguese with simultaneous interpretation services.

Accordingly, the ADCHRS and its partners will organize the Forum on the participation of NGOs in the 75th Ordinary Sessions of the ACHPR in Banjul, The Gambia on 29th April to 1st May 2023. It is anticipated that it will be a hybrid session with provision for online participation for those participants who may not be able to join the Forum physically.

## **THEMATIC FOCUS:**

Consequently the Forum will also deliberate on the following sub themes:

### **1. Unconstitutional Change of Government**

Unconstitutional changes of government have been a significant challenge in Africa, with several countries experiencing political instability as a result. In recent years, several African countries have experienced unconstitutional changes of government,



including Sudan, Zimbabwe, and Mali. These have had a significant impact on these countries, leading to political and economic instability, human rights abuses, and lack of democratic governance.

## **2. Conflict and Forced Migration:**

Over the years, Africa has been marred with armed conflicts. Conflicts lead to mass migration, loss of social cohesion, unemployment, and destruction of infrastructure among other impacts on civilian populations.. Conflict also has economic consequences, increasing the continent's poverty rate.

Reports indicate that 520 non-state armed conflicts in 28 different countries between 1989 and 2013 is in Africa. 406 of these conflicts occurred in just six countries (Nigeria, Somalia, Sudan, Ethiopia, Kenya, and DRC). These conflicts mostly affect vulnerable groups such as children, youth, women, and persons with disabilities. It is also the main contributor to migration and internally displaced persons. In recent years, several African countries have experienced significant migration challenges, including Libya, Sudan, and Ethiopia. These migration challenges have had a significant impact on the lives of individuals and communities affected, leading to a range of human rights abuses, including discrimination, Gender base violence, exploitation, and violence.

## **3. Protection of Human Rights Defenders (HRDs)**

The situation of defenders in Africa remains of concern. Restrictions on the work of human rights defenders through regressive laws limit the ability of human rights activists to acquire information and report human rights violations. The increasing threats and attacks faced by HRDs intend to limit their work in the defense of human rights. WHRDs face double stigma fighting discrimination, patriarchy in social, cultural, and religious stereotypes, which expose them to a number of risks such as GBV. In recent years, several African countries have taken steps to protect HRDs, including the adoption of legal frameworks and the establishment of national mechanisms to monitor and investigate human rights violations. Despite these efforts, HRDs continue to face significant challenges, including surveillance, arbitrary arrest, and even extrajudicial killings.

## **4. Racism, xenophobia, and marginalization**

Racism in Africa has been shaped by a history of colonialism and slavery, which has led to ongoing inequalities and discrimination. This has included discrimination against people of different races and ethnicities, which has also led to a range of social, economic, and political challenges.



Every human regardless of nationality, gender, race and sexual orientation have the right to exist and live a peaceful life. A diverse society can be a result of migration. However, migrants are likely to be vulnerable during crisis when it comes to national identity. The UN experts observed that discrimination against foreign nationals in African countries is institutionalized in government policy. This has led to violations of the right to life, rights to a high standard of living, right to health services and right to freedom.

Racism and xenophobia are different issues but are also difficult to differentiate. Countries in southern Africa are in the limelight of these issues, especially South Africa. Since 2008, South Africa has been on the spotlight for several xenophobic outbreaks against refugees, asylum seekers and migrants from African countries. This violence includes brutal killings, GBV-F, looting or burning of shops. The violence has been inflamed by the hate-filled rhetoric of politicians who have wrongly labelled foreign nationals “criminals”.

## **5. GBV, intensified during Covid 19 Pandemic**

The World Bank estimates that Covid-19 would push 29 million Africans into extreme poverty by the end of 2021. The crises have led to the depreciation of economies in Africa causing the poverty rate to increase. The pandemic and restriction on movement also intensified SGBV incidents and reports. Women and girls were subjected to physical and sexual abuse while access to health services and psychological support were limited.

## **6. Celebration of the 20 Years Anniversary of the Maputo Protocol**

The Maputo Protocol is an African Union (AU) human rights instrument that promotes and protects the rights of women in Africa. Celebrating the 20 years anniversary of the Maputo Protocol is an opportunity to reflect on the progress that has been made towards promoting women's rights and gender equality in Africa, as well as to identify the remaining challenges and chart a way forward.

**PROPOSED TOPICS AND PANELS:** In the form of panel discussion, the sub-regional focal points will deliver updates on the general situation of human rights in Africa, with a focus on some of the various sub-themes of the Forum (from the last forum held in October 2022) to participants on emerging trends and case studies on the state of human rights.

**Proposed topics for panel discussions include the following:**



## **1. The inclusion of Women, Youths and vulnerable groups in driving the Implementation of the AfCFTA:**

AfCFTA's Preamble alludes to the importance of human rights thus entrenching a need for the integration of human rights, including the right to development into its implementation through embedding, among others, the principles of participation, legality accountability, empowerment, and non-discrimination. Meaningful participation of all stakeholders is key for the operationalization of the right to development through the AfCFTA. This is particularly relevant as marginalized populations are likely to be disproportionately affected by the adverse effects of trade liberalization if their needs and capacities are not considered.

This proposed panel will explore the potential for the AfCFTA to promote gender equality and youth employment in Africa. Panelist will deliberate on the potential for the AfCFTA to support women-owned businesses and youth entrepreneurship, and the importance of ensuring that these populations participate in and benefit from the agreement. The panel could also discuss the prospective for partnerships between NGOs, government agencies, the private sector and other organizations to promote the inclusion of these groups in the AfCFTA and for these partnerships to promote entrepreneurship, skills development, and internet, digital technology protection and access to finance for women, youths, and vulnerable groups.

Panelists: representatives of women and youth, AfCFTA Secretariat, OHCHR and CSOs

## **2. Preventing and Responding to Unconstitutional Change of Government**

The panel discussion will explore the ways in which civil society organizations can work with governments and regional bodies to prevent and respond to unconstitutional changes of government, including military coups and other forms of political violence. The discussion will also address the challenges and opportunities facing civil society in this area, including the need to accelerate implementation of the African Union Charter on Democracy Elections and Governance, including strong legal frameworks, effective communication strategies, and collaboration with other stakeholders. The panel discussion will be generated through a combination of expert presentations, interactive discussions, and Q&A sessions, with the aim of identifying best practices and recommendations for promoting democracy and human rights in Africa.

Panelists: Experts in constitutional law, government officials, and representatives from regional bodies like the African Union and the United Nations, and civil society organizations.



### **3. The Impact of forced Migration in Africa**

The proposed panel discussion on the Impact of Forced Migration in Africa will provide an opportunity for stakeholders to discuss and share experiences on the causes, consequences, and possible solutions of forced migration in Africa. The panelists will discuss the push and pull factors of forced migration, including political instability, armed conflict, environmental degradation, and poverty. The discussion will also explore the impact of forced migration on the well-being of migrants, including their mental health, physical safety, and economic stability. The panel will also examine the challenges faced by host communities in providing protection and support to migrants, including access to basic services such as health, education, and employment opportunities. The panelists will also discuss strategies to address forced migration, including advocacy, protection, and support for migrants, and the role of civil society organizations in promoting respect for the rights of migrants. Through this discussion, participants will develop recommendations for promoting the protection of migrants and addressing the root causes of forced migration in Africa.

Panelists: Climate change experts, migration specialists, representatives from international organizations working on migration, and civil society organizations.

### **4. Protecting HRDs: Strategies for Addressing Impunity and Ensuring Accountability**

The proposed panel discussion on "Protecting HRDs: Strategies for Addressing Impunity and Ensuring Accountability" in Africa will provide a platform for stakeholders to discuss and share experiences on the challenges faced by Human Rights Defenders (HRDs) in Africa, and strategies to protect them from harm. The panelists will discuss the role of HRDs in promoting and protecting human rights, including their work on issues such as democratic governance, freedom of expression, and access to justice. The discussion will also explore the risks faced by HRDs, including physical violence, harassment, intimidation, and arbitrary detention, and the impact of these risks on their work.

The panel will also examine the role of state and non-state actors in protecting HRDs, including the need for effective legal frameworks and institutional mechanisms to ensure accountability for violations against HRDs. The panelists will share best practices and strategies for addressing impunity, including documentation of violations, advocacy, and engagement with international human rights mechanisms.

Through this discussion, participants will develop recommendations for promoting the protection of HRDs and ensuring accountability for violations against them in Africa.





Panelists: Human rights defenders, government officials, representatives from regional human rights bodies, and civil society organizations.

## **5. Combating Racism and Xenophobia: Strategies for Building Inclusive Societies**

NGOs play a crucial role in combatting racism and xenophobia by advocating for policies, programs, and interventions that promote inclusion and diversity. The NGOs Forum provides a platform for NGOs to share their experiences, expertise, and best practices in addressing these issues.

The proposed panel will allow for a comprehensive and nuanced discussion on strategies for combatting racism and xenophobia. By bringing together experts, activists, and NGOs working in this area, the panel can explore different approaches, including legislative and policy changes, education and awareness-raising, community engagement, and anti-discrimination initiatives. The proposed panel will also contribute to the global conversation on combating racism and xenophobia, providing valuable insights and recommendations to policymakers, governments, and civil society organizations. By sharing experiences and best practices, the panel can help identify effective strategies for building more inclusive and just societies.

Panelists: Experts on racial discrimination, representatives from minority groups, government officials, and civil society organizations working on diversity and inclusion.

## **6. Promoting Civic Space in Challenging Environments**

The proposed panel discussion on Promoting Civic Space in Challenging Environments will provide an opportunity to explore the strategies that civil society organizations and other stakeholders can use to promote civic space, even in difficult circumstances. The discussion will also address the challenges and opportunities facing civil society promoting enabling environment, including the need for effective advocacy for implementation of the African Commission Guidelines on Freedom of Association and Assembly. Partnerships, legal and policy frameworks, and the development of digital and other technologies to support civic space will be explored. The panel discussion will be generated through a combination of expert presentations, interactive discussions, and Q&A sessions, with the aim of identifying best practices and recommendations for promoting civic space in Africa.

Panelists: Civil society organizations, government officials, representatives from regional and international human rights bodies, and activists.



## **7. Celebrating 20 Years Anniversary of the Maputo Protocol: Breaking the Cycle of Gender-Based Violence: Strategies for Strengthening Women's Rights and Protection; Progress, Challenges, and the Way Forward.**

The proposed panel will provide a platform for civil society organizations, activists, and other stakeholders to discuss strategies for preventing and responding to GBV-F in Africa. The discussion will explore ways to strengthen legal frameworks and institutions, promoting gender equality and women's empowerment while addressing the root causes of GBVF, such as gender stereotypes and harmful cultural practices. The proposed panel will provide a platform to assess the successes, challenges, and opportunities of the Protocol's implementation in African countries. The discussion will explore strategies for overcoming challenges and promoting the Protocol's full implementation, including strengthening legal and policy frameworks, building capacity and awareness, engaging civil society and other stakeholders, and enhancing monitoring and reporting mechanisms. The panel will also consider the future of the Protocol, including opportunities for its strengthening and potential for its ratification by African countries. Through the deliberations, participants will share experiences and best practices and develop concrete recommendations for advancing women's rights in Africa and celebrate the Women Human Rights Defenders who in the critical environment deserve it. Panelists: Gender experts, government officials, representatives from women's rights organizations, and civil society organizations.

## **8. Celebrating the achievements of the Steering Committee: A Look back at the Ratification of the African Charter**

This panel will deliberate on some of the success stories and challenges encountered by the Steering Committee while highlighting some of the countries that ratified the Charter through the efforts of the focal points of the SC. The panel will also look into post-covid, conflict, and lack of freedom of association and assembly across the continent.

Furthermore the Panelists shall acknowledge the sacrifices made by journalists and HRDs who lost their lives in the pursuit of human rights and justice. The Forum will celebrate the contributions made by these individuals and highlight the impact that they had on the promotion and protection of human rights.

Various Panels in the NGOs Forum will seek to reaffirm and reiterate the importance of collaborating with NGOs in combating challenges confronting the African continent including evidence-based research that reveals the centrality of NGOs in the mitigation of Conflicts, crisis and elimination of inequality. Recommendations from the event will



be forwarded to the ACHPR as the contribution of African Civil Society to the work of the 75th Ordinary Session.

**Language:** the deliberations of the forum will be in English, French and Portuguese with simultaneous interpretation facilities.

**Participants:** Representatives from African Civil Society Organizations, International NGOs from Africa and beyond working on democracy, rule of law, governance, human rights, peace and security and the pool of resource persons will also provide much need expertise in the panels.

**Expected Outcomes:**

- Document general trends and Situation of human rights, democracy and rule of law in Africa.
- Networking and partnership building with and amongst participants/stakeholders
- Adopting Recommendations and resolutions where necessary to highlight them at the opening of the 75th Ordinary Session.
- Report of the NGOs Forum