



THEMATIC RECOMMENDATIONS ADOPTED AT THE NGOs FORUM
PRECEDING THE 85TH ORDINARY SESSION OF THE AFRICAN
COMMISSION ON HUMAN AND PEOPLES' RIGHTS
17TH -19TH OCTOBER 2025

TREC/001/10/25 THEMATIC RECOMMENDATION ON PROTECTING THE
RIGHTS OF VULNERABLE GROUP

We, the participants at the Forum on the Participation of NGOs in the 85th Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held in Banjul, The Gambia 17th– 19th October 2025 resolve as follows:

Participants highlighted the alarming human rights situation faced by PWAs across Africa, revealing that over 700 cases of ritual attacks and killings have been documented, with 70% of victims being women and children.

They noted that some of these attacks are allegedly carried out by influential individuals seeking body parts for ritual purposes during election periods.

They also further identified barriers in education and healthcare, citing the lack of assistive learning tools for students with low vision and the high mortality rate from skin cancer due to limited access to healthcare.

The gender-specific challenges faced by women and girls with albinism, including barriers to justice, gender-based violence, and social exclusion were discussed. Harmful cultural beliefs and misinformation contribute to exploitation, such as the belief that women with albinism possess supernatural powers.

Conclusion and Recommendations

The NGO Forum concluded with a collective call to action urging:

- The African Commission on Human and Peoples Rights to support the implementation and monitoring of the African Union Plan of Action on Albinism (2021-2031);
- African Commission to promote the ratification and domestication of the Africa Disability Protocol

- The African Union Commission to Fastrack the appointment of their Special Envoy on albinism to support the implementation and monitoring of the AU Plan of Action albinism in Africa.
- All Member States to domesticate and integrate the African Union Plan of Action into their national frameworks by adopting National Action Plan on Albinism with a budget.

Done in Banjul, on 19th October 2025

We, the participants at the Forum on the Participation of NGOs in the 85th Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held in Banjul, The Gambia 17th– 19th October 2025 resolve as follows:

In Togo, several pieces of legislation have been adopted over the last decade, including: Law No. 2015-010 of 24 November 2015 establishing a new Penal Code, Law No. 2018-026 of 7 December 2018 on cybersecurity and the fight against cybercrime, Law No. 2019-009 of 11 November 2019 on internal security, and Law No. 2020-001 of 7 January 2020 on the Press and Communication Code.

Presented as instruments designed to protect national security, regulate freedom of expression and control the digital space, these texts nevertheless contain serious shortcomings. Due to their vague wording and particularly severe penalties, they pave the way for disproportionate restrictions on online freedom of expression, the right to information and, more broadly, digital rights. They are thus regularly used to silence critical voices, punish journalists, intimidate human rights defenders and deter young citizens from participating fully in public debate.

Main issues

- **Vague and imprecise wording:** several provisions, particularly in Law No. 2018-026 on cybersecurity, lack rigorous definitions. The concepts of 'fake news' (Article 25) and 'disturbance of public order' (Article 28) are so broad that they open the door to arbitrary interpretations.
- **Disproportionate penalties:** the penalties provided for range from up to three years' imprisonment and a fine of 3 million CFA francs for spreading 'fake news' to up to two years' imprisonment and a fine of 10 million CFA francs for spreading content deemed to be disturbing public order. The Penal Code also increases penalties for defamation (up to four years) and introduces vaguely defined offences, such as the publication of 'false news', punishable by five years' imprisonment.
- **Excessive powers granted to the executive:** Articles 49 and 50 of the 2019 of the National Security law authorise the Minister of Territorial Administration to order house arrest, close meeting places, remove online content and completely block digital communications, without sufficient judicial safeguards.
- **Inadequacy of the Press and Communication Code:** Articles 167 and 168 of this Code allow for heavy fines to be imposed on individuals, including journalists, for insulting the President of the Republic, members of parliament and members of the government. These provisions, which continue to criminalise press offences and increase financial penalties, undermine journalistic work by creating a climate of self-censorship and fear in newsrooms. They contravene the principle of decriminalising press offences, as recommended by the African Commission on Human and Peoples' Rights (ACHPR).

Worrying consequences

These shortcomings result in concrete abuses that jeopardise fundamental rights:

- **Arrests and prosecutions:** Journalists, human rights defenders and young political activists who express opinions opposed to the government, particularly those considered to be detrimental to the interests of members of the government or security forces, continue to be targeted, kidnapped or arrested.
- **Suspension of international media:** in June 2025, the High Authority for Audiovisual and Communication (HAAC) suspended the broadcasting of RFI and France 24 for three months, accusing these media outlets of bias. To date, the sanction has not been lifted. This decision has been denounced as a serious attack on press freedom;
- **Internet restrictions:** internet access has been regularly restricted since the citizen mobilisation last June. Until then, Togolese citizens could not connect without Virtual Private Networks (VPNs). This restriction hinders communication, access to information and citizen mobilisation.
- **Climate of fear and self-censorship:** faced with the risk of severe penalties or the closure of their channels of expression, many young people prefer to remain silent rather than express themselves online. As a result, public debate is impoverished and the construction of an inclusive and democratic digital space remains blocked.

In short, the current legal framework, far from securing the digital space, too often serves as a tool for control and repression.

2. Particularly problematic dispositions of the law

- **Penal code of 2015**
 - Harsher penalties for defamation: up to four years' imprisonment and a fine of 4 million CFA francs;
 - Creation of the offence of 'fake news': up to five years' imprisonment;
 - Vaguely defined terrorism-related offences, exposing human rights defenders and all young people to abusive prosecution.
- **Cyber Security and Cyber Crime Act 2018**
 - Article 25: criminalises the dissemination of 'fake news' without a precise definition;
 - Article 28: punishes the dissemination of content that 'disturbs public order' or undermines human dignity, opening the door to arbitrary interpretations.
- **National Security Law of 2019**

- Extended powers granted to the Minister of Territorial Administration: summonses, bans on gatherings, blocking of content and communications, without judicial guarantees (Articles 49 and 50)
- **Press and Communications Code of 2020**
 - Maintenance and aggravation of financial penalties against journalists for 'contempt' of institutions (president, parliament, government) (Articles 167 and 168);
 - Risk of political manipulation against the critical press;
 - Deterrent effect on press freedom and media pluralism.

3. Recommendations

To the togolese government

- Amend legislation that violates the right to freedom of expression, namely the Penal Code, the Press and Communication Code, the Internal Security Law and the Cybersecurity Law, in order to bring them into line with international and regional human rights standards, in particular by decriminalising defamation, insult against a government representative, and the publication, dissemination or reproduction of 'fake news', and by defining more precisely offences related to terrorism;
- Amend the Internal Security Law, particularly its provisions that restrict freedom of expression by providing for the removal of online content or blocking access to it and shutting down all online communications;
- Adopt and implement legislation to protect and facilitate the work of journalists, human rights defenders and bloggers;
- Ensure that all Togolese citizens, including journalists, human rights defenders, young people, men and women, are able to freely exercise their right to freedom of expression without fear of arrest, detention, intimidation, threats, harassment or assault.

To local authorities

- Establish participatory mechanisms tailored to young people, such as local digital platforms, public consultations or youth advisory councils to facilitate their involvement in local governance;
- Systematically involve young people in local decision-making processes related to digital technology, ensuring that their priorities and proposals are taken into account in municipal or regional development plans;

- Work with young people to develop advocacy initiatives on digital rights and inclusive governance issues so that their recommendations are jointly presented by local authorities and young people to national and regional bodies.

To the African Union

- Promote an African charter on digital rights that guarantees a balance between security and freedom of expression;
- Integrate the issue of digital regulation and fundamental freedoms into the work of the ACHPR;
- Support pan-African campaigns to raise awareness of responsible and civic-minded use of digital technology, particularly among young people.

Done in Banjul, on 19th October 2025

TREC/003/10/25 THEMATIC RECOMMENDATIONS ON THE RIGHT TO DEVELOPMENT AND HUMAN RIGHTS IN AFRICA

We, the participants at the Forum on the Participation of NGOs in the 85th Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held in Banjul, The Gambia 17th– 19th October 2025 resolve as follows:

Recalling the objectives and principles of the African Charter on Human and Peoples' Rights, particularly Articles 22 and 24, which affirm the right of all peoples to economic,

social, and cultural development and to a satisfactory environment favourable to their development;

Recognizing that the right to development is an inherent and inalienable human right, both individual and collective, essential to the realization of the aspirations of the African Union's Agenda 2063 and the Sustainable Development Goals:

Deeply concerned about persistent challenges that continue to hinder the effective realization of this right-such as widespread poverty, violent conflicts, the impact of climate change, weak governance structures, and the shrinking civic space affecting the work of human rights defenders and civil society organizations;

Acknowledging the significant efforts undertaken by the African Union, its Member States, and civil society partners to promote inclusive, sustainable, and human-centered development despite complex socioeconomic and political conditions;

FDHRD therefore:

1. **Calls upon** African States to integrate a human rights-based approach into national development policies, ensuring participation, transparency, and accountability in public decision-making;

2. **Urges States** to adopt stronger institutional and legal frameworks to protect human rights defenders and civil society actors contributing to development and governance; Encourages the African Commission on Human and Peoples' Rights to maintain the right to development as a priority in its promotional and monitoring activities and to engage with relevant AU organs and regional institutions to that end;

1. Requests the African Union, international partners, and donors to increase financial and technical support for national and regional initiatives advancing the right to development, particularly in post-conflict and climate-vulnerable countries;
2. Invites African civil society to intensify advocacy, public awareness, and community engagement to ensure that development across the continent is equitable, inclusive, and people-centered.
3. Encourages the African Commission on Human and Peoples' Rights to maintain the right to development as a priority in its promotional and monitoring activities and to engage with relevant AU organs and regional institutions to that end;
4. Requests the -African Union, international partners, and donors to increase financial and technical support for national and regional initiatives advancing the right to development, particularly in post-conflict and climate-vulnerable countries;

5. Invites African civil society to intensify advocacy, public awareness, and community engagement to ensure that development across the continent is equitable, inclusive, and people-centered.

Done in Banjul, on 19th October 2025

**TREC/004/10/25 THEMATIC RECOMMENDATIONS ON PROMOTING DIGITAL
RIGHTS TO STRENGTHEN FREEDOM OF EXPRESSION AND CITIZEN
PARTICIPATION IN AFRICA.**

We, the participants at the Forum on the Participation of NGOs in the 85th Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held in Banjul, The Gambia 17th– 19th October 2025 resolve as follows:

Internet shutdowns restrict freedom of expression and citizen participation. –

Cybersecurity laws and digital regulations are often inadequate or repressive; -

Young people and civil society are minimally involved in decisions related to digital matters; -

Violations of personal data and the opacity of algorithms undermine citizens' rights.

Main Recommendations

1. Digital Rights and Freedom of Expression;

- Judicially and financially sanction internet shutdowns;
- Create a special ACHPR mandate on digital rights;
- Revise the Malabo Convention to enhance the protection of online rights.

2. Digital Governance and Legal Framework

- Establish an ECOWAS Advisory Committee on digital rights;
- Harmonise national legislation on cybersecurity and data protection;
- Invest more in education (20%) and digital health (15%).

3. Youth Inclusion and Citizen Participation

- Integrate digital and media education in schools;
- Create dialogue spaces between youth, states, and technology companies.

4. Data Protection and Technological Ethics

- Adopt an African Charter on data and artificial intelligence;
- Ensure algorithmic transparency of platforms;
- Strengthen national data protection authorities-

5. Digital Security and Democratic Resilience

- Train journalists and rights defenders in cybersecurity;
 - Implement the Abidjan Declaration (2021) to protect information actors; -
- Promote African judicial cooperation that respects freedoms.

6. Implementation and Monitoring

- Establish a multi-stakeholder mechanism (states, civil society, private sector);
- Publish an annual African report on digital rights;
- Create an African fund for digital civic innovation.

Digital rights are now at the heart of democracy in Africa. AfricTivistes calls on the

ACHPR, member states, and regional partners to work together for a free, inclusive, and human rights-respecting digital space in Africa.

Done in Banjul, on 19th October 2025

**TREC/005/10/25 THEMATIC RECOMMENDATIONS ON SHRINKING CIVIC
SPACE IN CAMEROUN**

We, the participants at the Forum on the Participation of NGOs in the 85th Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held in Banjul, The Gambia 17th– 19th October 2025 resolve as follows:

Background

[Cameroon's population is predominantly young](#), with a median age of about 18 to 19 years (UNFPA, 2023; World Bank, 2024). This youth bulge makes digital access and online civic participation central to democratic development. As of early 2025, there were approximately 12.4 million internet users in Cameroon, representing about 41.9% penetration ([DataReportal](#), 2025). Social media use, however, remains lower, with around 5.45 million users—roughly 17% of the population—primarily

concentrated on Facebook and WhatsApp (StatCounter, 2024; DataReportal, 2024). Despite growing connectivity, significant barriers remain. Access to affordable and reliable internet is uneven, with rural areas and conflict-affected regions particularly disadvantaged. Legal frameworks exist, notably the [2010 Law No. 2010/012 on Cybersecurity and Cybercrime](#), the recent [Law No. 2024/017 on Personal Data Protection](#) adopted in December 2024 and the recently ratified [African Union Convention On Cyber Security And Personal Data Protection](#). While these represent progress, gaps in enforcement, independent oversight, and human rights safeguards are evident (Government of Cameroon, 2010; National Assembly of Cameroon, 2024). The [online civic environment faces multiple challenges](#).

Cameroon has experienced repeated [internet shutdowns](#), particularly in the Anglophone regions, which have disrupted youth access to information, education, and civic participation (Freedom House, 2023; Amnesty International, 2023). Arrests of journalists, activists, and ordinary citizens for online expression have also been documented, creating a climate of fear and limiting democratic engagement (Freedom House, 2023). This context demonstrates that while digital access is expanding, Cameroonian youth continue to face systemic risks to their digital and democratic rights. Without stronger protections, investment in digital literacy, and enforcement of rights-based safeguards, the promise of safe and inclusive online spaces remains unfulfilled.

Recommendations to Governments

A. On Legal & Policy Safeguards

1. Ensure laws comply with AU human-rights obligations and the Malabo Convention.

Cameroon should align its domestic laws—including the 2010 Cybersecurity and Cybercrime Law and the 2024 Personal Data Protection Law—with the African Union Convention on Cyber Security and Personal Data Protection (Malabo Convention), which provides standards for balancing cybersecurity with human rights (AU, 2014).

2. Establish an independent Data Protection Authority (DPA) with adequate resources.

An independent regulator is essential for enforcing the new 2024 law on personal data protection, overseeing government data requests, and providing redress for youth whose rights are violated as recommended by National Assembly of Cameroon in 2024.

3. Narrow and clarify cybercrime offences to protect legitimate expression. Broad and vaguely defined provisions in current legislation are often misused to silence journalists and youth activists. Clearer definitions and judicial safeguards are needed.

B. On Operational Protections & Accountability

4. Prohibit blanket or regional internet shutdowns. Shutdowns in the Anglophone regions (North West and South West) in 2017 severely harmed youth, disrupted emergency services, and undermined civic rights. Judicial review and transparency should be mandatory for any network restriction.
5. Introduce rights-compliant procedures for digital investigations. Law enforcement must apply warrants, judicial oversight, and data minimization to prevent abusive surveillance and arbitrary arrests.
6. Strengthen protections for journalists, human-rights defenders, and youth online.

Legal aid, rapid response mechanisms, and safe reporting channels should be set up to safeguard those targeted for online expression

C. On Digital Safety, Literacy & Youth Empowerment

7. Invest in youth digital literacy and rights education. More national programs should be set up and effectively implemented to build young people's capacity to exercise digital rights responsibly, identify misinformation, and enhance democratic participation.
8. Support safe online spaces and reporting tools for online abuse. Youth especially women and girls face high levels of online harassment without adequate reporting mechanisms or protection. Community-based initiatives should be initiated to provide safer engagement for youth.

D. Platform Governance & Private Sector Accountability

9. Encourage transparency from platforms and telecoms. Companies should be required to publish regular transparency reports on government requests and takedowns to improve accountability.
10. Mandate judicial authorization for government data requests. This will reduce arbitrary surveillance and protects the digital rights of youth activists and civil society actors.
11. Prioritize development of affordable and inclusive internet infrastructure. Investment in nationwide broadband, last-mile connectivity, and affordable data services is crucial to bridge the digital divide. [Rural areas and conflict-affected regions remain underserved](#), leaving youth without reliable access to education, civic information, and online safety tools. The African Union, in partnership with governments and the private sector, should support infrastructure expansion under initiatives like the Digital Transformation Strategy for Africa

E. Monitoring, Reporting & Regional Cooperation

12. Establish AU monitoring and early-warning systems for digital rights violations. Documenting incidents of shutdowns, mass arrests, and surveillance abuses can deter further violations and trigger timely interventions.

12. Promote the implementation of the Malabo Convention. Continental harmonization will ensure cybercrime investigations are effective while protecting fundamental rights.

Recommendations for the African Union

1. Establish an AU youth & digital democracy guidance note.

An AU guideline that interprets the African Youth Charter in the digital age – emphasising youth civic space online, data protection for minors, and safe digital participation is required.

2. **Continental monitoring & indicators**

Promote AU adoption of standardized metrics on youth digital inclusion, online harms, and youth participation in policy for monitoring progress across Member States.

3. **Leverage continental financing instruments**

Advocate for youth compatible funding streams (e.g., AU trust funds, partnership with AfDB) that prioritize youth digital safety and democratic engagement interventions.

Done in Banjul, on 19th October 2025

TREC/006/10/25 THEMATIC RECOMENDATIONS ON HUMAN RIGHTS VIOLATIONS IN KENYA: REPRESSION OF CIVIC SPACE AND EROSION OF FUNDAMENTAL FREEDOMS

We, the participants at the Forum on the Participation of NGOs in the 85th Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held in Banjul, The Gambia 17th– 19th October 2025 resolve as follows:

Since June 2024, the Republic of Kenya has witnessed widespread civil unrest triggered by public opposition to the controversial Finance Bill, which many perceived as unjust and economically oppressive. The response from security forces has been marked by excessive use of force, resulting in brutal killings, arbitrary

arrests, abductions and enforced disappearances of youth, peaceful protesters, human rights defenders and members of religious and activist groups. These actions have led to a shrinking civic space, erosion of constitutional freedoms and significant socio-economic instability. Moreover, the deterioration of decent work standards, systemic inequality and the targeting of whistleblowers reflect a deepening human rights crisis.

Concerns

- Allegations of war crimes and crimes against humanity due to the use of lethal force against unarmed civilians, including minors and peaceful protesters.
- Targeted attacks on human rights defenders, activists and whistleblowers, many of whom have been subjected to intimidation, surveillance, abductions and arbitrary detention.
- Suppression of the right to peaceful assembly and protest, as enshrined in the Constitution of Kenya (Article 37) and the African Charter on Human and Peoples' Rights.
- Breakdown of social and economic protections, particularly impacting the youth and marginalized communities, exacerbating unemployment, poverty and public mistrust in institutions.

We recommend the African Commission on Human and Peoples' Rights (ACHPR) to:

1. Issue a strong public statement condemning the use of excessive force, arbitrary detentions and all acts of violence and intimidation against civilians and human rights defenders in Kenya.

2. Call upon the Government of Kenya to immediately:

- Cease all acts of violence, abductions and unlawful arrests.
 - Ensure accountabilities for all alleged human rights violations.
 - Respect the rights to freedom of expression, peaceful assembly and association.
3. Request the Government of Kenya to grant access to independent humanitarian and human rights organizations, ensuring the safety and protection of those providing legal, medical and psychosocial support to victims.

4. Establish a joint fact-finding mission involving the ACHPR, relevant African Union mechanisms, the Government of Kenya and civil society to:

- Investigate allegations of human rights violations.
- Monitor the state of civic freedoms and rule of law.
- Propose reforms to safeguard constitutional rights and prevent future abuses.

5. Encourage the ACHPR to initiate benchmarking and documentation efforts, with the aim of supporting long-term democratic reforms, transitional justice processes and the restoration of human rights dignity in Kenya.

Done in Banjul, on 19th October 2025

**TREC/007/10/25 THEMATIC RECOMMENDATIONS ON STRENGTHENING
HUMAN RIGHTS PROTECTION AND TRANSITIONAL JUSTICE IN SUDAN.**

We, the participants at the Forum on the Participation of NGOs in the 85th Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held in Banjul, The Gambia 17th– 19th October 2025 resolve as follows:

1. **Recommends** that the African Commission on Human and Peoples' Rights continue to prioritize Sudan in its agenda, with particular attention to the protection of civilians and the documentation of gross violations.
2. **It recommends** that the African Union establish an independent fact-finding or accountability mechanism to ensure justice for victims of war crimes and crimes against humanity committed during the conflict.
3. **It further** recommends that member states of the African Union provide technical and logistical support to Sudanese civil society organizations engaged in humanitarian response and transitional justice.
4. **The Forum encourages** international partners to increase funding for programs supporting survivors of sexual violence, displaced persons, and victims of ethnic-

based atrocities.

5. **It calls upon** all parties to guarantee unfettered humanitarian access, restore essential services, and engage in inclusive political dialogue leading to a civilian-led democratic transition.

6. **Finally, the Forum stresses** the importance of combating impunity and supporting initiatives for national healing, reconciliation, and the rule of law in Sudan.

Done in Banjul, on 19th October 2025