

A REPORT ON EHAHRDP/Net PARTICIPATION AT THE NGOs FORUM and 40TH ORDINARY SESSION OF THE ACHPR, BANJUL, THE GAMBIA 12TH - 17TH NOVEMBER 2006-

EHAHRD-Net OBTAINS OBSERVER STATUS

The EHARDP/Net members including the Chairperson, representatives from FHRI, Uganda Focal Point, Sudanese Organisation Against Torture (SOAT), Sudan Focal Point, Ethiopian Human Rights Council (EHRCO), Ethiopia Focal Point, Equality Now from Kenya, among other partners participated at the Forum on Participation of NGOs in the 40th Ordinary Session of the African Commission on Human and Peoples' Rights, and the 14th African Human Rights Book Fair from 12th to 14th November 2006.

At the opening of the Forum, the Chairperson of the Network Hassan Shire Sheikh presented the human rights situation in the East and Horn of Africa with particular emphasis on the situation of HRDs including the journalists from Sudan, Eritrea, Ethiopia, Somalia and the Djibouti under the general theme; **Development in the Human Rights and Democracy in Africa** chaired by H.E Madam Salamata Sawadogo, the Chairperson of the African Commission on Human and Peoples' Rights, also Ambassador of Burkina Faso (See [EHAHRDN Index: UGA 032/008/2006](#); EHARD-Net Concerns to the 40th Ordinary Session of the African Commission on Human and Peoples' Rights)

The Network members participated in various interest groups including the **Situation of Human Rights Defenders** with the Commissioner Madam Reine Alapini-Gansou, **African Court on Human and Peoples' Rights** (ACHPR/Coalition for an Effective African Court), **Death Penalty in Africa**, **Ending impunity in Africa**, and **the Status of Women's Rights in Africa**.

At the Situation of Human Rights Defenders workshop sponsored by the International Service for Human Rights based in Geneva (ISHR) and co-chaired by the Chairperson of EHARDP/Net, the following recommendations were made to the Forum which were subsequently adopted:

- **On the renewal of Hina Jilani mandate**

The working group on HRD, after analysing the situation that prevails in the new UN HR Council, especially the risk of ending or weakening of some special mandates in the framework of revision of special procedures, calls on the forum to adopt a recommendation which requires the African Commission to adopt a resolution that calls on States to support the mandate of HRD and its reinforcement.

Especially, African States representatives in the UN human Rights Council should take the leadership of the renewal of that mandate.

- **On the situation of WHRD:**

The group recognize the value of the huge task that Women Human Rights Defenders accomplish in the protection of Human Rights and the reinforcement of democracy in Africa and in regards to the particular challenges that face WHRD in the accomplishment of that mission calls upon the forum to:

1. Adopt a recommendation that calls on the ACHPR to adopt a resolution that solemnly recognizes the work of those women and ask the States Parties to give them a particular attention.
2. To the NGOs and civil society NGOs, to integrate in their work plan the sensitization of different groups of the society on the particular problems that face WHRD and the promotion of their rights.

- **On the support of the Special Rapporteur mandate on HRD:**

The working group recognizes the working difficult conditions of the SR, lack of material means, financial and human resources and in regards to the enormous challenges of HRD protection in the continent, asks the forum to adopt a recommendation that calls upon the African Commission to give enough means to the SR in order to face those challenges.

The group insists particularly on the necessity to support the office of the SR to allow her to monitor and document violations faced by HRD.

General recommendation:

The working group concerned by the situation that face HRD, among which are in prison calls on the forum to adopt a recommendation that calls on the African Commission to adopt a resolution that compels States to respect their commitments vis-à-vis the UN Declaration as well as the plan of action of Grand Baie et Kigali Declaration

The members of the Network also participated in the drafting committee meeting which adopted resolutions on Darfur, Djibouti and Ethiopia. The Forum adopted the following resolutions on Darfur and Ethiopia:

Darfur

- To undertake appropriate measures within the parameters of its mandate to ensure the Government of Sudan complies with its obligations under the African Charter on Human and Peoples' Rights and other relevant instruments;
- Take the necessary steps to ensure the publication of the report and recommendations of its mission to Darfur in June 2004. Notwithstanding the failure of the Government of Sudan to represent its remarks on the report over two years; it would be unconscionable for the outcome of the deliberations of the premier organ of the African Union with responsibility for human rights on the

most serious human rights and humanitarian crisis in Africa today, to be further delayed

- Consider whether it would be appropriate in the light of the massive deterioration of the situation in Darfur (including the reference by a Head of State of a member of the AU Government of Sudan that the AU Mission in Sudan is the only acceptable international presence on the ground, to conduct an urgent follow up mission to Darfur to assess the implementation of the provisional measures stipulated by the Commissioning its first report, and to contribute to the efforts of the AU and Security Council;

The Forum also called upon the AU and the International Community to;

- Urgently ensure full implementation of UN Security Council Resolution 1706 (2006), reflecting the request of the AU Peace and Security Council for assistance with the fulfilment of its responsibilities under the AU Constitutive Act in particular with the deployment of a robust military forces to protect civilian lives;
- Encourage, in this regard that AU Peace and Security Council to rapidly adopt that mandate and concept of operations envisaged by the Chairman of the AU Commission in his recent report, and as endorsed by the decision of the Peace and Security Council of 27th June 2006, pending the deployment of a UN force in the region
- Demand that all parties adhere to a negotiated peaceful resolution of the conflict and respect the appropriate ceasefire agreements to which they are party, and that the Government of Sudan halts its military scare up in the region in violation of the DPA
- Support the work of the ICC and urge all parties to the conflict in Darfur, in particular that Government of Sudan, to cooperate fully and unconditionally with the investigation of the ICC Prosecutor

Ethiopia

The Forum called upon the Ethiopian Government to;

- Release all arbitrarily detained political prisoners of conscience, human rights defenders and journalists
- Guarantee to any individual accused of a crime carrying a death sentence the right to a fair trial provided by the African Charter on Human and Peoples' Rights (ACHHPR) and other relevant international human rights instruments including the rights to seek pardon or commutation of sentence
- Provide the role of human rights defenders in the democratisation process and the prevalence of the Rule of Law
- Guarantee, at all time the freedoms of opinion and expression, as well as the rights to hold peaceful demonstration and political assembly

- Observe the provisions of the international human rights instruments ratified by Ethiopia and notably the International Covenant on civil and Political Rights (ICCPR) and the African Charter on Human and Peoples' Rights (ACHPR) and its own Constitution
- Bring to justice those responsible for the extrajudicial killings of over 193 civilians and six policemen and causing bodily harm to 763 others in June and November 2005, and those religious extremists who committed atrocities on members of other faiths in September and October 2005, and take all appropriate preventive measures so that people would live peacefully regardless of their political, ethnic or religious affiliations
- Invite the Special Rapporteur of the African Commission for Human and peoples' Rights on prisons and human rights defenders to visit and report on the situation in Ethiopia.

Also the Chairperson convened a special meeting between Commissioner Reine Alapin-Gansou the Special Rapporteur on Human Rights, with the representatives of the Canadian International Development Agency and Montreal-based Rights and Democracy for possible future cooperation with the Commissioner's mandate in Africa.

Network members also participated in a parallel workshop organised by the International Federation for Human Rights (FIDH) and the African Centre for Democracy and Human Rights Studies (ACDHRS), on the 'Human Rights Council and the Reform of the United Nations System; What Challenges for Human Rights?' presented by Hannah Foster, Director of the ACDHRS, Mabassa Fall representative of FIDA to the African Union, Manfred Nowak, Special Rapporteur of the United Nations on Torture.

The Network members then attended the 40th Ordinary Session of the African Commission on Human and Peoples' Rights. After the opening ceremony, the representative of the Forum made an oral statement on behalf of the NGO Forum in which various resolutions and recommendations were made on the situation of HRDs in Africa.

Various statements were made by the Network members on the situation of women's rights, Ethiopia, and Darfur.

EHAHRD-Net GAINS OBSERVER STATUS AT ACHPR

At the Official Sitting of the African Commission on Human and Peoples' Rights, under the item of Cooperation between that ACHPR and the NGOs, the East and Horn of African Human Rights Defenders Network's application for Observer Status was considered. The African Commission on Human and Peoples' Rights unanimously adopted a resolution granting the EHAHRD-Net **Observer Status** at the Commission's deliberations.