

[Commission Review! Looking back at the 56th session of the African Commission on Human Rights and Peoples' Rights](#)

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After postponements due to the Ebola crisis, the 56th session of the African Commission on Human and Peoples' Rights (ACHPR) finally took place in The Gambia from 21 April to 7 May 2015. Originally scheduled for October 2014, the session was one of the busiest sessions to date: seven country situations were reviewed, innovative thematic panel discussions were organised, and a number of new documents and guidelines were launched. The session also saw positive developments on LGBT rights, with the [Coalition of African Lesbians](#) obtaining consultative status after lengthy deliberations.

Country reviews

Djibouti, [Ethiopia](#), Malawi, Niger, [Nigeria](#), [Uganda](#) and Senegal were all reviewed during the 56th session, whilst the review of Sierra Leone was postponed until the next session. Common themes that came up during the reviews of these countries were the state of freedom of expression, freedom of association and assembly and the implementation of the Maputo protocol on women's rights.

Additionally terrorism and human rights was often addressed, particularly in the Nigerian context. The Commission praised Nigeria for its recent elections while recognizing the challenges its democracy faces due to the threat posed by Boko Haram. It appeared that serious concerns remain regarding freedom of association and expression, particularly in Ethiopia and Uganda, including due restrictions on the activities of human rights defenders (HRDs) and civil society. ISHR gave [live coverage](#) to the country reviews on Twitter, devoting particular analysis to debate regarding the protection of HRDs.

Thematic panels and documents launched by the ACHPR

For the first time several thematic panels were organized during the public sessions of the ACHPR. These discussions were useful in bringing attention to specific issues of concern and areas of work of the Commission. They were also an opportunity for Commissioners to provide guidance around these key topics. One of the thematic debates focused on the question of the death penalty and saw numerous experts addressing the questions of the abolition of the death penalty in Africa. At the end of the session the ACHPR adopted the optional protocol to the African Charter for the abolition of the death penalty.

Another panel focused on torture and the need to prepare General Comments on Article 5 of the African Charter; a third panel was organized to sensitize States Parties on ratification of the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights. The ACHPR also held a discussion on the

Guidelines on the Use of the Maputo Protocol on the Rights of Women in Africa and presented its General Comment No. 2 on Article 14 of the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (Maputo Protocol).

Panels were organized to launch several key thematic reports of the ACHPR: the study on the situation of Women Human Rights Defenders in Africa and the [report of the Study Group on Freedom of Association in Africa](#) were presented during two thematic sessions. The study on Nationality in Africa was also presented during this session. Lastly the ACHPR hosted the launch and an interactive session on the Guidelines on Conditions of Arrest, Police Custody and Pre-Trial Detention in Africa.

Although not a thematic discussion, it is worth highlighting that the ACHPR also hosted a meeting with representatives of the [Organisation of the Islamic Conference](#) (OIC). This was a private meeting of the Commission.

NGO contribution to the 56th Session

The traditional NGO Forum, which precedes the sessions of the African Commission, was held from 18-19 April. More than 200 participants from 36 Countries attended this gathering. A majority of the panels organised during the NGO Forum were directly linked to issues on the ACHPR agenda and aimed at bringing attention to them and influencing the way in which the ACHPR approaches these topics. Among them panels and side events were held on the issues of:

- [Women human rights defenders in Africa](#)
- Accountability for Africa Women's Reproductive Rights
- Statelessness in Africa and the Right to Nationality
- The Role of Youths in Democracy and Governance
- [Freedom of Association and Assembly in Africa](#)

These panels were often followed by concrete proposals reflected in the NGO resolutions adopted at the end of the NGO forum and presented to the ACHPR for their consideration. Several commissioners participated and attended the NGO forum and engaged with defenders on these issues.

The NGO Forum adopted a total of [six country resolutions](#) calling on:

- The ACHPR to condemn xenophobic violence against migrants in South Africa in the strongest terms and carry out an official mission to the country
- The new Government Guinea Bissau to accept the establishment of an independent commission of inquiry to investigate past human rights violations
- All the parties to conflict to immediately cease all violations of human rights and international humanitarian law in South Sudan
- Sudan to respect its obligations under the African Charter and implement the successive recommendations and concluding observations of the African commission, among which the need for the government to abolish the inhumane practice such as the corporal punishment
- Swaziland to immediately release Thulani Maseko and Bheki Makhubu, allow the registration of political parties, trade unions and other civil society organizations.
- The NGO forum also adopted a resolution calling on the ACHPR to fully investigate the circumstances surrounding the abduction of Itai Dzamara, human rights and opposition activist in Zimbabwe and to ensure that those responsible for the enforced disappearance are brought to account

The NGO Forum also made recommendations on [nine different thematic issues](#), including:

- Peace and security in Africa
- The use of terrorism laws to restrict human rights defenders work on the continent
- The implementation of recommendations contained in the Commission study on the situation of Women human rights defenders in Africa
- The right to nationality in Africa

The Forum made a call during the opening of the 56th session for the Commission to tackle the accountability

of human rights violation in Libya where over the course of 2014, hundreds of activists and civil society members have been targeted, kidnapped, tortured and killed and more than 400,000 people were displaced across 25 cities.

The situation of Egypt was also raised given the existence of draconian legislation which restricts NGO activism severely, in clear violation of Egypt's obligations under the African Charter and its own constitution.

The forum called on the Commission to convene urgently an open panel and interactive session on conflict and human rights in Africa to discuss strategies for collectively responding to conflicts in Africa.

The Forum also saluted areas of progress, such as the celebration of peaceful elections in Nigeria, despite the difficult security context.

ISHR's contribution to the session

ISHR worked on a number of priority topics. It hosted a consultation and a panel with [Women Human Rights Defenders](#) (WHRDs) focusing on the ACHPR study on the situation of WHRDs on the continent (which was adopted at the session and will be published soon) and participated actively in the launch of the study. The study highlights the specific challenges faced by WHRDs and protection strategies for them on the continent.

As a member of the study group on Freedom of Association and key contributor to it, ISHR participated in the [launch of the study](#) and its dissemination during the ACHPR's 56th session.

ISHR organised an event to share the outcome of the [reprisals consultation](#) held in Abidjan in February 2015 with the focal point on reprisals. In particular ISHR helped to disseminate to African HRDs gathered at the 56th session, the focal points road map for the implementation of her mandate, which was developed based on the suggestions and contributions of HRDs.

ISHR staff met with numerous human rights defenders regarding the challenges they face and the work they do. Human rights defender profiles were published on Cameroon's [Tilder Kumichii](#) Uganda's [Gilbert Sendugwa](#) and DRC's [Lassana Koné](#).

ISHR worked with partner NGOs and HRDs to submit briefing papers on the situation of human rights defenders in 4 of the countries which were scheduled to be reviewed during the 56th session, namely [Ethiopia](#), [Uganda](#), [Nigeria](#) and [Sierra Leone](#).

ISHR met with the [Working group on extractive industries, environment and human rights in Africa](#) to discuss areas of cooperation in particular regarding the protection of human rights defenders working on corporate accountability.

ISHR delivered 5 statements under the agenda 7 items on the human rights situation in Africa, during the interactive dialogues with the following rapporteurs and working groups: [Human rights defenders, women's rights in Africa, freedom of expression and access to information](#), as well as on [extractive industries and the environment](#).

Outcomes of the session

- As a matter of practice since 2013, the Chairperson of the ACHPR has opened each new session of the Commission by inviting States to refrain from any act of reprisals against civil society actors who collaborate with the commission. At the 56th session the Chairperson highlighted civil society organisations' important contribution to the session and the need to strengthen their participation.
- Seven NGOs was granted observer status, among them an important development was the decision taken by the ACHPR to grant observer status to the Coalition of African Lesbians.
- The ACHPR considered and adopted the draft Protocol to the African Charter on Human and peoples' rights on the Abolition of the death Penalty in Africa and the Principles and Guidelines on Human and Peoples' Rights while Countering Terrorism.
- Echoing calls from the NGO community the Commission adopted a resolution condemning the xenophobic attacks in the Republic of South Africa. The ACHPR also adopted resolutions on the Human Rights Situation

in the Republic of Kenya and on the Right to Rehabilitation for Victims of Torture.

- The Commission made statements on the upcoming presidential elections in Burundi, the deteriorating situation of migrants in the Mediterranean Sea and the attacks perpetrated by the terrorist group Boko Haram against a Nigerien military contingent on Saturday, 25 April 2015.

The official final communiqué of the session can now be found online [here](#).

Once again, the Commission will be convening its next ordinary session (57th session) in Banjul from 4 to 18 November 2015. ISHR will attend and provide full coverage online. Sign up to receive ISHR's Kumulika newsletters which monitor ACHPR sessions [here](#)!

For more information contact Clement Voulé: c.voule@ishr.ch

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