

## [An update on the NGO Forum](#)

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The [NGO Forum](#) (25 - 27 April), held prior to the 49<sup>th</sup> Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR), in The Gambia, was attended by more than 200 representatives from 30 African countries, and 25 participants from Europe, the USA and Asia. At a press conference following the NGO Forum, the Forum Steering Committee provided a briefing to journalists from several African countries on discussions and outcomes of the meeting.

These included the adoption of 6 resolutions focusing on countries and regions - on Burundi, Djibouti, Cote d'Ivoire, Libya, North Africa and Swaziland - as well as resolutions on a series of thematic issues. A Declaration of Solidarity with the People of North Africa was also adopted.

Political developments in North Africa were cited as a concern of the Forum, with a particular emphasis on the challenges and opportunities emerging for human rights defenders in the region, and on the impact of these developments for defenders in sub-Saharan Africa. Concern was expressed about limitations on freedom of expression, association and assembly in Swaziland, Burundi and Uganda, where human rights defenders who have expressed support for fellow defenders in North Africa have been met with threats and restrictions on their legitimate activities. Violence and the increased risks for human rights defenders during the time of elections was also a principal topic of discussion, with increased calls for States to ratify and domesticate the provisions of the African Charter on Democracy, Elections and Governance.

For the first time, the NGO Forum held panel discussions on enforced disappearances and on human rights associated with disability. Those speaking on the panel on disability pointed to a range of obstacles experienced by human rights defenders with disabilities that hinder their access to human rights spaces, including the NGO Forum. These include provision of information and infrastructures that are not accessible to disabled people. The ability of disabled people to physically access buildings where human rights bodies meet and to access information impact on their ability to advance their human rights agendas. Concerns were also expressed by panellists about the lack of consultation around the development of a draft instrument on disability, and that this needed to be rectified.

During the press conference, the importance of the role of the media for the defence of rights was repeatedly noted. Some of the journalists present expressed concern that they often have information on the human rights situation in a particular country that they are unable to report due to restrictions on freedom of expression. Questions were posed as to the role of the ACHPR in protecting journalists. It was proposed that the NGO Forum hold a discussion on 'reporting and human rights', which might be of interest to both journalists and advocates more generally.

The importance of the NGO Forum in highlighting emerging human rights issues and bringing these to the attention of the ACHPR was cited in the case of Cote d'Ivoire, for which the Forum had noted, more than a decade ago, that the issue of citizenship could be a potential source of conflict, and had called the ACHPR to action. The importance of collaboration between the NGO Forum and the ACHPR were reaffirmed. However, contradictions in the ACHPR's stance on various issues undermined its work. For example, it was noted that an ACHPR initiative to establish a Committee on the Protection of People Living with HIV and Those at Risk seemed to contradict its decision to deny observer status to the Coalition of African Lesbians (CAL), a group which could potentially provide valuable input to such a committee. The NGO Forum Steering Committee restated the call to the ACHPR to reconsider its decision to deny observer status to CAL.

Developments within the regional human rights mechanism were welcomed, in particular the African Court on Human and Peoples Rights' (African Court) order for provisional measures against Libya, following an application by the ACHPR alleging serious and widespread violations of human rights. NGOs are encouraged to use this route to access the African Court, particularly in the case where individual complaints are denied

due to the failure of their States to sign a special declaration permitting such action.

The Steering Committee agreed that the implementation of the NGO Forum and ACHPR resolutions was an ongoing issue. NGO pressure needed to be increased on States to actively respond to the calls and recommendations contained in these resolutions. A statement was delivered by Dr Hannah Foster, Executive Director of the African Centre for Democracy and Human Rights Studies on the NGO Forum, at the opening ceremony of the ACHPR on 28 April.

ISHR will be producing a brief report on the NGO Forum and the 49<sup>th</sup> Session of the ACHPR, to raise awareness of the proceedings and to contribute to NGOs' preparedness for active engagement with these bodies in November 2011 and beyond.

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