

## [ACHPR66 | Outcome of the African Commission on Human and Peoples' Rights](#)

24.09.2020

**As the 66<sup>th</sup> ordinary session of the African Commission on Human and Peoples' Rights ('the Commission') ended on 7 August, what were the main highlights of this first ever online session organised by the Commission?**



On account of the ongoing COVID-19 pandemic, for the first time ever, the African Commission held its 66<sup>th</sup> ordinary session online from 13 July to 7 August 2020. The special format forced the Commission to shorten the content of the session all the while preserving the main topics and ensuring civil society active participation. Over the two weeks dedicated to the public session, a total of 335 delegates participated in the session only to show that the format didn't decrease the interest and willingness to engage with the Commission. It included 88 States representatives from 17 countries, 38 NHRIs and 189 NGOs.

As it is tradition, during the opening ceremony, speaking on behalf of the NGO Forum Steering Committee, Mrs Hannah Forster shared the highlights of the Forum. She emphasised that since the outbreak of COVID-19 in Africa there has been a systematic harassment of human rights defenders and in order to stop the spread of the virus some States adopted legislation restricting most, if not all, fundamental freedoms which led to abusive use of force to enforce them. This was echoed by Mr Mohammed Fayek, Chairperson of the Network of African National Human Rights Institutions (NANHRI) who also called for a pluralistic and consultative process in ensuring a global and sustainable approach to human rights issues. Honourable Justice Sylvain Oré, President of the African Court on Human and Peoples' Rights (the African Court) and Prof Benyam Mezmur, Special Rapporteur on Children and Armed Conflict of the African Committee of Experts on the Rights and Welfare of the Child also made statements as well as H.E Minata Samate Cessouma, Commissioner for Political Affairs of the African Union Commission (AUC), representing H.E Moussa Faki Mahamat, Chairperson of the AUC, who officially opened the session.

This session welcomed the first attendance by the [newly appointed Commissioners](#), namely Dr Marie Louise Abomo, Mudford Zacharia Mwandenga, Alexia Gertrude Amesbury and NDiamé Gaye.

Watch it [here](#) and [here](#).

### **States review**

Though [Cameroon](#), [Niger](#) and Malawi were initially scheduled to be reviewed during the 66th session, only [Mauritius was reviewed](#) in the end.

Watch it [here](#) and [here](#).

### **The impact of COVID on human rights in Africa**

The Commission held a special session on the major human rights issues arising in the context of COVID-19

and measures undertaken by the Commission in response. This session gave an opportunity to members of the Commission to make reflections on actions that have been taken in their various capacities and address human rights challenges caused by COVID-19 on the continent. This included the various statements made and specific calls made to State to ensure they put human rights at the core of their response to the pandemic. This was especially the case regarding in Kenya for which the Commission received [reports of evictions affecting in particular, marginalized communities, notably the Ogiek and the Sengwer communities, as well as people in the Kariobangi North Sewerage settlement.](#)

Watch it [here](#).

The Commission also held a panel discussion on human rights and COVID-19, on the theme “Making human rights a priority during and after COVID-19.” The panel was a combination of States representatives, NHRIs, and civil society organisations. They underscored the necessity to ensure that the COVID-19 response measures do not lead to violations of rights for addressing structural vulnerabilities of member States, including inequalities among its citizens.

Angola particularly emphasised on the measures and campaign it organised to reduce the stigma against those who were affected by the virus once they return home as well as against domestic violence. On the other hand, Ibrahima Kane, defender from Senegal, shed light on the challenges faced by refugees and migrants during this pandemic. Indeed, little to no measures have been adopted to ensure these populations are protected.

Watch it here:

- [Part 1](#)
- [Part 2](#)
- [Part 3](#)

### **Granting of observer status deferred for defenders’ coalition**

As it is the case in every ordinary sessions of the Commission, it reviewed applications of NGOs requesting observer status. While two organisations were granted observer status without any objections from Commissioners, namely the *Centre de Documentation et de Formation sur les droits de l’Homme* and the Centre for Rights Education and Awareness, the National Coalition of Human Rights Defenders - Uganda saw its application deferred.

Following on the withdrawal of the observer status of the Coalition of African Lesbians, we remain concerned to see the Commission defer the accreditation of another NGO, the National Coalition of Human Rights Defenders - Uganda working on the promotion and protection of defenders in Uganda. We disagree with Commissioner Remy Ngoy Lumbu, the Special Rapporteur on human rights defenders in Africa, who has stated that the NGO's mandate—promoting the protection of defenders against threats, their rights, strengthening their security and supporting the coordination of their work—is beyond the scope of article 45 of the African Charter which stipulates the mandate of the Commission.

Protecting the rights of defenders ensures that these vital actors of democracy are still able to advocate for the protection of everyone’s rights. Therefore, such organisations should systematically be recognised as contributing to the protection of human rights on the continent.

Watch it [here](#).

To conclude the Commission adopted:

Five country resolutions

- [Resolution on the Socio-political Situation and Realization of Human Rights in Mali - ACHPR/Res. 441](#)
- [Resolution on the Deterioration of the Human Rights Situation in Cameroon during the Covid-19 Period - ACHPR/Res. 442](#)
- [Resolution on the Human Rights Situation in the Republic of Zimbabwe - ACHPR/Res. 443](#)
- [Resolution on the Human Rights Situation in the Republic of the Sudan - ACHPR/Res. 444](#)

- [Resolution on the Human Rights Situation in the Republic of Kenya - ACHPR/Res. 445](#)

#### Four thematic resolutions

- [Resolution on conducting a Study on the right to health for all and its financing in Africa - ACHPR/Res. 446](#)
- [Resolution on upholding human rights during situations of emergency and in other exceptional circumstances - ACHPR/Res. 447](#)
- [Resolution on Human and Peoples' Rights as central pillar of successful response to COVID-19 and recovery from its socio-political impacts - ACHPR/Res. 449](#)
- [Resolution on the Drafting of Guidelines for the Protection of All Persons from Enforced Disappearances in Africa - ACHPR/Res. 448](#)

#### Seventeen resolutions of mandate renewal

- [Resolution on the Allocation of Country Rapporteurship among Commissioners - ACHPR/Res. 440](#)
- [Resolution on the Renewal of the Mandate of the Special Rapporteur on Refugees, Asylum Seekers, Displaced Persons and Migrants in Africa - ACHPR/Res. 450](#)
- [Resolution on the Renewal of the Mandate of the Special Rapporteur on Human Rights Defenders and Focal Point on Reprisals in Africa - ACHPR/Res. 451](#)
- [Resolution on the Renewal of the Mandate of the Special Rapporteur on Prisons, Conditions of Detention and Policing in Africa - ACHPR/Res. 452](#)
- [Resolution on the Appointment of the Special Rapporteur on Freedom of Expression and Access to Information in Africa - ACHPR/Res. 453](#)
- [Resolution on the Renewal of the Mandate and Appointment of the Special Rapporteur on the Rights of Women in Africa - ACHPR/Res. 454](#)
- [Resolution on the Renewal of the Mandate, Appointment of the Chairperson, Reconstitution and Expansion of Mandate of the Working Group on Indigenous Populations/Communities, in Africa - ACHPR/Res. 455](#)
- [Resolution on the Renewal of the Mandate, Appointment of the Chairperson, and Reconstitution of the Working Group on the Death Penalty, Extrajudicial, Summary or Arbitrary Killings and Enforced Disappearances in Africa - ACHPR/Res. 456](#)
- [Resolution on the Renewal of the Mandate of the Working Group on Economic, Social and Cultural Rights in Africa and Appointment of its Chairperson and Members - ACHPR/Res. 457](#)
- [Resolution on the Renewal of the Mandate of the Working Group on the Rights of Older Persons and Persons with Disabilities in Africa and on the Appointment of its Chairperson and Members - ACHPR/Res. 458](#)
- [Resolution on Renewal of the Mandate and Reconstitution of the Working Group on Extractive Industries, Environment and Human Rights Violations in Africa - ACHPR/Res. 459](#)
- [Resolution on the Renewal of the Mandate, Appointment of the Chairperson, and Reconstitution of the Committee on the Protection of the Rights of People Living with HIV \(PLHIV\) and those at Risk, Vulnerable to and Affected by HIV - ACHPR/Res. 460](#)
- [Resolution on the Renewal of the Mandate of the Chairperson and the Appointment of Other Member Commissioners of the Committee for the Prevention of Torture in Africa - ACHPR/Res. 461](#)
- [Resolution on the Renewal of the Mandate, Appointment of the Chairperson and Reconstitution of the Working Group on Communications - ACHPR/Res. 462](#)
- [Resolution on the Renewal of the Mandate, Appointment of the Chairperson and Reconstitution of the Working Group on Specific Issues related to the Work of the Commission - ACHPR/Res. 463](#)
- [Resolution on the Renewal of the Mandate, Appointment of the Chairperson and Reconstitution of the Advisory Committee on Budgetary and Staff Matters - ACHPR/Res. 464](#)
- [Resolution on the Renewal of the Mandate and Reconstitution of the Committee on Resolutions - ACHPR/Res. 465](#)