

**FIFTH CONFERENCE OF
AFRICAN NATIONAL HUMAN RIGHTS INSTITUTIONS
Abuja, 8-10 November 2005**

ABUJA DECLARATION

Participants at the Fifth Conference of African National Human Rights Institutions, convening in Abuja, Nigeria, from 8 to 10 November 2005 under the theme “Realization of economic, social and cultural rights”, under the auspices of the Nigerian National Human Rights Commission in cooperation with the Office of the United Nations High Commissioner for Human Rights (OHCHR), the United Nations Educational, Scientific and Cultural Organization (UNESCO) and the Coordinating Committee of African National Human Rights Institutions,

Acknowledging with appreciation the welcome and hospitality of the Government and people of Nigeria in the hosting the Fifth Conference,

Expressing their warm gratitude to the National Human Rights Commission of Nigeria for its notable organization and hosting of the Conference,

Expressing their appreciation for the presence at the Conference of the Chair of the International Coordinating Committee of National Human Rights Institutions,

Reaffirming their commitment to the Kampala Declaration of 16 August 2002 and their attachment to the values enshrined in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the African Charter on Human and Peoples’ Rights, the United Nations Declaration on the Right to Development, the United Nations Declaration on the Right of Peoples to Peace (1984), the United Nations Declaration on the Rights of Disabled Persons, and various other international instruments concerning human rights to which their States have subscribed and ratified,

Recalling the need for all the African national human rights institutions to respect and function in full conformity with the Paris Principles as adopted by the United Nations General Assembly in its resolution 48/134 of 20 December 1993,

Recalling also that the effective promotion of and respect for human rights and fundamental freedoms require that States ratify United Nations instruments concerning human rights, reinforce them and forward periodically, in conformity with these instruments, reports to the respective monitoring committees,

Convinced that all human rights, civil, political, economic, social and cultural, are indivisible and interdependent and therefore demand equal attention and priority by their States,

Noting that despite the consensus on the indivisibility of human rights, economic, social and cultural rights remain marginalized in their implementation,

Concerned that there is inadequate recognition by African States of economic, social and cultural rights, which results in the continued marginalization of the enjoyment of these rights,

Recalling the Kampala Declaration, which reaffirms that a rights-based approach to development guarantees equal attention to, and the enjoyment of, all rights - civil, political, economic and social and cultural - and promotes accountability, non-discrimination and participation by all in the development process,

Affirming the obligation of States to incorporate into domestic law international instruments on economic, social and cultural rights,

Recognizing the importance for human development of the rights to education and culture, the rights to health, a healthy environment and sustainable development, the right to participate in economic life and to work, and the right to adequate housing,

Confirming that national human rights institutions have a crucial role in the promotion, protection and monitoring of economic, social and cultural rights,

Aware of all the above issues concerning human rights:

1. Resolve:
 - (a) To build their capacity to better understand the application of a rights-based approach to development;
 - (b) To undertake advocacy and sensitization of their Governments, policymakers, civil society and the public about the advantages and added value of a rights-based approach to development;
 - (c) To ensure that economic, social and cultural rights are a key component of the action plans of national human rights institutions;
 - (d) To monitor current development strategies in their countries to analyse whether they conform to a rights-based approach to development and to make recommendations to their Governments where appropriate;
 - (e) To monitor the state of economic, social and cultural rights in their countries and to make appropriate reports and recommendations to their respective Governments thereon;

- (f) To submit a report of their activities to the next Conference, through the Secretariat, on the promotion and protection of economic, social and cultural rights in their respective countries;
- (g) To advocate for special attention to be paid to the inclusion of disadvantaged persons in policies and programmes;
- (h) To undertake to review current policies and legislation which undermine the realization of economic, social and cultural rights and make appropriate recommendations to their Governments;
- (i) To be more involved in the promotion and protection of the rights to education and culture, health, a healthy environment, to participate in economic life and work, and adequate housing as key components of human development;
- (j) To ensure their full compliance with the Paris Principles;
- (k) To share with each other the experiences of best practices in the implementation of economic, social and cultural rights, including through the workplan of their Secretariat;
- (l) To work with their national Governments to ensure adoption of an Optional Protocol to the International Covenant on Economic, Social and Cultural Rights.

2. *Welcome* the support given to the Fifth Conference by OHCHR and UNESCO;
3. *Note* the continued support of the National Institutions Unit of OHCHR and call for its further strengthening.
4. *Call* for continued assistance, substantive and financial, by international and regional intergovernmental organizations, including OHCHR and UNESCO, and other partners;
5. *Reaffirm* their commitment to cooperate with the African Commission on Human and Peoples' Rights in the area of the promotion, protection and enforcement of economic, social and cultural rights in Africa;
6. *Note* that a number of national human rights institutions in Africa have affiliate status with the African Commission on Human and Peoples' Rights and calls on others to obtain such status;
7. *Resolve* to work with international and regional organizations, including the

African Union, in the promotion, protection and enforcement of economic, social and cultural rights;

8. *Also resolve* to establish a Permanent Secretariat in Nairobi, Kenya, and welcome the assistance to be given by the National Commission on Human Rights of Kenya;
9. *Agree* to hold its next biannual conference in Kigali, Rwanda, in 2007.

Adopted at Abuja, Nigeria
10 November 2005