

**EIGHTH CONFERENCE OF
AFRICAN NATIONAL HUMAN RIGHTS INSTITUTIONS
Cape Town, 19-21 October 2011**

CAPE TOWN DECLARATION

Participants at the Eighth Conference of African National Human Rights Institutions, convening in Cape Town, South Africa from 19 to 21 October 2011 under the theme: “Advancing the Human Rights of Older Persons and Persons with Disabilities – the Role of African National Human Rights Institutions”, under the auspices of the South African Human Rights Commission and the Network of African National Human Rights Institutions,

Acknowledging with appreciation the welcome and hospitality of the South African Human Rights Commission and people of the Republic of South Africa for hosting the Conference in Cape Town,

Re-affirming the universality, indivisibility, interdependence and interrelatedness of all human rights and fundamental freedoms and the need for older persons and persons with disabilities to be guaranteed full rights and freedoms.

Reaffirming their commitment to the rights and obligations enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR), Convention on the Rights of Persons with Disabilities (CRPD), the African Charter on Human and Peoples’ Rights (ACHPR), the Protocol to the African Charter on the Rights of Women in Africa, The African Charter on the Rights and the welfare of the Child, UN Principles for older Persons (1991) the 2002 Madrid International Plan on Ageing, the AU Policy Framework and Plan of Action on Ageing and various other international instruments concerning human rights to which their States have assented and ratified,

Acknowledging the valuable contributions and on-going activities of the ACHPR Working Group on the Rights of Older Persons and Persons with Disabilities in Africa and the UN Open-ended /working group on Ageing,

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

Recognising the need for a complementary and collective approach by African NHRIs to promote and protect the rights of older persons and persons with disabilities, in the prevailing context of poverty, discrimination , gender-based violence, HIV/AIDS, migration, and other related disparities,

Noting that older persons and persons with disabilities can participate and contribute to ongoing activities of society, yet they are very often marginalised, silenced, ignored and discriminated against,

Acknowledging the role that NHRIs played in negotiating, drafting, and advocating for the ratification of CRPD and the potential role that NHRIs could play in relation to article 33(2) that stipulates that State parties to the convention should undertake to strengthen, designate or establish one or more independent mechanisms to promote, protect and monitor the implementation of the CRPD, taking into account the Paris Principles .

1. *Resolved:*

- a) To strengthen the role of African NHRIs, State parties, civil society and other relevant stakeholders in the promotion and protection of the rights of older persons and persons with disabilities;
- b) To encourage governments to ratify , domesticate and implement international and regional human rights instruments and obligations concerning the rights of older persons and persons with disabilities;
- c) To raise awareness of and ensure that a human rights based approach is incorporated into education programmes that promote relevant international and regional human rights instruments concerning the rights of older persons and persons with disabilities;
- d) To recommend legislative and administrative reforms to the relevant authorities to ensure compliance with international standards;
- e) To interact with ,and advocate for, the reinforcement of national protection systems and mechanisms for older persons and persons with disabilities; and ensure that cases of human rights violations are submitted to the justice system and adequately addressed;
- f) To share NHRI experiences such as, best practices and challenges;
- g) To engage in research and documentation in relation to the rights of persons with disabilities and older persons including human rights violations;
- h) To engage and interact with international and regional human rights mechanisms, including submitting reports, making statements, participating in meetings; and following up of recommendations;

- i) To develop common positions of engagement with international and regional human rights mechanisms in relation to persons with disabilities and older persons, working cooperatively with the International coordinating Committee of NHRIs (ICC); and any other relevant bodies,
- j) To monitor and report on the states obligation under the CRPD and in particular to ensure that effect is given to article 33(2) CRPD , noting the potential monitoring role of NHRIs in relation to this convention with the participation of persons with disabilities and their representative organisations.
- k) To review policies and agreements on trade taking into account concerns of persons with disabilities and older persons.

2. *Call for* the active cooperation between NHRIs, international and regional intergovernmental organizations, including the United Nations Agencies Funds and programmes , regional partners and related entities, Non-governmental Organisations and civil society organizations in promoting and protecting the rights of older persons and persons with disabilities.

3. *Wish to express* their deep gratitude to following organisations: Office of the High commissioner for Human Rights (OHCHR), the Organisation International de la Francophonie (OIF), the Common Wealth Secretariat, Open Society Initiative for Southern Africa (OSISA), Open Society Foundation for South Africa (OSF), and the International Senior Lawyers Project (ISLP) for enabling this conference.

4. *Resolve* to engage with the UN Open Ended Working group on Ageing , including advocating for participation rights of NHRIs; and encouraging African Governments to participate in its sessions ,in collaboration with older persons and their representative organisations.

5. *Agree* to hold the next biennial conference in Ghana in 2013.

Adopted in Cape Town, 21 October 2011.