

Network of African National Human Rights Institutions



Réseau des Institutions
Nationales Africaines
des Droits de l'Homme



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REPORT 2013

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List of abbreviations

ASI	-----	Article 5 Initiative
ACHPR	-----	African Commission on Human and Peoples' Rights
APT	-----	Association for the Prevention of Torture
AYWDN	-----	African Youth with Disabilities Network
BHR	-----	Business and Human Rights
CAT	-----	Convention against Torture
CSDH	-----	<i>Comité sénégalais des droits de l'Homme</i>
CSOs	-----	Civil Society Organizations
DIHR	-----	Danish Institute for Human Rights
DPA/AUC	-----	Department of Political Affairs of the African Union Commission
GIZ	-----	Gesellschaft für Internationale Zusammenarbeit
HRSA	-----	Human Rights Strategy for Africa
ICC	-----	International Coordination Committee for National Institutions for the Promotion and Protection of Human Rights
IHRB	-----	Institute for Human Rights and Business
KAS	-----	Konrad Adenauer Stiftung
NANHRI	-----	Network of African National Human Rights Institutions
NED	-----	National Endowment for Democracy
NGOs	-----	Non-governmental organizations
NHRIs	-----	National Human Rights Institutions
OHCHR	-----	Office of the UN High Commissioner for Human Rights
OIF	-----	<i>Organisation internationale de la Francophonie</i>
OPCAT	-----	Optional Protocol to the Convention against Torture
OSISA	-----	Open Society Initiative for Southern Africa
OSIWA	-----	Open Society Initiative for West Africa
RIG	-----	Robben Island Guidelines
RWI	-----	Raoul Wallenberg Institute for Human Rights and Humanitarian Law
SADC	-----	Southern African Development Community
SAHRC	-----	South African Human Rights Commission
SIDA	-----	Swedish International Development Cooperation Agency
TRC	-----	Transformation Resource Centre of Lesotho
UNCAT	-----	United Nations Convention against Torture
UNDP	-----	United Nations Development Program

Message from the Chairperson



Dear Friends,

I am grateful for the opportunity to share with you our 2013 Annual Report. I took over the Chair of The Network of African National Human Rights Institutions (NANHRI) at the tail end of 2013, at the 9th Biennial Conference on 27 November in Accra, Ghana. I first thank our former chair, Adv. Lourence M Mushwana, Chair, South African Human Rights Commission and the outgoing Steering Committee for their reliable leadership of NANHRI in the 2011-2013 period, and the indefatigable efforts of our Executive Secretary, Gilbert Sebihogo, and his Secretariat team, who have over the last six years implemented the activities that have brought the diverse NHRIs of Africa into a common and coordinated vision of an Africa that respects the human rights of all. As my new Steering Committee team takes over, we are grateful to continue down a path that has seen NANHRI grow in numbers, efficacy and impact for the mandates of NHRIs in Africa.



“2013 saw us implement the second year of the 2012-2014 Strategic Plan.”

The African human rights landscape is one akin to nature, from the dizzying and inspirational heights of the Kilimanjaro, the Drakensburg and Atlas mountains, the numerous rolling hills, large plain savannahs, rich agricultural lands to deserts, deep gulleys and seemingly impossible crevices. From African country to another, and across borders, from thematic issue to another, we see both progress and retrogress. These both provide African NHRIs the inspiration that progress radiates and the challenge with which retrogress stings.

Like charity, human rights must first be promoted and protected at home. NANHRI was formed on the firm conviction that African NHRIs have a critical role to fill in building the just, human rights protecting societies that Africans yearn for at the national level. For six years, the Kenya National Commission on Human Rights has offered NANHRI a physical home from where the Secretariat works to coordinate the varied capacity building needs of our 43 members. We remain most thankful.

2013 saw us implement the second year of the 2012-2014 Strategic Plan. NANHRI has made significant progress in institutionalizing training for African NHRIs on both common continental concerns like business and human rights but also contextual challenges like peace and conflict resolution in the East African region. Our training programmes with key partners and sharing of best practices from amongst the most experienced of African NHRIs with their peers has strengthened. The NANHRI secretariat itself has also initiated projects to optimize its own programmatic efficiency.

Special thanks to our development partners for your generous support that has in turn enabled us to support our members in different capacities.

For additional information on our work, please visit our Web site at:

<http://www.nanhri.org/>

and follow us on Facebook and Twitter too!

https://twitter.com/NANHRI_

<https://www.facebook.com/NANHRI>

Sincerely,

Laretta V Lamptey,

Chair, Commission on Human Rights and Administrative Justice – Ghana
Chair, NANHRI

Introduction

The Network of African National Human Rights Institutions (NANHRI) was founded by African national human rights institutions (NHRIs) in October 2007. It replaced the Coordinating Committee of African NHRIs that had been set up earlier in 1996. Its creation signaled the intention of African NHRIs to further enhance their cooperation and pool resources towards their capacity-building. NANHRI's mission is to support, through national, sub-regional, regional and international co-operation, the establishment and strengthening of NHRIs in the African region.

We envision an Africa where the respective NHRIs are effective, and consistent in their mandate of human rights monitoring, promotion, protection and advocacy on the continent.

Over the past seven years that NANHRI has been in existence, we, the NANHRI Secretariat and our members, have achieved a lot towards this vision. Beginning with a membership of 23 we have grown to 43 member NHRIs, of whom 18 are now accredited as Class A NHRIs by the International Coordinating Committee of National Institutions for the Promotion and Protection of Human Rights (ICC).

NANHRI is one of the four regional networks of NHRIs of the ICC, and holds Observer Status before the African Commission on Human and Peoples' Rights, the body charged with monitoring compliance of Africa's premier human rights treaty, the African Charter on Human and Peoples' Rights. The January to December 2013 period has been fruitful for NANHRI. In line with NANHRI's key priority areas

as outlined in its 2012-2014 Strategic Plan and with the technical and financial support of key partners, NANHRI has been able to achieve most of the period's targets.

In this report, the NANHRI Secretariat looks back on achievements, challenges and lessons learnt during the year 2013. The aim of the report is to reflect and share NANHRI's work, needs, success, challenges and lessons learnt both internally (within its Secretariat) and externally (member NHRIs, partners, and donors).

While acknowledging the significant human rights challenges that face the African continent and the institutions that support the realization of these rights, NANHRI remains optimistic of the future. NHRIs are more conscious of the need to listen to the people at the grassroots, to ensure that their basic human needs are met and their dignity respected, through development of programmes that incorporate a human-rights based approach. There is also encouragement in the greater appreciation of the role that NHRIs play in promoting and protecting human rights nationally, regionally and internationally.

We are thankful for the support that we have received and continue to receive from the member NHRIs and partners such as the MacArthur Foundation, the Swedish International Development Cooperation Agency (SIDA) through the Raoul Wallenberg Institute, the Open Society Initiative for Southern Africa, the European Union through the Association for the Prevention of Torture (APT), the African Union Commission (AUC) through the Department of Political Affairs (DPA)



We look forward to increased engagement with regional and international human rights mechanisms to ensure that States continue to be held accountable for the realization of the human rights of their people.



and the United Nations Development Programme (UNDP), the Danish Institute for Human Rights (DIHR), *l'Organisation internationale de la Francophonie (OIF)*, the Commonwealth Secretariat, the Institute for Human Rights and Business (IHRB) and the Office of the High Commissioner for Human Rights (UN-OHCHR).

We look forward to increased engagement with regional and international human rights mechanisms to ensure that States continue to be held accountable for the realization of the human rights of their people. We also encourage continued interaction among NHRIs to share best practices and lessons learned so as to build their capacity to effectively protect and promote human rights.

Internally, the 2013 cycle of activities has also provided opportunities for introspection. The NANHRI Secretariat has drawn two key lessons aimed at enhancing its own effectiveness:

- 1) the need to space out activities throughout the year and avoid holding too many activities close together. This would lead to better coordination both internally and externally and provide room for more effective follow-up.
- 2) the need to strengthen both our internal and external communication. This will assist us to profile the Secretariat's work externally to our relevant stakeholders. Key tools in this effort are the updated NANHRI website and our social media engagement.

Some of the challenges faced during this year include:

- Limited financial resources have remained a perennial problem for most African NHRIs and the NANHRI Secretariat. Most NHRIs are not well funded by their respective governments and often have to rely on support from development partners to execute their activities and programs. This negates the spirit of the Paris Principles. More specifically, financial and technical challenges on the part of member NHRIs has hampered the NHRIs from fully or adequately absorbing all the knowledge and skills acquired during capacity building interventions. For example, NHRIs may come up with action plans on how to implement the knowledge and skills acquired but it may be difficult to implement the same due to shortage of resources (technical, financial and material).
- The NANHRI Secretariat still lacks the capacity to meet the needs of the Network as outlined in the Strategic Plan. Currently the Secretariat has on board only 5 employees; three working on a full time basis and two on part time basis which is only half of what has been envisaged in the current organizational structure.

Our passion for human rights in Africa

At NANHRI, we are passionate about human rights in Africa and playing our part to provide solutions to the many human rights challenges. NHRIs, being neither NGOs nor government, but independent, public bodies with a specific human rights focus, are central to the building of a true and effective human rights culture in Africa.

Vision

An Africa where every country has a well functioning NHRI established in accordance with the Paris Principles contributing meaningfully to a continent characterised by human rights culture and justice for all.

Mandate

Encourage the establishment of NHRIs in conformity with the Paris Principles

Facilitate the coordination, strengthening and effectiveness of NHRIs in Africa

Encourage cooperation among NHRIs and with Inter-governmental institutions.

Mission

To support, through national, sub-regional, regional and international co-operation, the establishment, strengthening and development of NHRIs in order to enable them to more effectively undertake their mandate of human rights monitoring, promotion, protection and advocacy.

Guiding Principles

In its work to further its Mission and Vision as described above, NANHRI is guided by the following principles:

- Transparency
- Humility
- Accountability
- Openness
- Cooperation
- Professionalism
- Gender Equality

Organs of NANHRI

The General Assembly

The General Assembly, which is comprised of all the Network members and their agents, is the highest decision-making organ of the Network. The powers of the General Assembly are:

- Define the general orientations of the Network especially those program activities that lead to the realization of the general objectives of the Network
- Admit new members; and in cases of appeal, rule on the complaints tabled by a National institution contesting the decision made by the Steering Committee as regards their request for membership
- Make decisions on expulsions following the recommendations by the Steering Committee
- Amend the Constitution of the Network
- Identify the location of the permanent secretariat
- Establish committees and ad hoc bodies
- Set the amount of membership fees, annual subscriptions and contributions to be paid by members following recommendations of the Steering Committee.
- Elect the President and the Vice President of the Network
- Approve the budget and the financial statements of the Network
- Receive and approve reports of the Steering Committee and other Network organs
- Approve the reports of the Chairperson, the Steering Committee and other organs.

The General Assembly of the Network meets once every two years in ordinary session during the biennial conference of the Network. It may also hold extra-ordinary sessions.

The Steering Committee

The Steering Committee is the governing organ of NANHRI. The chairperson of the Steering Committee is also the NANHRI Chairperson. Its responsibilities, which are outlined in Article 34 of the NANHRI Constitution, include general control and management of the Secretariat, the appointment and supervision of the Executive Director and other senior staff of the Secretariat and any other

functions assigned to it in the present Constitution and by the General Assembly. It comprises of nine members four of whom are ex-officio and the remaining five are elected from amongst the full members of the Network. Elections for the organs for the Network were held during the meeting of the General Assembly held on 27 November 2013 in Accra, Ghana. The elected office holders are:

- **NANHRI Chair:** Ms Lauretta V Lamptey, Commissioner, Commission on Human Rights and Administrative Justice - Ghana
- **NANHRI Vice-Chair:** Dr Chemuta D Banda, Chair, National Commission on Human Rights and Freedoms - Cameroon
- **Immediate Former NANHRI Chair:** Adv. Lourencia M Mushwana, Chair, South African Human Rights Commission
- **Host Institution of the NANHRI Secretariat:** Kenya National Commission on Human Rights
- **Central Africa Representative:** Rev. Emmanuel Ntakirutimana, Chair, National Commission on Human Rights - Burundi
- **North Africa Representative:** Mr Driss El Yazami, Chair, National Council on Human Rights - Morocco
- **Southern Africa Representative:** Amb. Sophie A Kalinde, Chair, Malawi Human Rights Commission
- **West Africa Representative:** Prof. Bem Angwe, Executive Secretary, National Human Rights Commission of Nigeria
- **East Africa Representative:** Mr Med SK Kaggwa, Chair, Uganda Human Rights Commission

The Accreditation Committee

The Accreditation Committee is composed of one member from each of the five African regions with the Chair being elected among the members of the Steering Committee. The main task of the Accreditation Committee is to review and make recommendations on membership applications. It is the NANHRI Constitution which determines the categories of NHRIs and not the Accreditation Committee. This committee also does not determine the status of NHRIs as this task is left to the ICC Sub Committee on Accreditation so as to avoid duplication and a possible unnecessary contradiction

Members of the Accreditation Committee are as follows:

- **Central Africa Representative** - National Commission on Human Rights and Freedoms - Cameroon
- **North Africa Representative** - National Human Rights Commission - Mauritania
- **East Africa Representative Independent** - National Commission on Human Rights - Burundi
- **West Africa Representative** - Human Rights Commission of Sierra Leone
- **South Africa Representative** - Office of the Ombudsman - Namibia

The Bureau

The Bureau is comprised of the Chair, the Vice Chair, and the Chairperson of the Accreditation Committee.

The Secretariat

The NANHRI Secretariat is an independent and permanent body that coordinates all activities of the Network in supporting and strengthening African NHRIs. It is hosted by the Kenya National Commission on Human Rights (KNCHR) in Nairobi, Kenya and reports to the NANHRI Steering Committee.

The Secretariat, managed by Executive Director and became operational in 2007 and since then, most of its work has been to put in place effective institutional and programmatic infrastructure to implement the Network's mandate. To achieve its objectives, the Network endeavors to develop and nurture a good working relationship with the African NHRIs and other national, regional and international partners that are relevant to its mission.

Before 2007, NANHRI's predecessor, the Coordinating Committee of African National Human Rights Institutions had its Secretariat hosted by the South African Human Rights Commission (SAHRC). In April 2005 during a meeting held in Geneva a decision was taken to establish an independent and permanent Secretariat of the then Coordinating Committee in Kenya. This decision was reaffirmed in the Abuja Declaration, which was an outcome of the Fifth Conference of African NHRIs held in 2005 in Abuja, Nigeria.

Currently, the Secretariat comprises of 5 employees; an executive director, a programs manager, a programme officer, an accountant and an office administrator.

Understanding NHRIS and the Paris principles

States bear the primary responsibility for the promotion and protection of human rights within their jurisdictions. Civil society actors have over the years taken up the role of human rights defenders, assisting victims in raising their voices over human rights abuses and conducting key research and litigation to ensure rights are promoted and protected. However, protection gaps continue to exist.

Since the 1970s, a new kind of player in this human rights framework began to arise. Bridging the gap between civil society and the state, some countries began to establish national institutions that were both public bodies created by law and funded by government, but independent enough to pursue in better focus, the promotion and protection of human rights. These national institutions grew in number and efficiency, leading to their formal recognition by the United Nations as indispensable players in human rights defence.

However, there remained significant differences between NHRIs across the globe. While some were truly independent and a valuable addition to the check and balance system that makes contemporary democracies work, others were only NHRIs by name but remained heavily reliant on political will.

To ensure that minimum standards were met before a national institution could be universally recognised, the Paris Principles (See Annex I) were established in 1991 by the Workshop on National Institutions for the Promotion and Protection of Human Rights. These Paris Principles were adopted in 1993 by the UN General Assembly and are today accepted as the test of an NHRI's legitimacy and credibility. An NHRI with A status under the Paris

Principles is accorded the right to address the UN Human Rights Council, attend sessions in dedicated seating and issue documents under their own symbol.

There are many different forms of NHRIs. However, they share the common defining feature of being an independent body created by government to promote and protect human rights. However, their functions vary according to their mandate. While some are mandated to promote non-discrimination and civil and political rights, others also (hold) handle economic, social and cultural rights. While some only have promotional mandates, others have protection powers of receiving and determining complaints of human rights abuses and powers to initiate investigations. Others too have mandates over administrative justice and allegations of corruption, effectively making these NHRIs also Ombudsmen.

NHRIs may be created by the Constitution or by statute law and may be mandated to not only make reports to executive government on the status of human rights in their respective countries, but also advice parliament. However, all have the promotional mandate of raising public awareness and providing human rights education to the institutions of the state as well as the general public. NHRIs also form a key component in the international monitoring of state compliance to human rights treaties and their cooperation with international treaty bodies is an important element in this task.

NHRIs that are in full compliance with the Paris Principles are accredited as Class A NHRIs. These will be established by law, be financially and politically independent of



These Paris Principles were adopted in 1993 by the UN General Assembly and are today accepted as the test of an NHRI's legitimacy and credibility.

government yet funded by the public purse and appointed through acceptable apolitical processes, be mandated to not only promote but also protect human rights through receiving complaints and initiating investigations, and be free to cooperate with international human rights bodies independent of the state's foreign affairs power. NHRIs that only have a partial compliance with the Paris Principles are accredited as Class B NHRIs. Class C NHRIs are those that are not complaint with the Paris Principles.

In NANHRI, compliance with the Paris Principles also forms the basis of membership status. NANHRI's Constitution determines an African NHRI's membership status. Class 'A' NHRIs are admitted as full members of NANHRI. They have the right to vote at the ordinary and extra-ordinary sessions of the General Assembly and seek elective office of the Network. They also exercise administrative and decision making authority over the Network. 'B' Status NHRIs, those which strive to comply with the Paris Principles within a period of not more than two years, are admitted as associate members of NANHRI and, can take part in the General Assembly session but they cannot vote or seek elective positions.

'C' Status NHRIs are non-compliant with the Paris Principles. They are admitted as observer members of NANHRI. They too can take part in the General Assembly session but they cannot vote or seek elective positions.

NANHRI MEMBERS

Membership of the Network is open to all NHRIs in Africa. National institutions wishing to become NANHRI members are invited to present a request for admission to the Steering Committee, which, shall clearly indicate whether the institution has been established in conformity with the Paris Principles and should be justified and accompanied by the necessary documentation. The institution should equally ensure that its enabling legislation is in conformity with the present NANHRI Constitution.

An NHRI that is seeking membership as an associate member of the Network shall clearly indicate this in the request for admission. It should also demonstrate that its interests and activities correspond to the Constitution of the Network and outline what measures it intends to take to ensure compliance with the Paris Principles within a period of not more than two years. A Full Member may recommend the admission of another institution as an observer member provided that this proposal is in writing and addressed to the Steering Committee justifying that the national organization in question meets the requirements for observer status.



In NANHRI, compliance with the Paris Principles also forms the basis of membership status.

The following is a comprehensive list of NANHRI members and their respective NANHRI and ICC membership and accreditation status.

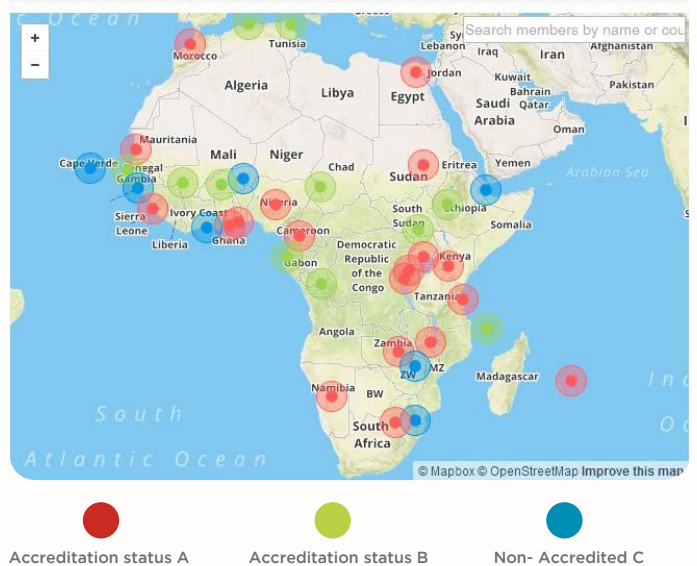
NHRI	NANHRI membership	Latest ICC accreditation
Algeria: <i>Commission nationale consultative de promotion et de protection des droits de l'Homme</i>	Associate member	B
Benin: <i>Commission béninoise des droits de l'Homme</i>	Observer member	C
Burkina Faso: <i>Commission nationale des droits de l'Homme</i>	Observer member	Not ICC accredited
Burundi: <i>Commission nationale indépendante des droits de l'Homme</i>	Full member	A
Cameroon: National Commission on Human Rights and Freedoms	Full member	A
Cape Verde : Commissão nacional para os direitos e a cidadania	Observer member	Not ICC accredited
Chad: <i>Commission nationale des droits de l'Homme</i>	Associate member	B
Comoros : <i>Commission nationale des droits de l'Homme et des libertés</i>	Observer member	Not ICC accredited
Congo (Democratic Republic of) : <i>Commission nationale des droits de l'Homme</i>	Observer member	Not ICC accredited
Congo (Republic of): <i>Commission nationale des droits de l'Homme</i>	Associate member	B
Cote d'Ivoire : <i>Commission nationale des droits de l'Homme</i>	Observer member	Not ICC accredited
Djibouti : <i>Commission nationale des droits de l'Homme</i>	Observer member	Not ICC accredited
Egypt: National Council for Human Rights	Full member	A
Ethiopia: Ethiopian Human Rights Commission	Associate member	B
Gabon: <i>Commission nationale des droits de l'Homme</i>	Observer member	Not ICC accredited
Ghana: Commission on Human Rights and Administrative Justice	Full member	A
Guinea (Republic of): <i>Observatoire national de la démocratie et des droits de l'Homme</i>	Observer member	Not ICC accredited
Guinea Bissau: <i>Commissao nacional para os direitos humanos</i>	Observer member	Not ICC accredited
Kenya: Kenya National Commission on Human Rights	Full member	A
Liberia: Independent National Commission for Human Rights	Observer member	Not ICC accredited
Madagascar: <i>Commission nationale des droits de l'Homme</i>	Observer member	C

Malawi:			
Malawi Human Rights Commission	Full member	A	
Mali:			
<i>Commission nationale des droits de l'Homme</i>	Associate member	B	
Mauritania:			
<i>Commission nationale des droits de l'Homme</i>	Full member	A	
Mauritius:			
<i>Commission nationale des droits de l'Homme</i>	Full member	A	
Morocco:			
<i>Conseil nationale des droits de l'Homme</i>	Full member	A	
Mozambique:			
Mozambique Human Rights Commission	Observer member	Not ICC accredited	
Namibia:			
Office of the Ombudsman	Full member	A	
Niger:			
<i>Commission Nationale des Droits des l'Homme</i>	Observer member	Not ICC accredited	
Nigeria:			
National Human Rights Commission of Nigeria	Full member	A	
Rwanda:			
National Commission for Human Rights	Full member	A	
Senegal:			
<i>Comité sénégalais des droits de l'Homme</i>	Associate member	B	
Sierra Leone:			
Human Rights Commission of Sierra Leone	Full member	A	
South Africa:			
South African Human Rights Commission	Full member	A	
Sudan:			
The National Commission for Human Rights of Sudan	Observer member	Not ICC accredited	
South Sudan:			
South Sudan Human Rights Commission	Observer member	Not ICC accredited	
Swaziland:			
National Human Rights Commission of Swaziland	Observer member	Not ICC accredited	
Tanzania (United Republic of):			
Commission for Human Rights and Good Governance	Full member	A	
Togo:			
<i>Commission nationale des droits de l'homme</i>	Full member	A	
Tunisia:			
<i>Comité supérieur des droits de l'Homme et des libertés fondamentales</i>	Associate member	B	
Uganda:			
Uganda Human Rights Commission	Full member	A	
Zambia:			
Zambia Human Rights Commission	Full member	A	
Zimbabwe:			
Zimbabwe Human Rights Commission	Observer member	Not ICC accredited	

NANHRI member institutions database

As an activity in 2013, NANHRI, through a desk research of its member institutions developed a comprehensive database that would enable the Secretariat to effectively respond to partners and member institutions that regularly request for information on African NHRIs. The information on the database includes the name of the institution, year of establishment, mode of legal establishment, membership, mandate, priority areas among others. This information is currently available in the form of an electronic database on the NANHRI website.

NANHRI Members



Comores Islands joins the Network

The NANHRI Secretariat received an application from *Commission nationale des droits de l'Homme et des libertés* (CNDHL) of Comoros to be admitted as a member to the Network. The NANHRI Secretariat to this effect reviewed its consideration as per the provisions of the NANHRI Constitution and submitted to the Accreditation Committee.

Consideration for admission (Admission Procedure) is provided by the Constitution of NANHRI in its Article 13. In consideration, the Accreditation Committee analyzed the request for membership, which was accompanied by the required information and documentation, and made its recommendations to the Steering Committee. The Steering Committee as mandated by Article 14, admitted the national institution as an observer member.

Lesotho working to establish a Paris Principles compliant NHRI

The NANHRI Secretariat in its capacity as a coordinating body for the NHRIs facilitated the study visit of a Lesotho based NGO Transformation Resource Centre (TRC) to Kenya in November 2013. TRC is currently working on the establishment of a Paris Principles compliant NHRI in Lesotho. The main objective of the visit was to learn from Kenya's experience in establishment of its national institution through various concerned stakeholders such as NANHRI, Kenya National Commission on Human Rights, the Kenyan Ministry of Justice and NGOs.



Members of the Lesotho Based NGO Transformation Resource Centre (Trc) during a Study Tour To Kenya

Strengthening the NANHRI Secretariat

A brief look at our 2012-2014 Strategy

NANHRI's mandate is to strengthen the capacity of its member NHRIs to more effectively undertake their national human rights mandates. NANHRI also supports governments to establish and strengthen their respective NHRIs to function in compliance with the Paris Principles. It also facilitates regional and sub-regional cooperation on human rights issues between NHRIs and other human rights actors. NANHRI has identified four priority areas that will most strategically concentrate its attention with the ultimate aim of achieving highest impact in its mission. Below is an overview of the Network's interventions and achievements as classified under the 2012-14 Strategic Plan:

Priority 1: Strengthened NHRIs: Functioning in conformity with the Paris Principles

Objective 1.1: Ensure that Existing NHRIs are Paris Principles Compliant	Support to <i>Comité sénégalais des droits de l'Homme</i>
Objective 1.2: Ensure that NHRIs are trained in core management and program skills now and in the future	The joint NANHRI/RWI Regional Face-to-face Foundation Course for African NHRIs
Objective 1.3: Ensure that NHRIs have the capacity to institute an effective complaint handling process, including using Alternative Dispute Resolution techniques as appropriate	Bilateral support to Zambia Human Rights Commission to establish effective complaints handling system
Objective 1.4: Strengthen NHRIs capacity to deal with thematic and equality rights priority issues: conflict; persons deprived of liberty and prevention of torture; business and human rights; corruption	<ul style="list-style-type: none"> • Training on investigating allegation of torture • Workshop on monitoring places of detention • Training on combating and preventing torture in Southern Africa • East African seminar on Conflict management, resolution and peace building for NHRIs • Workshop on equality and non-discrimination • Training on corruption and human rights

Priority 2: Effective International, regional and sub-regional cooperation between NHRIs and other human rights actors to bring about effective human rights protection in Africa

Objective 2.1: Strengthen partnerships and collaboration with the African Commission on Human and Peoples' Rights in key areas	Process to establish NHR Forum on margins of African Commission's ordinary sessions
Objective 2.2: Maintain partnerships and collaboration with international and other regional bodies	9th NANHRI Biennial Conference

Priority 3: NHRIs Established in Conformity with the Paris Principles

Objective 3.1: Maintain capacity to respond quickly and appropriately to request for assistance	Comoros NHR application to join Network
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Priority 4: Effective NANHRI Secretariat

Objective 4.2: Develop an inventory of experts to support the work of the Network and the Secretariat	<ul style="list-style-type: none"> • Expert Accreditation Programme • Secretariat staff training on monitoring and evaluation
Objective 4.3: Develop an effective and sustainable communications strategy	<ul style="list-style-type: none"> • Develop an effective and sustainable communications strategy • NANHRI publications

NANHRI staff training in monitoring and evaluation – June 2013

To truly fulfil its capacity-building mandate, the NANHRI Secretariat needs to ensure that it maintains the highest standards of program implementation. In June 2013, Secretariat staff were trained on setting up and implementing an efficient and effective M&E system. In order to tailor the training programme to the actual needs and current capacity of the Secretariat, the consultant trainers first conducted a pre-assessment that entailed a comprehensive discussion seeking to understand the entire project cycle management system that was in place at the Secretariat.

Success Story

Following the training, NANHRI Secretariat's new reporting templates have greatly improved reports consistency and quality. The Secretariat team also continues to progressively show improvement in knowledge and skills on the core monitoring, evaluation and reporting functions.

The training workshop yielded an action plan for the NANHRI Secretariat which elaborated various short, medium and long term goals aimed at building a stronger institution able to quickly and accurately report on its impact and also monitor the successes of its interventions.

Based on this action plan, the Secretariat has so far redesigned and developed standardized reporting templates relevant to its various reporting levels. The Secretariat is currently developing a knowledge management system, to identify, document and share NANHRI success stories and to develop a reporting schedule and standard operating procedures for all its work. The Secretariat team also continues to progressively show improvement in knowledge and skills on the core monitoring, evaluation and reporting functions.

NANHRI Staff during the M&E training



Working with the best – Our expert accreditation programme

NANHRI's members require training on diverse areas of human rights promotion and protection, and efficient and effective organisational management. As such, NANHRI has recognised the need to diversify its pool of resource persons. In 2012 NANHRI began developing an inventory of experts through a call for applications from qualified individuals in the identified human rights priority areas of peace and conflict, torture prevention, gender and human rights, business and human rights and the rights of persons living with disabilities. NANHRI developed a roster of reliable experts from the responses to the call but quickly recognised the need to resolve the subjectivity of nominations made from the call and ensure that NANHRI has a pool of competent and reliable experts. Therefore, in 2013, we launched the Expert Accreditation Programme, implemented in partnership with the Raoul Wallenberg Institute for Human Rights and Humanitarian Law (RWI).

This Expert Accreditation Programme aims at enhancing the quality and the number of internal and external trainers in five selected thematic areas. The finalist candidates were competitively approved by the NANHRI Steering Committee. The 10 selected finalists represented the NHRIs of Uganda, Kenya, Tanzania and South Africa.

The programme has been designed in a way that ensures the candidates constantly enhance their knowledge and skills on human rights training, education and research methodology. The first phase of the programme, which is the most important, took place in Nairobi, Kenya in November 2013 and focused on imparting knowledge on some adult learning principles, training techniques and the use of training aids. The results of the workshop also served as the basis for evaluating the success of the programme thus giving a better understanding of the candidate trainers' level of knowledge and skills. The second and third phases of the programme are set to take place in 2014 in preparation for the final accreditation, which will be based on the candidate's prior experiences and full participation in accreditation activities.

The Expert Accreditation Programme Team



Effective communications – Enhancing our web-based communications

Information exchange, knowledge transfer and sharing of best practice have greatly enhanced following the redesigned and user centred NANHRI website. Website content has also been regularly translated into French. The website now also includes a forum platform that facilitates discussion groups. The forum is still not as interactive as anticipated as our member NHRIs are yet to actively engage in the various initiated forums. Consequently, as a follow up to our capacity building interventions, NANHRI aims to encourage particularly participants of such trainings to use the forums to discuss the thematic areas of respective training exercises

Effective communications – Enhancing our brand profile

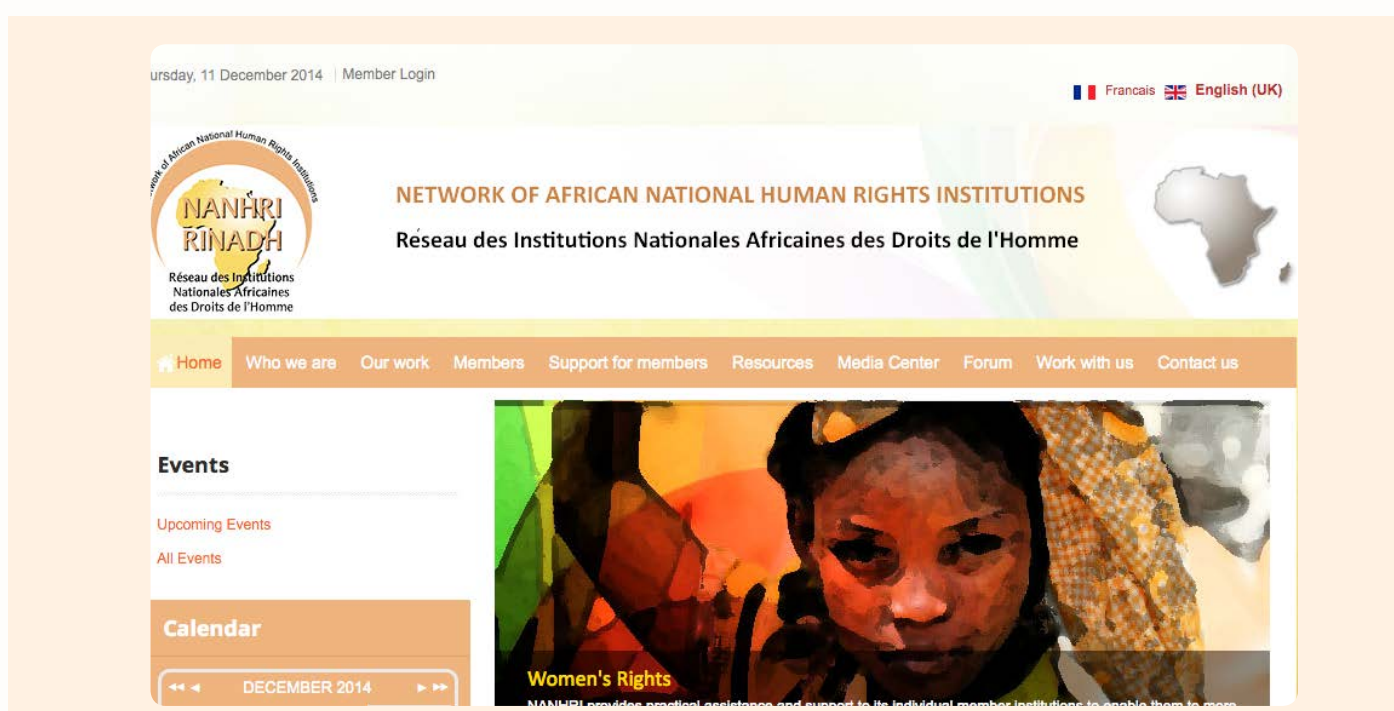
In 2013, the Secretariat undertook various activities with a view to branding, profiling and raising awareness of NANHRI. These include: printing of brochures on basic information on the Network, its mission, vision, priorities and its work; data collection and documentation of activities by purchasing a professional camera that can take good quality photos of all its activities and events and as well designed electronic template for the bi-annual NANHRI newsletter. Towards its branding efforts, the Secretariat also printed lanyards to be used during various activities especially workshops and conferences. The NANHRI Secretariat is also actively present on social media.

Success Story

NANHRI has successfully conducted three training workshop in the year 2013 with an online component thus maximized on the use of information technology. Now, we can conduct more in depth training of more members at far less costs.

Success Story

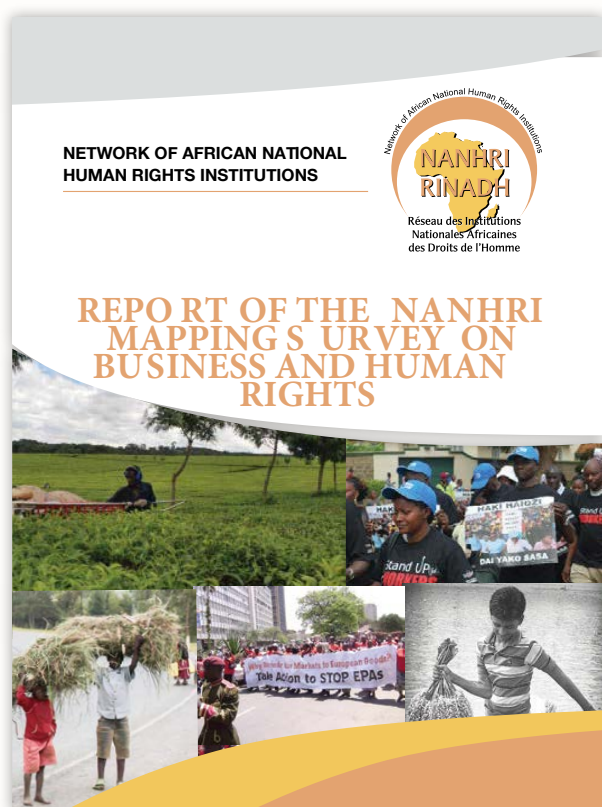
The website now also includes a forum platform that facilitates discussion groups by members and staff of our member NHRIs. To enhance its use, NANHRI aims to encourage participants of its training activities to more actively use the online forum.



NANHRI Publications

NANHRI regularly distributes its publications to member NHRIs, partners, donors and academia. Soft copies of these reports are also available on the NANHRI website.

Report on the NANHRI Mapping Survey on Business and Human Rights

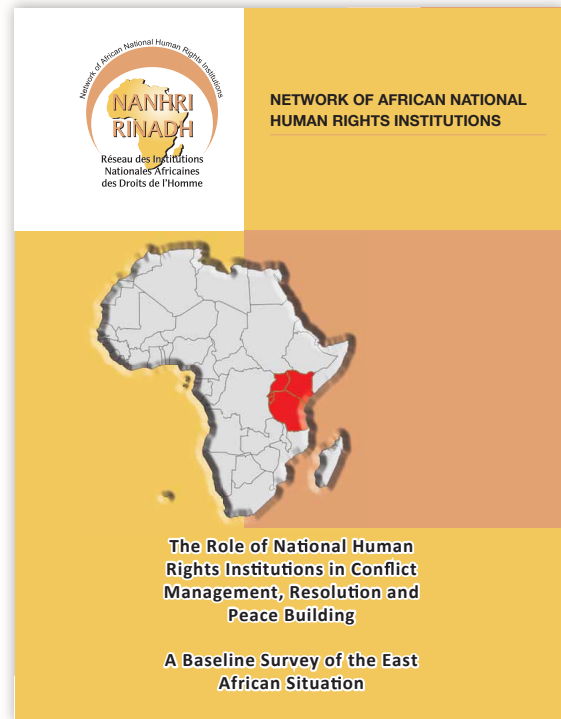


NANHRI commissioned the Danish Institute for Human Rights (DIHR) to conduct a mapping survey on its behalf that would build upon what the ICC Working Group on Business and Human Rights conducted for all NHRIs globally in 2010. This report documents the results of this study. Through a combination of desk-research, a questionnaire-based survey and case studies, this report describes the state of human rights and business in Africa, in terms of recent normative and institutional developments at international and regional levels and provides a comprehensive description of the current engagement, needs and priorities of NANHRI members in relation to business and human rights. It also makes concise recommendations for improving the capacity and effectiveness of NANHRI members in fulfilling their Paris Principles mandates on business and human rights. Included in the report is a draft training module for African NHRIs on business and human rights. NANHRI launched the final report of the mapping survey. This launch was conducted at the margins of the 26 Annual Meeting of the ICC in Geneva, Switzerland on 8 May 2013. It was supported by the Swedish government through the Raoul Wallenberg Institute.

The Yaoundé Declaration as adopted by NANHRI members defines responsibilities for various priority actions touching on business and human rights including those assigned to NHRIs and NANHRI. One of the key action points for NANHRI was to conduct a study in the area of business and human rights specific to the African region.

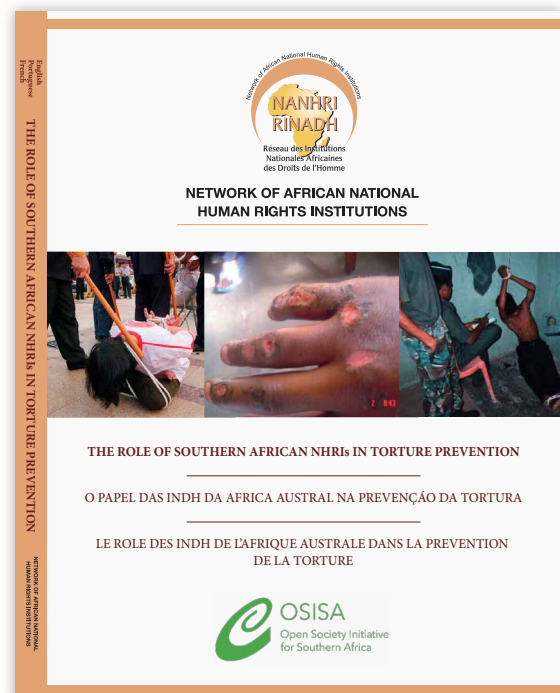
The Role of National Human Rights Institutions in Conflict Management, Resolution and Peace Building: A Baseline Survey of the East African Situation

This study was commissioned by NANHRI and Raoul Wallenberg Institute (RWI) to interrogate the East African NHRIs' competence in conflict management and peace building. The findings reveal institutions that face challenges that need to be overcome due to the high number of conflicts in the East African Region. The study exposes that whether a conflict is perpetrated by a government or other group in a systematic mode against helpless civilians, the result is often a massive scale of vicious destruction of lives and societies. According to the study, conflicts in East Africa have their basis essentially in human rights violations. These range from the lack of respect for the rule of law, electoral malpractices and discrimination. It further tells that NHRIs being the central national mechanisms for the protection and promotion of human rights with formal links to international mechanisms can play a critical role in preventing conflicts and mitigating their effects. Indeed the Paris Principles which guide their functions contemplates their independence from undue manipulation from vested interests. However this can only be achieved if the challenges faced by the East African NHRIs as revealed by this study are sufficiently addressed.



The Role of Southern African National Human Rights Institutions in Torture Prevention

This study was commissioned by NANHRI with the support of Open Society Initiative for Southern Africa (OSISA) to assess the legal standing, independence and capacity of Southern Africa NHRIs to discharge their human rights mandate in accordance with the Paris Principles, on elimination of torture, and cruel, inhuman or degrading treatment or punishment. The study report includes the definition and expected functions of NHRIs as contemplated by the Paris Principles for NHRIs, a brief discussion on definitions of torture and other ill-treatment, and on methods of work on the prevention of torture.

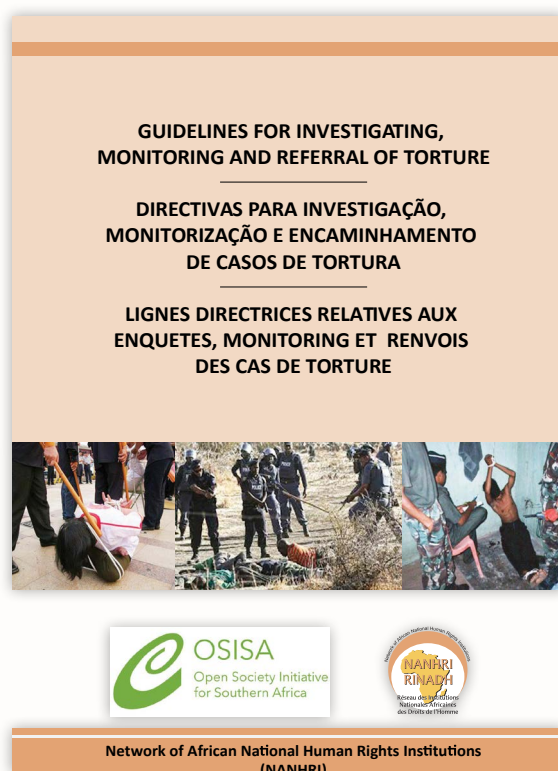


Consistent with the Terms of Reference for the study, the report examines the responses that each of the Southern African NHRIs has made in response to a survey that was distributed for purposes of this study in relation to torture. The study also identifies and presents ongoing or potential partnerships with key stakeholders,

such as Civil Society Organizations (CSOs), at national, regional and international levels. It further recommends a one-year action plan, based on the findings of the survey, for implementation in order to address and augment the weaknesses and strengths respectively.

Guidelines for Investigating, Monitoring and Referral of Torture

NANHRI has developed the Guidelines for Investigating, Monitoring and Referral of Torture as a tool for NHRIs to effectively execute their mandate of protecting and promoting the rights of those deprived of liberty. The study is the outcome of a resolution to publish a tool to support NHRIs in monitoring, investigating and reporting torture cases that was passed in April 2013 in a workshop that brought together different stakeholders on the issue of combating torture. The tool will help NHRIs to comply with international standards such as the Optional Protocol to the Convention against Torture (OPCAT) such as effective monitoring visits to places of detention as well as conducting well thought out and systematic interviews and developing recommendations aimed at upholding justice by getting timely and appropriate responses from relevant authorities. This publication is supported by Open Society Initiative for Southern Africa.



Getting African NHRIS Paris principles compliant

Foundation Course for African NHRIs

International human rights law is an aspirational, constantly evolving law that includes many progressive standards. It demands equally progressive legal logic and public policy. African NHRIs, like all NHRIs across the globe, consequently have a duty to keep themselves abreast with the developments in human rights law and practice. The Foundation Course for African NHRIs aims precisely to achieve this goal.

In its continued partnership with RWI, NANHRI conducted a Foundation Course for 12 African NHRIs in mid 2013. The course, which was funded by the Swedish International Development Cooperation Agency (SIDA) and hosted by the National Commission on Human Rights of Nigeria, provided a platform for exchange of experiences and best practices in relation to the functioning, achievements and challenges of their respective NHRIs and other NHRIs in Africa. The course had two components; an online training course which took place from 29 July to 20 August 2013 then succeeded by a five day face-to-face training workshop (9-13 September 2013) which brought together participants who had successfully completed their online courses. Participating NHRIs were drawn from: Cameroon, Ethiopia, Ghana, Kenya, Malawi, Nigeria, Sierra Leone, South Africa, South Sudan, Tanzania, Uganda and Zambia.

The participants gained critical knowledge and understanding of international human rights law including the key human rights instruments, the African Human Rights Systems and the core roles and functions of NHRIs.

As a follow up to the online component, the face-to-face forum gave the participants the opportunity to specifically focus on the role of NHRIs in dealing with specific thematic areas, that is, business and human rights, peace and conflict, rights of persons with disability and gender and human rights. Most importantly, the face to face forum provided the participants with an opportunity to exchange experiences and good practices in relation to the functioning, achievements

and challenges of their respective NHRIs and at the same time strengthen networks between NHRIs in the region. In 2014, NANHRI will continue to accompany the participants to help evaluate how they have utilized insights and lessons learnt to strengthen the functioning of their respective NHRIs.

"I have got knowledge which I would never have any other way had it not been for this training"

(Anonymous participant feedback)

"I will use the knowledge achieved to streamline international instruments to fit thematic areas of interest to my country in order to make it easy to respond or take action to issues of violation of human rights"

(Anonymous participant feedback)

"After this I will intensify human rights public education and be proactive in developing action and work plans to tackle relevant human rights issues"

(Anonymous participant feedback)

Zambia Human Rights Commission strengthens its complaints handling system

Among the key functions of Class A NHRIs is the mandate to receive and determine complaints of human rights violations. It is therefore critical that NHRIs with a complaints-handling mandate ensure their complaints handling systems conform to the highest standards of complaints management, that is, expeditious disposal of complaints while always preserving the right to fair trial. In December 2013, NANHRI teamed up with RWI, a lead consultant, the South African Human Rights Commission and the National Commission on Human Rights of India to support the Zambia Human Rights Commission's aim to establish an effective electronic

complaints-handling system. This team conducted a pre-assessment mission on 17-19 December 2013 and consulted with ZHRC management and staff, completed assessment interviews and trained ZHRC members and staff on various aspects of effective complaint handling. The mission succeeded in helping ZHRC streamline and systematize its complaints handling system. The expert team was also engaged to provide the assessment feedback to enable ZHRC to integrate the recommendations produced into its ongoing strategic planning process as well as its efforts to revamp its website.

Comité sénégalais des droits de l'Homme (CSDH) works towards Class A Status

In 2012, NANHRI conducted an institutional gaps analysis for the Comité sénégalais des droits de l'Homme (CSDH). From that activity, NANHRI worked with CSDH in 2013 to convene a stakeholders' round table meeting to deliberate on strengthening the CSDH and its adherence to the Paris Principles and also monitor the implementation of the recommendations from the gaps analysis findings. In 2013, the first step of the implementation began with the appointment of a new CSDH Chairperson who is charged with steering this strengthening process.

The stakeholders round table, which included the support of the Office of the United Nations High Commissioner for Human Rights (OHCHR), Geneva and the West Africa Regional Office (WARO) and Open Society Initiative for West Africa (OSIWA), aimed to better equip national actors to provide to the CSDH with a legal framework consistent with international standards and mobilize stakeholder support nationally, regionally and

Success Story

This two phase intervention that started with a needs assessment mission in 2013 will be concluded in 2014 through the second phase - the actual development and set-up of the electronic complaints handling system.

internationally behind the adoption of an action plan to strengthen the legal framework of CSDH. This would likely enhance both the legitimacy and the credibility of the institution and further have a greater national ownership of the promotion and protection of human rights. A further outcome would be to ensure the integration of the CSDH into the regional and international networks of NHRIs.

Success Story

This round table discussed amendments of the existing enabling law of the CSDH. The draft bill has since been presented to parliament for enactment. If passed, this law will enable the CSDH be in compliance with the Paris Principles.

Equality and non-discrimination

Equality and non-discrimination are central concepts in human rights promotion and protection and they are woven into the application of all human rights standards as key guiding principles.

NANHRI, in partnership with RWI, held a thematic training workshop on 'non-discrimination and equality with a specific focus on marginalized groups' in April 2013. The training aimed to increase participant NHRIs' capacity to deal with issues of non-discrimination and equality and further translate this knowledge into actionable programmes within their respective countries.

The training focused on three case studies, namely the rights of persons with disabilities; the rights of older persons; and sexual orientation and gender identity. The

training workshop also provided participating NHRIs with an opportunity to share best practices and challenges encountered in dealing with these groups and thematic areas. It was noted during the workshop that African NHRIs still encounter numerous challenges and biases and pre-conceived ideas in relation to the above groups of persons. The workshop enabled the participating NHRIs to broaden their understanding of the importance of paying particular attention to vulnerable or marginalized groups in all aspects of their work.

The workshop brought together participants from 11 NHRIs namely: Kenya, Uganda, Tanzania, Malawi, Zambia, South Sudan, Nigeria, Ethiopia, Rwanda, Ghana and the host South Africa.



Participants at the workshop on Equality & Non Discrimination

Conflict resolution and Peace building

East African NHRIs Seminar on Conflict Management, Resolution and Peace-Building

The seminar, held in Kigali on 27-29 May 2013, brought together commissioners of East African NHRIs that is; Kenya, Uganda, Tanzania, Rwanda and Burundi in order to validate the baseline survey that was conducted by NANHRI and RWI on the role of NHRIs in conflict management, resolution and peace building within the East African Community (EAC).

The seminar also aimed at providing an opportunity to the EAC NHRIs to input on and validate the action plan that shall guide their work in this particular thematic area.

Participating NHRIs took the opportunity to give feedback and country updates on the theme as well as conduct peer-to-peer exchange and the development of strategies to be adopted in the area of conflict resolution and peace building.

Success Story

The validated three year plan is an opportunity to sharpen NHRIs action on the intersection between conflict and human rights (violations) and to demonstrate NHRIs' key role in early warning, conflict and post conflict interventions.

The baseline survey findings had highlighted the role of NHRIs in conflict resolution and peace building and selected interventions in this regard. These roles include: influencing policy, early warning, participating in reintegration and resettlement processes, civic education, investigation and monitoring and generally participating in dealing with the consequences of conflict. However, capacity gaps identified included: limited funding,

lack of requisite expertise, skills and knowledge in conflict prevention, management and peace building, and reactive nature of dealing with conflict issues. The major areas of conflict or potential conflict issues identified included conflict over politics and elections, limited knowledge and practice about democracy and governance, land and other natural resources, and ethnic related issues.

On the basis of these findings, a three year action plan was recommended. The objectives in the plan revolve around building capacities for understanding the concepts of conflict prevention, management and peace building, gaining expertise in this field, developing tools to work in this area, how to work inclusively with governments, civil societies and other institutions to achieve the goals in this thematic area. Although the primary beneficiaries are the NHRIs, the plan endeavours to include other strategic stakeholders. NANHRI was able to publish the baseline survey report and started to disseminate it to all the relevant stakeholders.

All the five participating NHRIs of the EAC adopted the proposed three year action plan for implementation.



A visit to the Genocide memorial by the participants of the seminar

Prevention of torture

Under human rights law, a select few rights are considered absolute. This means that they must be respected by all persons and states at all times, regardless of circumstances, including during war and other national emergencies. Among these absolute rights are: the right to fair trial, the prohibition of genocide, slavery and torture and cruel inhuman and degrading treatment or punishment.

It is therefore of great importance that African NHRIs build capacity to fulfil their role in ensuring the prohibition of torture and cruel, inhuman and degrading treatment is respected. Topics under this area include the nature of state

obligations in torture prohibition, criminalisation, prevention and oversight mechanisms (investigation and monitoring).

In 2013, NANHRI and the Association for the Prevention of Torture (APT) began a joint three-year project titled “A Continent United against Torture”, funded by the European Union that covers the entire African continent. The main objective of the NANHRI-APT project is to strengthen the capacities of NHRIs to be more active on torture prevention and provide them with a platform to exchange their experiences and identify best practices. 2013 saw the implementation of the following activities:

Investigating allegations of torture

NANHRI and APT jointly organized a training workshop which had two components; an online training course which took place from 2-14 April 2013 and a face-to-face training workshop which took place in Johannesburg, South Africa on 23-24 April 2013. The training involved 31 NHRIs both from Francophone and Anglophone countries and covered principles of investigation as well as techniques and skills that are relevant for NHRIs. It was intended to reinforce the participants’ knowledge concerning the prohibition and prevention of torture. The training intended also to provide participants with knowledge and practical skills for use in investigating individual allegations of torture and stimulate NHRIs to integrate the investigation of individual allegations of torture into their regular work.

What emerged from the training was that African NHRIs have very different powers and practices in this regard. For instance, very few have quasi-judicial powers with the power to issue enforceable recommendations. Most NHRIs issue non-binding recommendations that are simply brought to the attention of authorities. However, the majority of African NHRIs have the power to investigate allegations of torture and to access necessary information and persons. Moreover, they all agreed on the fact that as national human rights defenders they have the duty to

react to and document all alleged human rights violations, including torture. Practices and procedures are often more related to availability of resources and expertise rather than legal texts. Improving practices is therefore important, especially when it comes to methodological skills as required to effectively investigating torture cases.

The participants’ reinforced their knowledge, and developed individual work plans to implement knowledge learned & improve the performance of their institutions in the prevention of torture.



Participants at the NANHRI/APT Learning Incubator Training

Monitoring Places of Detention

Places of detention are widely identified as prone to acts of torture. Monitoring these locations is indispensable in preventing torture. Together with APT, NANHRI organised a workshop on monitoring places of detention to provide English speaking African NHRIs with skills and knowledge to plan and undertake concrete activities to protect the rights of persons deprived of liberty (PdLs) through detention monitoring.

Dubbed, the Blended Learning Training on “Monitoring Places of Detention”, the training was composed of two parts, an online course from 17 to 29 October 2013 and a regional workshop hosted by the Uganda Human Rights Commission (UHRC), in Kampala, on 19-22 November 2013. The training workshop brought together participants from 11 NHRIs namely: Ghana, Kenya, Malawi, Mauritius, Namibia, Nigeria, Sierra Leone, South Africa, Tanzania, Zambia and the host Uganda.

The training aimed to enhance the capacity of African NHRIs to implement their mandate to monitor places of detention through a peer-to-peer exchange. The activities framed in the “blended learning” component of the project intended to provide NHRIs staff who are already involved in torture prevention activities - or are committed to do so in the near future - with the opportunity to learn and apply in practice the methodology of monitoring places of detention through a preventive approach.

The online course integrated participatory learning approaches, with an emphasis on reflective and collaborative learning through a written assignment and a group discussion. The online course was composed

of reading materials, video lectures, and an online quiz. Throughout the course, participants were asked to reflect on their own experience in applying the skills and knowledge to achieve the goals of the course. Active engagement by everyone in the group discussion helped to create an active virtual community of practitioners. The contributions were all highly qualitative and based on accurate reflections.

The workshop applied a practical and hands-on approach which allowed the participants to conduct field visits with a view of monitoring places of detention with a view to drawing lessons and apply the skills acquired. The workshop was also a suitable occasion to exchange experience and good practices on monitoring places of detention amongst the African NHRIs and encouraged interaction and cooperation among participating NHRIs.

What emerged from the training is that African NHRIs need strengthening of their capacity to effectively monitor places of detention as a preventive measure against torture and other forms of ill-treatment.

It was gratifying to see NHRIs reviewing their own practices and also exploring interaction amongst them in order to improve their practice in torture prevention. It was further intended that participants return to their NHRI and share their knowledge with relevant colleagues, promoting sustainability of learning objectives and positively impacting their ongoing work to protect the rights of persons deprived of Liberty (PdLs) and help prevent torture and other ill-treatment.

Regarding why risk of torture is high in police custody ... “Usually they (police) are not aware of the rights of suspects; lack of training, the issues of using powers from above; the fear of the boss/supervisor, may be contributing factors. They do this to ensure that this person is in detention and do everything to make the person confess, using torture.” Uganda Human Rights Commission



Training on Monitoring Places of Detention

Combating and Preventing Torture in Southern Africa

In January 2013, NANHRI, through a grant from the Open Society Initiative for Southern Africa (OSISA), initiated a one year project aimed at building the capacity of Southern Africa NHRIs, in the prevention and combating of the scourge of torture, cruel, inhuman and degrading forms of treatment or punishment.

Through the year (2013), NANHRI commissioned a survey study to assess the legal standing, independence and capacity of Southern Africa NHRIs to discharge their human rights mandate in accordance with the Paris Principles, but with specific reference to their work on prevention of torture. The survey was done in nine countries in the Southern Africa region namely: Angola, Malawi, Mauritius, Mozambique, Namibia, South Africa, Swaziland, Zambia and Zimbabwe.

The survey report showed that none of the Southern African countries was immune from the vice of torture and that torture was still widespread in these countries and continued to be a major human rights challenge. NANHRI published the survey report and has been disseminating it to all the concerned stakeholders. An electronic copy of the report is available on the NANHRI website (www.nanhri.org).

The second activity was the training component on torture prevention implemented jointly between the NANHRI, with technical support from Article 5 Initiative, the African Policing Civilian Oversight Forum (APCOF) and NHRIs in Southern Africa. The three institutions joined efforts in an innovative partnership which combined their respective strengths, including a strong political, legal legitimacy and recognition, and a renowned expertise in training and monitoring as a means to prevent torture.

Success Story

Because of this project, more projects of a collaborative approach have been done, for example, an investigative journalist is now a member of the Section 5 Prevention of Torture Committee ; Contact with the police service has been established which could result in signing of a MOU and Contact with the investigative body charged with investigating police crimes has been made.”(South Africa)

Through the training, the NANHRI’s main aim was to see that there are more vibrant, capable and effective SADC NHRIs, which work in partnership with CSOs on issues of human rights monitoring and advocacy as well as on the prospect of partnerships with relevant stakeholders such as CSOs in discharging their mandate. Amongst the outcomes of the workshop was a clear set of activities at SADC level to combat and prevent torture.



A group discussion session during the workshop



Corruption and Human Rights

Inspired by the success of the Lusaka International Conference on Corruption and Human Rights held in Zambia from 24-27 April 2012, the Secretariat through the MacArthur Foundation grant organized a similar training workshop in Yaoundé, Cameroon targeting French speaking NHRIs. The three day workshop brought together 30 participants from CSOs, NHRIs, Media and Anti-corruption State Agencies from Central West and North African countries namely: Algeria, Burundi, Burkina Faso, Chad, Congo Brazzaville, Gabon, Mali, Morocco, Niger, Rwanda, Senegal, Tunisia, Togo and the host Cameroon participated in the meeting.

The training organized with the main objective of strengthening the relations between anti corruption state agencies, NHRIs, the media and CSOs in the fight against corruption sought to replicate the efforts already made by the Gaborone and Lusaka international conferences that subsequently had set out an operational framework for the action plans that were adopted. It further sought to institutionalize the fight against corruption within the precincts of promotion and protection of human rights by strengthening relations of relevant state agencies and NHRIs in the fight against corruption. NANHRI envisioned that the training would synergize the fight against corruption and assist those who combat corruption

to recognize the value of human rights to their work and the advantages of closer collaboration with NHRIs. Amongst the outcomes of the workshop was a clear set of recommendations that will help to elevate the awareness among key stakeholders of the links between corruption and human rights, thereby diminishing public tolerance of corruption and strengthening public support for anti-corruption measures. The respective participating NHRIs further shall develop individual work plans to implement knowledge learned and improve the performance of their institutions in the fight against corruption within the precincts of promotion and protection of human rights. The NANHRI shall make follow up on the implementation of these work plans by the respective participating NHRIs.



Participants to the Training on Corruption & Human Rights

“



I have learnt a lot on the link between corruption and human rights. We are under an obligation to teach the younger population that is still in school on the dangers of corruption with a view to creating

in them a character of integrity and strong citizenship in order to prevent the entrenchment of this vice. Prof. Khalid IKHIRI, Chairperson CNDH du Niger

”

Effective International Cooperation among NHRIS

Creating an NHRI Forum prior to the Ordinary Sessions of the African Commission

In its 2008–2012 Strategic Plan, the African Commission on Human and Peoples’ Rights (ACHPR) proposed to support an NHRI forum prior to its ordinary sessions, similar to the forum held by NGOs. The Human Rights Strategy for Africa (HRSA), which was adopted by the AU organs with a human rights mandate in April 2011, calls in its Action Plan for the need to organize a Forum for the African NHRIs once or twice a year on the margins of the Ordinary Sessions of the ACHPR. The HRSA also calls on the Department of Political Affairs of the African Union Commission to engage the NANHRI Secretariat in consultation with African NHRIs to achieve this objective. A study commissioned by NANHRI in 2008 titled “The Role of National Human Rights Institutions in Strengthening the African Commission on Human and Peoples’ Rights” also reiterated this need.

In its 2013 work plan, NANHRI identified AU organs as key partners in the work of African NHRIs. With the support of the Department of Political Affairs of the African Union Commission (DPA/AUC) and the United Nations Development Programme (UNDP), NANHRI organized a consultative meeting for African NHRIs at the margins of the 54 Ordinary Session of the ACHPR

themed: “The Role of National Human Rights Institutions in Enhancing a Human Rights Culture in Africa”.

Success Story

The decision to establish the NHRI Forum is significant. For quite some time, NANHRI has been strategizing on how to move beyond provisions in strategic documents to actualization of the proposed NHRIs Forum. A Forum would enable NHRIs to put items on the African Commission agenda, propose resolutions for adoption and more effectively influence the outcomes of the Commission’s ordinary sessions.

The three day meeting whose main objective was to enhance the institutional capacity of African NHRIs to monitor and document human rights violations on the continent and the effective implementation of the African Charter and other relevant African Union instruments and policies by African states brought together representatives from 34 African NHRIs. NANHRI through the meeting sought to set strategies on how this initiative will move beyond legal provisions to actualization since it is through the forum that NHRIs may put items on the



Participants at the Consultative meeting session



Mr. Gilbert Sebihogo-NANHRI Executive Director delivering a speech at the session



agenda of the ACHPR, propose resolutions for adoption by the ACHPR and generally influence the outcomes of the sessions and the overall work of the Commission. The meeting also sought to discuss and create a channel for constructive dialogue on NHRIs' engagement to follow up to the implementation of the concluding observations made at the regional level while creating a platform for consultations on the modalities for sharing information and best practices amongst themselves. Discussions also explored ways for NHRIs to make contributions to the development of continental policy frameworks such as the African Union Transitional Justice Policy Framework.

The outcomes of the meeting as per the meeting conclusions and recommendations were in three folds:

Implementation of the AU Human Rights Strategy for Africa:

NHRIs welcomed the adoption of the AU's Human Rights Strategy for Africa (HRSA) and called on all Member States to strengthen NHRIs in compliance with the Paris Principles to enable them to effectively promote and protect human rights in Africa; and also emphasized the importance of establishing a coordination mechanism among the key stakeholders to ensure the effective implementation of the HRSA;

Guidelines for reporting by NHRIs to the African Commission on Human and Peoples' Rights:

It was reported that many NHRIs with affiliate status have not been submitting their activity reports, as required by the Resolution granting affiliate status to them, mainly due to the lack of guidelines as to the content and format of these reports. Some principles and a suggested format for reporting were discussed and comments were made for their improvement and enhancement. The revised guidelines will be placed on the NANHRI web site for further suggestions for input and improvement, towards possible finalization at the next NANHRI meeting.

Towards a forum of NHRIs:

Participants agreed on the need for NHRIs affiliated with the African Commission to consolidate and enhance their relationship with and effective contribution to the work of the African Commission. It was agreed to establish a platform for discussion about the improvement of the relationship between the NHRIs and the African Commission. NANHRI should develop, in collaboration with its members, the structure and modalities to operationalize this platform.

9th NANHRI BIENNIAL CONFERENCE

Business and human rights: opportunities, challenges and the role of African NHRIS

NANHRI holds its biennial conference once every two years. During the 8th Biennial Conference convened in Cape Town, South Africa in 2011, NANHRI members agreed by consensus that the 9th Biennial Conference will be hosted by the Commission on Human Rights and Administration of Justice (CHRAJ) of Ghana. Accordingly, the 9th Biennial Conference themed “Business and Human Rights: Opportunities, Challenges and the Role of African NHRIs” was convened from 27 to 29 November 2013 in Accra, Ghana. The event was organized with the support of United Nations High Commissioner for Human Rights (UNOHCHR), the *Organisation internationale de la Francophonie (OIF)*, the Commonwealth Secretariat, the Danish Institute for Human Rights, and the Institute for Human Rights, Business and Global Rights.

The conference was considered as a follow-up to the Yaoundé Plan of Action on Business and Human Rights that was adopted at the Regional Workshop on Business and Human Rights in Yaoundé, Cameroon in 2011. A key priority action point identified for NANHRI under the Yaoundé Plan of Action was to conduct a study in the area of business and human rights (BHR), and based on the findings, to produce a report (see NANHRI Publications chapter). NANHRI commissioned a mapping survey on the powers

and mandates of African NHRIs in dealing with specific BHR issues. From this study, NANHRI now has a better understanding of NHRIs’ current capacities to carry out functions related to enhanced protection against corporate related human rights abuse, greater accountability and respect for human rights by business actors and to apply their respective powers relating to the BHR thematic areas as highlighted in the Yaoundé Plan of Action.

Accordingly, the conference proceedings focused on engaging key regional and international stakeholders on pressing BHR issues affecting the continent thus discussions revolved around gains made from the Yaoundé Plan of Action, pending areas that need implementation and new priorities for African NHRIs and recommendations thereof. At the end, the conference adopted the Accra Declaration (see Annex II) incorporating a set of recommendations for implementing the UN Guiding Principles on BHR in Africa and a schedule of future actions on business and human rights for NANHRI members. In addition, the Conference Report, including the final Declaration, recommendations and schedule of actions will be transmitted to all NHRIs, partners, observers and other relevant AU and UN bodies and agencies.

FINANCIAL REPORT

STATEMENT OF COMPREHENSIVE INCOME FOR THE YEAR ENDED 31 DECEMBER 2013

	2013 Kshs	2013 USD	2012 Kshs	2012 USD
INCOME				
Membership Fees	13,159,800	154,186	13,640,486	162,984
Grant and Donations income	40,893,763	479,130	35,147,736	419,964
Other Income	74,650	875	136,058	1,626
Total operating income	54,128,213	634,191	48,924,280	584,573
EXPENDITURE				
Administrative Expenditure	24,391,325	285,780	14,900,390	178,040
Program Expenditure	23,446,683	274,713	27,032,687	323,001
Total operating expenditure	47,838,008	560,493	41,933,077	501,039
Surplus for the year	6,290,205	73,698	6,991,203	83,535

STATEMENT OF FINANCIAL POSITION AS AT DECEMBER 2013

	2013 Kshs	2013 USD	2012 Kshs	2012 USD
NON-CURRENT ASSETS				
Property and equipment	708,379	8,300	742,840	8,877
Intangible assets	20,324	238	42,309	506
	728,703	8,538	785,148	9,383
CURRENT ASSETS				
Receivables and prepayments	25,440,287	298,070	21,430,215	256,060
Cash and cash equivalents	13,243,659	155,169	12,627,579	150,881
	38,683,946	453,239	34,057,794	406,941
Less				
CURRENT LIABILITIES				
Payables and accruals	2,512,039	29,432	2,143,256	25,609
NET CURRENT ASSETS	36,171,907	423,807	31,914,538	381,332
TOTAL ASSETS	36,900,610	432,345	32,699,686	390,715
REPRESENTED BY				
Capital Fund	728,702	8,538	785,148	9,383
General Fund	34,811,875	407,872	28,465,224	340,118
Restricted Funds	1,360,033	15,935	3,449,314	41,214
TOTAL FUNDS	36,900,610	432,345	32,699,686	390,715

Conclusion

2013 was the second year of implementation of our 2012-2014 Strategic Plan. During the year, we made significant progress on several multi-year projects that were aimed at achieving our strategic goals. Among the highlights are: Supporting Comité sénégalais des droits de l'Homme in preparations to restructure into a Class A NHRI Supporting the Zambia Human Rights Commission as it works to establish an effective complaints handling system

Training on investigating allegation of torture

Training on monitoring places of detention

Training on combating and preventing torture in Southern Africa

Training on corruption and human rights

NANHRI's capacity-building activities, aimed at strengthening the knowledge and skills of NHRI staff across the continent were also achieved. Key among these activities were the joint NANHRI/RWI regional face-to-face foundation course for African NHRIs and the Workshop on equality and non-discrimination.

Our work with East African NHRIs in assessing their role and capacity to intervene in conflict management, resolution and peace building was happily concluded with the adoption of the three year plan to enhance NHRIs action in this area.

2013 also saw us publish four reports on research work carried out in the preceding year, as well as the revamping of our official website and enhanced engagement with on social media platforms.

With the election of a new Steering Committee in November 2013, we look forward to a fruitful 2014 as we close the Strategic Plan and its activities and plan for the next five year implementation cycle.

Annex I: Principles relating to the status of National Institutions (The Paris principles)

Adopted by UN General Assembly resolution 48/134 of 20 December 1993

Competence and responsibilities

1. A national institution shall be vested with competence to promote and protect human rights.
2. A national institution shall be given as broad a mandate as possible, which shall be clearly set forth in a constitutional or legislative text, specifying its composition and its sphere of competence.
3. A national institution shall, inter alia, have the following responsibilities:
 - (a) To submit to the Government, Parliament and any other competent body, on an advisory basis either at the request of the authorities concerned or through the exercise of its power to hear a matter without higher referral, opinions, recommendations, proposals and reports on any matters concerning the promotion and protection of human rights; the national institution may decide to publicize them; these opinions, recommendations, proposals and reports, as well as any prerogative of the national institution, shall relate to the following areas:
 - (i) Any legislative or administrative provisions, as well as provisions relating to judicial organizations, intended to preserve and extend the protection of human rights; in that connection, the national institution shall examine the legislation and administrative provisions in force, as well as bills and proposals, and shall make such recommendations as it deems appropriate in order to ensure that these provisions conform to the fundamental principles of human rights; it shall, if necessary, recommend the adoption of new legislation, the amendment of legislation in force and the adoption or amendment of administrative measures;
 - (ii) Any situation of violation of human rights which it decides to take up;
 - (iii) The preparation of reports on the national situation with regard to human rights in general, and on more specific matters;
 - (iv) Drawing the attention of the Government to situations in any part of the country where human rights are violated and making proposals to it for initiatives to put an end to such situations and, where necessary, expressing an opinion on the positions and reactions of the Government;
 - (b) To promote and ensure the harmonization of national legislation, regulations and practices with the international human rights instruments to which the State is a party, and their effective implementation;
 - (c) To encourage ratification of the above-mentioned instruments or accession to those instruments, and to ensure their implementation;
 - (d) To contribute to the reports which States are required to submit to United Nations bodies and committees, and to regional institutions, pursuant to their treaty obligations and, where necessary, to express an opinion on the subject, with due respect for their independence;
 - (e) To cooperate with the United Nations and any other organization in the United Nations system, the regional institutions and the national institutions of other countries that are competent in the areas of the protection and promotion of human rights;
 - (f) To assist in the formulation of programmes for the teaching of, and research into, human rights and to take part in their execution in schools, universities and professional circles;
 - (g) To publicize human rights and efforts to combat all forms of discrimination, in particular racial discrimination, by increasing public awareness, especially through information and education and by making use of all press organs.

Composition and guarantees of independence and pluralism

1. The composition of the national institution and the appointment of its members, whether by means of an election or otherwise, shall be established in accordance with a procedure which affords all necessary guarantees to ensure the pluralist representation of the social forces (of civilian society) involved in the protection and promotion of human rights, particularly by powers which will enable effective cooperation to be established with, or through the presence of, representatives of:
 - (a) Non-governmental organizations responsible for human rights and efforts to combat racial discrimination, trade unions, concerned social and professional organizations, for example, associations of lawyers, doctors, journalists and eminent scientists;
 - (b) Trends in philosophical or religious thought;
 - (c) Universities and qualified experts;
 - (d) Parliament;
 - (e) Government departments (if these are included, their representatives should participate in the deliberations only in an advisory capacity).
2. The national institution shall have an infrastructure which is suited to the smooth conduct of its activities, in particular adequate funding. The purpose of this funding should be to enable it to have its own staff and premises, in order to be independent of the Government and not be subject to financial control which might affect its independence.
3. In order to ensure a stable mandate for the members of the national institution, without which there can be no real independence, their appointment shall be effected by an official act which shall establish the specific duration of the mandate. This mandate may be renewable, provided that the pluralism of the institution's membership is ensured.

Methods of operation

Within the framework of its operation, the national institution shall:

- (a) Freely consider any questions falling within its competence, whether they are submitted by the Government or taken up by it without referral to a higher authority, on the proposal of its members or of any petitioner;
- (b) Hear any person and obtain any information and any documents necessary for assessing situations falling within its competence;
- (c) Address public opinion directly or through any press organ, particularly in order to publicize its opinions and recommendations;
- (d) Meet on a regular basis and whenever necessary in the presence of all its members after they have been duly concerned;
- (e) Establish working groups from among its members as necessary, and set up local or regional sections to assist it in discharging its functions;
- (f) Maintain consultation with the other bodies, whether jurisdictional or otherwise, responsible for the promotion and protection of human rights (in particular, ombudsmen, mediators and similar institutions);
- (g) In view of the fundamental role played by the non-governmental organizations in expanding the work of the national institutions, develop relations with the non-governmental organizations devoted to promoting and protecting human rights, to economic and social development, to combating racism, to protecting particularly vulnerable groups (especially children, migrant workers, refugees, physically and mentally disabled persons) or to specialized areas.

Additional principles concerning the status of commissions with quasi-judicial competence

A national institution may be authorized to hear and consider complaints and petitions concerning individual situations. Cases may be brought before it by individuals, their representatives, third parties, non-governmental organizations, associations of trade unions or any other representative organizations. In such circumstances, and without prejudice to the principles stated above concerning the other powers of the commissions, the functions entrusted to them may be based on the following principles:

- (a) Seeking an amicable settlement through conciliation or, within the limits prescribed by the law, through binding decisions or, where necessary, on the basis of confidentiality;
- (b) Informing the party who filed the petition of his rights, in particular the remedies available to him, and promoting his access to them;
- (c) Hearing any complaints or petitions or transmitting them to any other competent authority within the limits prescribed by the law;
- (d) Making recommendations to the competent authorities, especially by proposing amendments or reforms of the laws, regulations and administrative practices, especially if they have created the difficulties encountered by the persons filing the petitions in order to assert their rights.

Annex II: Accra declaration on business and human rights

Ninth biennial conference of the network of African national human rights institutions (Accra, 27-29 November 2013)

“Business and Human Rights: Opportunities, Challenges and the Role of African NHRIs”

Conclusions and Resolutions

Participants at the 9th Biennial Conference of the Network of African National Human Rights Institutions (NANHRI), convening in Accra, Ghana from 27-29 November 2013 under the theme “Business and Human Rights: Opportunities, Challenges and the Role of African National Human Rights Institutions (NHRIs)”, organised jointly by the Commission for Human Rights and Administrative Justice of Ghana (CHRAJ) and NANHRI, with the support of the Office of the United Nations High Commissioner for Human Rights (UN OHCHR), the *Organisation Internationale de la Francophonie (OIF)*, the Commonwealth Secretariat, the Danish Institute for Human Rights, and Institute for Human Rights and Business and Global Rights;

Acknowledging with appreciation the welcome and hospitality of the Commission on Human Rights and Administrative Justice (CHRAJ) and the people of Ghana,

Affirming, the significant role that NHRIs increasingly play in relation to the business and human rights (BHR) agenda including monitoring the implementation of the UN Guiding Principles on Business and Human Rights (BHR) within its framework of “protect, respect, remedy”,

Recognising the valuable work and on-going activities of the International Coordinating Committee of NHRIs Working Group on Business and Human Rights, in which the NHRIs of Ghana and Malawi represent NANHRI,

Affirming the need for a complementary and collective approach by African NHRIs to promote and protect the human rights of persons in the prevailing regional context of exploitation of natural resources, land, environment and other related disparities,

Welcoming the Report of the NANHRI Mapping Survey on Business and Human Rights that assesses the current engagement, capacities and priorities of NANHRI members in the area of human rights,

Recalling the priority and the relevance of the themes in the Yaoundé Plan of Action on Business and Human Rights adopted in October 2011, as well as the outcomes of the 10th Biennial Conference of the International Coordinating Committee of NHRIs (ICC) held in Edinburgh 2010,

Recalling the need for all African 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,

Welcoming the declaration and recommendations, made at the NGO Forum, and the need for NHRIs and NGOs and civil society organisations (CSOs) to enhance cooperation in the area of business and human rights (BHR);

Appreciating the contribution of the European group of NHRIs, and their willingness to collaborate more closely with NANHRI;

Resolved:

At national level:

- a) To strengthen the role and capacities of African NHRIs in close collaboration with government, civil society and other relevant stakeholders in BHR;
- b) To encourage governments to adopt and implement the UN Guiding Principles on Human Rights and Business;
- c) To continue to implement the Yaoundé Plan of Action and report to the NANHRI Secretariat;
- d) To consider, with due respect to national specificities and resources of each state and NHRI, the relevance of developing national action plans on BHR, and/or integrating the latter in existing national reports to UN and regional bodies and policies;
- e) To engage with government on the development, review and implementation of an adequate legislative and policy frameworks in relation to land and environmental rights in compliance with international standards; including adequate compensation and safeguards for the protection of affected persons and vulnerable groups in development programmes and projects;
- f) To reinforce efforts to better protect labour rights in line with international and regional instruments, in particular the rights of domestic workers and migrants, by ensuring legal frameworks are implemented where they exist, and immediately formulated where they do not exist;
- g) To further reinforce collaboration with neighbouring NHRIs and tackle similar challenges to protect migrants, in particular un-documented migrant workers;
- h) To strengthen the NHRI mandate to investigate and handle complaints, where relevant, regarding the impacts of extractive industries on human rights and the environment;
- i) To enhance collaboration with local and national NGOs and actors to ensure that contracts in the extractive sector benefit the people of Africa;
- j) To work cooperatively with CSOs and NGOs in a systematic manner, in areas such as documentation, research, advocacy and enhancing skills sets in relation to BHR; and improve CSOs' understanding of the mandates and activities of NHRIs.

- k) To raise awareness on incorporating a human rights based approach into education programmes and policies that promote relevant international and regional human rights instruments concerning BHR;

At regional and international level:

- l) To strengthen engagement and explore new areas of cooperation between NANHRI and the European Network of NHRIs and other NHRI regional networks, in order to foster more effective collaboration, and facilitate sharing of good practices and cross regional experiences in relation to BHR;
- m) To systematically and periodically update the NANHRI mapping survey on human rights and businesses, using the existing NANHRI website as a resource to share information within the network, with contributions of all African NHRIs involved in BHR activities;
- n) To engage and interact with international and regional human rights mechanisms and organizations, including submitting reports, making statements, participating in meetings; and following up of recommendations in relation to BHR;
- o) To develop common positions of engagement with international and regional human rights mechanisms in relation to business and human rights working cooperatively with the International Coordinating Committee of NHRIs (ICC), and any other relevant bodies;

2.Resolve to engage consistently with the UN Working Group on Business and Human Rights advocating for the implementation of the Guiding Principles on Business and Human rights by states parties.

3. Agree to hold the next biennial conference in Yaoundé, Cameroon in 2015.

Adopted in Accra, 29 November 2013.



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