



Promoting Human Rights in Africa

NANHRI NEWSLETTER

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Message From the Executive Director



This year, marks an important milestone in the work of the Network of African National Human Rights Institutions (NANHRI). The Network will be marking 10 years anniversary since its establishment in 2007 – to support and strengthen African National Human Rights Institutions (NHRIs).

Over the last 10 years, notable advances have been witnessed towards the promotion and protection of human rights in Africa. Majority of the African countries/governments are committed and continue to uphold the principles of democracy, good governance, rule of law and human rights within their respective countries.

However, a number of countries have failed to uphold these principles. Moreover, NHRIs continue to suffer severe institutional challenges including, limited independence, inadequate human and financial resources to deliver on their mandates. Despite the challenges, NANHRI has made tremendous strides in strengthening the capacities of African NHRIs to fulfill their mandates in accordance to Paris Principles.

In the first quarter of 2017, the Network held its first ever online training for staff of African NHRIs through its e-learning platform. The NANHRI's e-learning platform seeks to foster learning and exchange of ideas amongst the NHRIs on human rights discourse in Africa and globally.

This year, NANHRI will also hold its 11th Biennial Conference and will bring together its 44 member NHRIs to interrogate their role in the implementation of the Sustainable Development Goals (SDGs) using human rights based approaches. The conference will provide an opportunity to take stock of the efforts made by NHRIs to integrate the SDGs 2030 Agenda and Africa's Agenda 2063 in their work and how they have contributed to the national mechanisms initiated to implement the aforementioned Agendas.

It is my sincere hope that NHRIs will continue in their quest to address inequalities and discrimination, and promote inclusion in line with the Agenda 2030 and Africa's Agenda 2063.

**Gilbert SEBIHOGO ,
Executive Director, NANHRI.**

The Secretariat Updates

NANHRI Trains NHRIs Staff On Sexual Orientation, Gender Identity and Expression (SOGIE)



The Network of African National Human Rights Institutions (NANHRI) trained staff from five African National Human Rights Institutions (NHRIs) on Human Rights and Sexual Orientation, Gender Identity and Expression (SOGIE).

The training was part of NANHRI's SOGIE project which seeks to strengthen the capacity of African NHRIs to respond to violence and discrimination faced by persons of diverse sexual orientations and gender identities.

The training had two phases; an online course followed by a face-to-face workshop and brought together participants from five NHRIs namely; Ghana, Kenya, Malawi, South Africa and Uganda.

The online course dubbed '*SOGIE & Human Rights*' which was completed on 24th February, 2017 had five modules which provided information on SOGIE key concepts, international and regional mechanisms available for NHRIs to respond to SOGIE related violence and discrimination. The face-to-face workshop was held from 7th – 10th March, 2017 in Nairobi, Kenya. It aimed at bridging learning from the online course with further input and discussions to determine how NHRIs can facilitate the promotion and protection of the LGBTI / GNC persons.

The workshop also included representatives from civil society organizations including Centre for the Development of People (Malawi), Sexual Minority (Uganda), National Gay and Lesbian Human Rights Commission (Kenya), Centre for Popular Education & Human Rights (Ghana) and South Africa's Parents, Friends and Families of African Queers that comprises the SOGIE reference group.



During the workshop, it was noted that NHRIs should collaborate and proactively engage different actors such as the civil society organizations, governments, law makers, law enforcement agencies, judiciary/judges and religious leaders in order to strengthen engagements on the protection of LGBTI/GNC.

Moreover, NHRIs should engage in contextual research on SOGIE related violence and discrimination to help in mainstreaming and integrating SOGIE issues into NHRIs programming.

Further, NHRIs should strategically engage faith leaders as well as involve its Commissioners' in trainings and the implementation of activities for the promotion of SOGIE Rights and the protection of persons of diverse sexual orientations and gender identities.

It also emerged that persons who have faced SOGIE related violence and discrimination are approaching CSOs to lodge complaints as opposed to NHRIs. This could possibly be attributed to a lack of knowledge that NHRIs are also mandated to handle such complaints as well as provide remedies. Consequently, NHRIs were encouraged to educate all their staff as a way of strengthening their internal capacity to respond to SOGIE related violence and discrimination.

It was recommended that NHRIs establish close links with the LGBTI/GNC community and reposition themselves to being open to handle SOGIE related complaints. Additionally, protection and promotion of the rights of Human Rights Defenders and forced migrants should also be integrated into responses that are SOGIE related by NHRIs.

At the end of the course/workshop, representatives from the five NHRIs developed action plans which are to be adopted and implemented by their institutions in the protection of LGBTI/GNC persons. ♦

NANHRI Trains NHRIs on International Justice Complementarity (IJC)



The Network of African National Human Rights Institutions (NANHRI) held a training workshop for African National Human Rights Institutions (NHRIs) on International Justice Complementarity (IJC) for serious human rights violations.

The workshop aimed at enhancing the capacity of African NHRIs in promoting International Justice Complementarity for serious human rights violations amounting to international crimes through training in investigations, monitoring, documenting and reporting. The workshop was held on 28th and 29th March, 2017 in Nairobi – Kenya.

The Paris Principles mandates NHRIs to monitor, to investigate and document cases of human rights violations and propose remedy to victims of mass atrocities. NHRIs play an important role in operationalizing the complementarity principle. They can offer legislative assistance, including drafting of legislation that incorporates Rome Statute crimes into their domestic laws; strengthening specialized police investigation and prosecutorial services skills; training and capacity development in specialized areas such as gender-based violence, and forensic documentations.

Moreover, NHRIs can offer victim support and witness protection as well as protection of adjudicators; establishing channels of communication and cooperation with relevant regional and international courts.

The participants at the workshop were drawn from six NHRIs namely; Kenya, Uganda, Nigeria, Chad, Ivory Coast and Sierra Leone. The six NHRIs were chosen on the basis of “A” accreditation status, mandate, capacity, and past records in investigating serious human rights violations as well as being ICC situation countries; currently dealing with accountability for International crimes. The training will go a long way in facilitating the implementation and operationalization of the complementarity principles and subsequent prosecution of perpetrators and reparation for victims of mass atrocities. ♦



Updates from Our Members

Sierra Leone Conducts Training On the Rights of Persons with Disability (CRPD)



The Human Rights Commission of Sierra Leone (HRCSL) with support from the United Nations Office of the High Commissioner for Human Rights (OHCHR) conducted a training for the Commissioners and staff of HRCSL and the Disability Commission on the Convention on the Rights of Persons with Disability (CRPD) and Persons with Disability Act, 2011.

The training was held on 31st January, 2017 and aimed at enhancing the effective monitoring of the implementation of the CRPD and Persons with Disability Act, 2011. The training was facilitated by Lawyer Hon. Julius Nye-Cuffie.

According to Section 7(2) (f) of the Human Rights Commission Act of Sierra Leone, HRCSL is mandated to monitor and document human rights violations in the country. In order to effectively carry out the monitoring function, HRCSL commissioners and staff should be knowledgeable on the provisions in the CRPD and Persons with Disability Act.

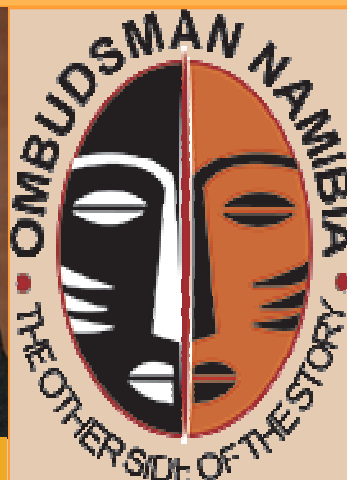
Sierra Leone has signed and ratified the CRPD. In March 2011, it was domesticated in the form of *'The Persons with Disabilities Act, 2011*, as the legal framework that established the focal points and implementation mechanism within the administrative system of government as prescribed by Article 33(1) of the CRPD.

Section 2 of the Persons with Disability Act, 2011 calls for the establishment of a National Commission for Persons with Disabilities (NCPD) to implement the provision of the Act and serve as a focal point within the confines of the administrative system of government. Article 33 states that monitoring of the implementation of the CRPD shall take into account the principles relating to the status and functioning of national institutions for protection and promotion of human rights.

Article 1 of the CRPD states, "the purpose of present Convention is to promote, protect and ensure full and equal enjoyment of all human rights and fundamental freedoms by all persons with disabilities, and promote respect for their inherent dignity."

For more information about HRCSL please visit; www.hrsl.org

Namibia's Ombudsman Secures the Release of Immigrants Held Illegally



John R. Walters, the Ombudsman.

The Namibian Ombudsman, Advocate John Walters secured the release of 46 alleged illegal immigrants detained by police in Windhoek.

The alleged illegal immigrants were from Angola, Zimbabwe, Democratic Republic of Congo (DRC), and Kenya. Amongst the detainees were two minors aged 17 years.

In a case filed in the Windhoek High Court on 10th February 2017, the Ombudsman noted that the detention of the accused did not comply with the provisions of the Immigration Control Act; hence the accused should have been handled according to the provisions of the Immigration Control Act. The Ombudsman noted that, the alleged illegal immigrants were being detained without signed warrants of detention.

The Ombudsman investigators made the discovery of the alleged illegal immigrants while investigating human rights violations reported to its office.

The Immigration Control Act states inter alia, an Immigration Officer may arrest a suspected illegal immigrant in Namibia and, while investigating the lawfulness of the person's presence in Namibia, have the person detained for a period not longer than 14 days. The Act also states that the detention of a suspected illegal immigrant may be extended by the Minister of Home Affairs and Immigration for periods not longer than 14 days at a time.

The Government through their lawyers conceded that the detention of the immigrants was illegal and that the detainees ought to have been released. Consequently, Judge Uitetele Windhoek High Court issued an interim order for the alleged illegal immigrants to be released and dealt with in terms of the provisions of the Immigrations Control Act of Namibia.

For more information about Office of the Ombudsman please visit; www.ombudsman.org/na ♦

Uganda Reviews Performance for the Period July - December 2016



On 28th February 2017, the Uganda Human Rights Commission (UHRC) held a review meeting for its activities for the period June – December, 2016.

The forum aimed at evaluating the performance of the Commission's Strategic Plan and work plan implemented during the period under review. from July to December 2016 in the protection and promotion of human in the country.

The Commission registered a total of 628 alleged human rights complaints – an increase compared to the past years. Out of the total cases reported, 249 complaints were on the deprivation of personal liberty and constituted the highest number of alleged human rights violations, closely followed by the 208 complaints of alleged torture, inhuman and degrading treatment. Majority of the complaints were against the Uganda Police Force.

The increase in number of total complaints was partly attributed to the enhanced human rights awareness interventions by UHRC. The commission also reported progress in the number of complaints fully investigated, cases mediated using its Alternative Dispute Resolution mechanism and an increase in the number of complaints disposed of at the tribunal level.

The Commission inspected places of detention covering prisons, police stations/posts and military facilities to ensure that they complied with human rights standards. UHRC noted some progress in observance of human rights in most detention facilities during the period under review such as reduced incidents of torture and reduced use of the bucket system in many detention centers. The reduction can be attributed to UHRC's continued engagements with the Justice *Law and Order Sector* (JLOS) stakeholders.

During the period under review, UHRC spearheaded civic education campaigns to empower the citizenry on their rights and duties through media campaigns and community meetings. Participants at the review workshop included; commissioners and staff of UHRC, representatives from the Ministry of Finance, Planning and Economic Development; Parliament of Uganda; Justice, Law and Order Sector Secretariat; security agencies, civil society organizations and a cross section of development partners including embassies.

For more information about UHRC please visit;
www.uhrc.org.ug ◆

Nigeria's NHRC Records an Increase in the Number of Complaints Being Reported



H.E. Alejandro Garcia Moreno (Centre) when he paid a courtesy visit to the NHRC

The Nigerian National Human Rights Commission (NHRC) has recorded an increase in the number of human rights complaints being reported.

Mrs. Oti Ovwah, the Ag. Executive Secretary of NHRC attributed the increase to the vibrant sensitization and awareness campaigns being undertaken the Commission.

Mrs. Ovwah, made the remarks on 23rd February, 2017 when she received the Mexican Ambassador to Nigeria, H.E Alejandro Garcia Moreno who paid a courtesy visit to the Commission. She also commended the Mexican embassy for partnering with the Commission in the promoting and protection of human rights in Nigeria.

Ovwah also lauded the Mexican embassy for deploying their team of experts to train the commission's protection and investigation officers which took place between 17th and 21st September, 2013.

Oh his part, the Ambassador noted that his country was ready to explore partnership opportunities with the National Commission in order to overcome the numerous human rights challenges facing the two countries. Further, the Ambassador promised to offer assistance to the Commission especially in the area of training and human rights promotion in Nigeria.

For more information about NHRC please visit;
www.nigeriarights.gov.ng ◆



Pour de meilleures conditions de détention au Togo : une délégation de la CICR en visite à la CNDH



En mission à Lomé dans le cadre des consultations avec les structures effectuant des visites dans les lieux de détention, une délégation du bureau régionale de la Croix Rouge et du Croissant Rouge (CICR) basée à Abidjan en Côte d'Ivoire a échangé avec le Président de la Commission Nationale des Droits de l'Homme (CNDH) du Togo, Maître de Conférences Alilou Sam-Dja CISSE. La rencontre s'est déroulée le 19 janvier 2017 au siège de l'institution.

Conduite par Madame Anne Muller accompagnée de Madame Simona CERVI, cette rencontre avait pour objectif de réévaluer les conditions de détention des personnes privées de liberté au Togo et voir dans quelle mesure le CICR peut contribuer à leur amélioration.

La visite de la délégation du CICR au Togo fait suite à celle effectuée en 2015. Les discussions avec le Président de la CNDH ont porté sur les conditions de vie et de détention des personnes privées de liberté. Pour le Président CISSE, les conditions de détention sont une préoccupation de la CNDH qui joue désormais le rôle de Mécanisme National de Prévention de la torture (MNP).

Dans cette optique soutient-il, la Commission visite régulièrement les prisons et adresse à chaque fois à l'endroit des autorités compétentes un rapport assorti de recommandations.

Pour l'essentiel, Le constat de ces visites révèle que malgré les efforts consentis par les autorités beaucoup reste encore à faire dans le domaine de la santé et de l'alimentation. La question de la surpopulation carcérale a été en partie réglée, avec la construction d'une nouvelle prison moderne à Kpalimé. Cependant, l'absence de règlement intérieur des prisons, ne constitue pas moins une préoccupation aussi bien pour l'administration pénitentiaire que pour la CNDH qui l'a inscrit dans son programme d'action 2017, a-t-il fait observer.

Evoquant les freins à la mise en œuvre des recommandations formulées par la CNDH, le Président CISSE a insisté sur le manque de moyens financiers. **« La volonté politique est là, les réformes sont en cours. Mais, c'est parfois un problème de manque de moyens financiers pour mettre en œuvre toutes les recommandations formulées ».**

Les discussions ont également porté sur la collaboration entre la CNDH et les organisations de la société civile. La Commission a saisi cette occasion pour solliciter la contribution du CICR en vue du renforcement des capacités de ses agents en droit international humanitaire et une aide en produits pharmaceutiques pour les soins médicaux des détenus. ◆

Pour les réformes politiques, institutionnelles et constitutionnelles : les membres de la Commission de Réflexion en visite à la CNDH



En tournée depuis quelques jours déjà auprès des acteurs politiques, étatiques et/ou non étatiques et des personnalités-clés de la vie de notre pays pour partager et recueillir leurs idées, suggestions, conseils et avis pour le bon accomplissement de sa mission, une délégation de la Commission de Réflexion sur les réformes politiques, institutionnelles et constitutionnelles a conféré le jeudi 16 février 2017 avec le Président de la Commission Nationale des Droits de l'Homme (CNDH), Maître de Conférences Alilou Sam-Dja CISSE.

La délégation a été conduite par le Rapporteur de la Commission, Pr. KPODAR Adama.

Cette rencontre avec le Président de la CNDH a été l'occasion d'approfondir les discussions pour voir dans quel sens aborder la question des réformes.

Les deux institutions ont aussi passé en revue la situation des droits de l'homme dans le pays, les pistes à explorer pour une plus grande efficacité dans la protection et promotion des droits de l'homme au Togo, la question de l'impunité, ainsi que les rapports qu'entretient la CNDH avec les autres institutions sœurs.

Hormis la nécessité de renforcer les capacités opérationnelles de la CNDH, une proposition a été faite dans le sens d'introduire dans la Constitution une clause qui renforce davantage son indépendance et qui garantit en même temps la sécurité de ses membres et de son personnel.

Pour plus d'informations sur CNDH Togo, veuillez visiter; <http://cndh-togo.org> ◆

Feedback: Please Talk to Us

Retour d'information: parle - nous

Network of African National Human Rights Institutions

2nd Floor, CVS Plaza, Lenana Road

P.O Box 74359-00200 Nairobi-Kenya.

Telephone: +254 (020) 2717908/928/2712664

Fax: +254 (020) 8041422

Réseau des Institutions Nationales Aricaines des Droits de l'homme

2è Étage , CVS Plaza, Rue Lenana

B.P 74359-00200 Nairobi-Kenya.

Téléphone: +254 (020) 2717908/928/2712664

Fax: +254 (020) 8041422

Email: info@nanhri.org

Twitter: <https://twitter.com/NANHRI40>

Facebook: www.facebook.com/NANHRI

Website: www.nanhri.org