

**THE 4TH CONFERENCE OF AFRICAN NATIONAL HUMAN RIGHTS
INSTITUTIONS HELD IN KAMPALA UGANDA**

14 TO 16 AUGUST 2002

KAMPALA DECLARATION

PREAMBLE

Participants in the **4th Conference of African National Human Rights Institutions held in Kampala, Uganda from 14 to 16 August, 2002** under the auspices of the Uganda Human Rights Commission in co-operation with the Office of the High Commissioner for Human Rights (OHCHR) and the Coordinating Committee of African National Human Rights Institutions;

Re-affirming their attachment to the values enshrined in the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political rights, the African Charter of Human and Peoples' Rights, the UN Declaration on the Right to Development, the 1995 Copenhagen Declaration on Social Development, the UN Declaration on the Right to Peace (1979 and 1984), the UN Declaration on the Rights of Disabled Persons, and various other International Instruments concerning human rights to which their States have subscribed and ratified.

Re-calling the need for all the African National Human Rights Institutions to respect and function in conformity with the *Paris Principles* as adopted by the United Nations General Assembly in its **Resolution 48/134 of 20, December, 1993;**

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

Conscious of the fact that the inadequacy of democracy has repercussions on the human rights situation in Africa with consequences such as armed conflicts, civil strife, flow of refugees, displaced people, worsening poverty and misery;

Recognising the Right to Development as essential for the welfare, peace and for the promotion and protection of the human rights of the people within our states;

Aware that dire poverty, under-development, unequal distribution of resources and lack of proper development policies and programmes, which are pro-people, have caused serious conflicts within Africa;

Convinced that all human rights: civil, political, economic, social and cultural are indivisible and inter-dependent and therefore demand equal attention and priority by our States;

Convinced that a rights-based approach to development guarantees equal attention to and the enjoyment of all rights civil, political, economic and social and promotes accountability, non-discrimination and participation by all in the development process;

Conscious of the fact that the inadequacy of democracy has repercussions on the human rights situations in Africa with consequences such as armed conflict, civil strife, flow of refugees and displaced persons, worsening poverty and misery;

Welcoming the commitment of the office of the High Commissioner for Human Rights to include actions in favour of National Human Rights Institutions in their dealing with refugees, displaced persons, worsening poverty and misery;

Aware that without peace human rights and development cannot be sustainable;

Noting that armed conflicts continue to ravage and affect the political, economic, social and cultural aspects of our African societies;

Convinced that the civil society in our countries play an important role in promoting democracy, good governance, human rights, peace and development;

Aware that often our civil society fail to reach the rural population in their efforts at sensitisation, education and empowerment;

Noting that many of our states do not appreciate and support the role of the civil society in promoting democracy, good governance, human rights and in the development of appropriate national policies;

Aware that the rights of persons with disabilities are far from being protected and promoted in all African countries;

Aware that the 56th session of the Commission on Human Rights in *Resolution 2000/51* invited treaty parties to include the rights of People with Disabilities in the monitoring of the implementation of relevant human rights instruments;

Convinced that giving equal dignity and rights and that the equalisation of opportunities for Persons with Disabilities can only be achieved through proper sensitisation of entire societies and leaders in our States and the Persons with Disabilities themselves;

Convinced that there can be no meaningful development when sections of our societies such as Persons with Disabilities are left behind in terms of development;

Noting with appreciation some best policies and practices on Persons with Disabilities within some African countries, which policies and practices ought to be emulated by others;

Aware of the commitment of the United Nations to education in human rights reflected in the Declaration of the United Nations Decade for Education on Human Rights/ *Resolution 1993/56 of 9 March 1993*), which recommends that knowledge of both theoretical and practical dimensions of human rights should be a priority objective of education policies at all levels;

Recognising the need for a permanent Secretariat for the co-ordination of the activities of the African National Human Rights Institutions;

Aware of all the above issues concerning human rights, **the Fourth Conference of African National Human Rights Institutions** convened in Kampala under the theme “**Rights- Based Approach to Development**” and discussed four thematic issues namely:-

1. Human rights-based approach to development, strategies and challenges;
2. Managing conflicts in Africa for sustainable development
3. Role of civil society in promoting good governance; and
4. Protecting and Promoting the Rights of Persons with Disabilities; and adopted the following resolutions and recommendations:-

RESOLUTIONS AND RECOMMENDATIONS

1. Human Rights based approach to development

(a) The African National Human Rights Institutions (ANHRI's) call upon African governments to:-

- (i) Adopt a **rights-based approach** to development particularly by focussing special attention on the eradication of poverty, providing universal basic education, the right to health and the right to adequate standard of living.
- (ii) Institute measures to reduce unemployment for youth;
- (iii) Strengthen economic and political co-operation among themselves generally and in particular enhance trade among themselves;
- (iv) Harmonise laws to combat cross-border crimes and in particular combat terrorism, money laundering, corruption and drug trafficking;
- (v) Strengthen the fight against crime nationally and institute measures for the rehabilitation of prisoners and their reintegration into society and to use alternative methods of punishment such as community service for petty offenders;
- (vi) To ratify the International Covenant on Economic, Social and Cultural Rights and put in place legislative and administrative measures for the

realisation of particularly, the right to health, shelter, education, food, safe water, employment and adequate standard of living and

- (vii) Take into account views of civil society organisations, and the people in drawing and implementing development programmes by putting in place effective procedures for their participation.

(b) African National Human Rights Institutions commit themselves to:-

- (i) Undertake advocacy and sensitisation of their governments, policy makers, civil society and the public about the advantages and added value of **a rights-based approach to development.**
- (ii) Monitor current development strategies in their countries with a view to analysing whether they conform to a rights-based approach to development and to make recommendations to their governments where appropriate.
- (iii) Monitor the state of economic, social and cultural rights in their countries and to make appropriate reports and recommendations to their respective state governments.

2. MANAGING CONFLICTS IN AFRICA

(a) African National Human Rights Institutions should urge their governments to:-

- (i) Institute deliberate plans for peaceful resolution of conflicts in their respective countries especially, put in place mechanisms for early warning and action to address intra-state and intra-community conflicts that could lead to genocide and other grave violations of human rights;
- (ii) Utilise existing traditional African methods of conflict resolution where appropriate as alternative methods of resolving and managing conflicts;
- (iii) Ensure that education in schools and other institutions of learning inculcate a culture of tolerance so as to prevent conflicts such as ethnic and religious conflicts;
- (iv) Design methods for timely national management of conflicts including methods for effectively dealing with the after effects of conflict with emphasis on addressing and eliminating the root causes of conflicts;
- (v) Ratify the Optional Protocol on the Convention on the Rights of the Child namely the Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography; and on Children in Armed Conflict;

- (vi) Ratify the Ottawa Treaty prohibiting the production, distribution and use of anti-personnel landmines;
 - (vii) Develop a legal regime from the guiding principles of the United Nations to address the protection of the rights of the internally displaced Persons;
 - (viii) Work out legal and practical measures for the elimination of the illegal possession of small and light weapons which are major contributors to conflict, insecurity and terrorism.
- (b) African National Human Rights Institutions commit themselves to:-**
- (i) Pay greater attention to issues related to peace, conflict resolution, democracy and development;
 - (ii) Empower the media on proper reporting on issues concerning human rights, conflicts and development;
 - (iii) Play a greater role in peace education, the importance of tolerance and the greater ideal of peaceful co-existence.
- (c) African National Human Rights Institutions should:**
- (i) Call upon the international community through international co-operation to consider a “**Marshal Plan**” for war ravaged economies of Africa to help restoration of conditions in which peace may continue to prevail;
 - (ii) Request the office of the High Commissioner for Human Rights in conjunction with UNESCO to spearhead efforts towards the creation of a Convention on the Right to peace.

3. ROLE OF CIVIL SOCIETY IN THE PROMOTION OF GOOD GOVERNANCE

- (a) African National Human Rights Institutions should urge their governments to:-**
- (i) Legally recognise and support the autonomous role of civil society organisations in promoting good governance, human rights and development;
 - (ii) Use local solutions in solving local problems;
 - (iii) Adopt educational policy which encourages intra-continental dialogue using major languages of communication and also to respect and promote use of local languages;

(b) African National Human Rights Institutions commit themselves to:-

- (i) Encourage and assist civil society organisations to play a stronger role in the provision of civic education, and to empower marginalized groups to know their rights and how to demand them;
- (ii) Encourage and assist civil society organisations to develop an ethical code of conduct to guide them in their vision, mission and activities, and also which should be in the best interest of their nations;
- (iii) Call upon civil society organisations in their countries to play a stronger role in the development of their countries;
- (iv) Urge civil society organisations in their countries to sensitise the public on the right to development and about the social, economic impact of globalisation as well as the root causes of under-development;
- (v) Urge the civil society to persuade NEPAD to give them a role in their development planning and activities.

4. PROMOTION AND PROTECTION OF THE RIGHTS OF PERSONS WITH DISABILITIES

(a) African National Human Rights Institutions should urge their governments to:-

- (i) Put in place effective measures for immunization of young children from preventable diseases;
- (ii) Enact and enforce effective traffic and driving rules as well as other safety measures in order to minimise accidents which often cause many disabilities;
- (iii) Take steps to educate and sensitise the general public on the Rights of Persons with Disabilities;
- (iv) Put in place legal and practical measures, in co-operation with Persons with Disabilities for affirmative action in all areas that concern Persons with Disabilities;
- (v) Guarantee equal employment opportunities for Persons with Disabilities through enforcement of laws in all work places to ensue recruitment and access of Persons with Disabilities to employment;

- (vi) To enact laws that ensure physical accessibility and reasonable accommodation of People with all types of Disabilities to all public premises and facilities;
- (vii) Mainstream the rights of Persons with Disabilities and other vulnerable groups in all development plans and policies and ensure consultation with them on any programmes that affect them;
- (viii) Generally put in place measures for full equalisation of opportunities for Persons with Disabilities to enable them achieve all their potentials.

(b) African National Human Rights Institutions are encouraged to:-

- (i) Take steps to educate the public about the Rights of Persons with Disabilities;
- (ii) Monitor governments' implementations of laws protecting Persons with Disabilities taking into consideration that legislation without action is not enough to guarantee any right;
- (iii) To fully participate in the upcoming discussions on the draft Convention for the Protection and Promotion of the Rights and Dignity of Persons with Disabilities and as much as possible to assist representatives of Persons with Disabilities to participate in the discussions.

(c) African National Human Rights Institutions:-

- (i) Requests the Office of the High Commissioner for Human Rights to assist and facilitate a meeting of ANHRIs to discuss issues related to the Promotion and Protection of Rights of Persons with Disabilities in preparation for the 2003 Geneva meeting on the draft Convention on the Promotion and Protection of the Rights and Dignity of Persons with Disabilities;

5. ESTABLISHMENT OF A PERMANENT SECRETARIAT AND RULES OF PROCEDURE

- (i) The 4th Conference of ANHRIs resolved to establish a permanent Secretariat for the African National Human Rights Institutions to be hosted, for the first three years, by the South African Human Rights Commission and to authorise this, adopted a Memorandum of Understanding between themselves and the South African Human Rights Commission;

- (ii) The conference also discussed and adopted the Rules of Procedure which will regulate the operation of the Co-ordinating Committee of African National Human Rights Institutions.

6. CONCLUSION

Delegates to the 4th Conference of African National Human Rights Institutions passed a vote of thanks to the following:-

- (i) H.E Yoweri Kaguta Museveni, the President of the Republic of Uganda for his stimulating and educative opening speech and for the expression of confidence in the work of National Human Rights Institutions;
- (ii) Honourable Benjamin Odoki, the Chief Justice of Uganda for his illuminating remarks during the closing ceremony;
- (iii) Honourable Janat Mukwaya, the Minister of Justice of Uganda for her welcome and encouraging speech about the work of National Human Rights Institutions.
- (iv) The people and government of Uganda for the warm and fraternal welcome accorded to all delegates and participants to the conference;
- (v) The Uganda Human Rights Commission for the excellent arrangements which made sure the conference was a success;
- (vi) The Mayor of Kampala, His Worship Ssebaana Kizito for a wonderful evening of African Gala and performance and throbbing African dance and songs;
- (vii) The Office of the High Commissioner for Human Rights, the International Co-ordinating Committee of National Human Rights Institutions, the Co-ordinating Committee of the African National Human Rights Institutions, for their various contributions to the success of the conference.

Kampala 16, August, 2002