



# Network of African National Human Rights Institutions (NANHRI)

**Annual Report  
Report, 2020**

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(NANHRI)**

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*NANHRI Secretariat staff meeting in Lukenya, Machakos County, for the 2020 annual planning retreat in January 2020. Photo: Secretariat.*

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## List of abbreviations

ACHPR	African Commission on Human and Peoples' Rights
AUC	African Union Commission
CNDH-RDC	Commission Nationale des Droits de l'Homme de la République Démocratique du Congo
CSOs	Civil Society Organisations
DIHR	Danish Institute for Human Rights
DRC	The Democratic Republic of the Congo
GANHRI	Global Alliance of National Human Rights Institutions
KNCHR	Kenya National Commission on Human Rights
NANHRI	Network of African National Human Rights Institutions
NGOs	Non-governmental organizations
NHRIs	National Human Rights Institutions
OHCHR	Office of the UN High Commissioner for Human Rights
PI	Protection International
RWI	Raoul Wallenberg Institute for Human Rights and Humanitarian Law
SIDA	Swedish International Development Agency
SOGIE	Sexual Orientation and Gender Identity and Expression
TPP	Tripartite Partnership
SRHR	Sexual Reproductive Health Rights
UNAIDS	United Nations Programme on HIV/AIDS
UNDP	United Nations Development Programme
UNFPA	United Nations Population Fund

## Message from the Chairperson



It is a pleasure for me to pen down this message on my final year as the chairperson of the Network of African National Human Rights Institutions (NANHRI).

It is also a privilege for me to have served the members on the last leg of the 2015-2019 Strategic Plan, which has enabled us support our members to deliver on their human rights mandate as per the Paris Principles.

Over the last five years, we have also intensified our collaboration with the regional and international treaty bodies with the aim of strengthening our partnership towards the common goal of an Africa where rights are enjoyed to the fullest.

However, it has been a rough ride because a number of factors have derailed us. Corona virus disease (Covid-19) worsened matters with increased human rights violations as State agencies implemented measures for preventing the spread of the pandemic.

The pandemic compounded the perennial struggle in dealing with other matters like armed conflicts in the same year the African Union hoped to silence guns in the region.

In the process of responding to the heightened violations, human rights defenders, including national human rights institutions (NHRIs) and civil society organisations faced a myriad of challenges in form of reprisals from the State. This was worsened by failure to recognise HRDs as essential services.

While the fight against Covid-19 continues across the continent and the globe, we will endeavour to partner with the national, regional and international entities in ensuring that the gains made in the fight against impunity and other forms of human rights violations are sustained. This will be through seeking technical and financial support in short term and long-term interventions towards a human rights-based approach to sustainable and better recovery together beyond Covid-19.

As we move into the next Strategic Plan, we also look forward to strengthening the capacities of our members in contributing to tackling emerging human rights issues using the national, regional and international mechanisms. At the NANHRI level, we remain committed to linking the to the treaty bodies and providing the required guidance because it is our conviction that when they deliver on their human rights mandate at the national level, it contributes to a better and safe Africa for us all.

As I hand over soon the leadership to the new Chairperson of NANHRI in the next General Assembly, you can always count on my support and advise.

Mr Mohamed Fayek

Chairperson, NANHRI.

## Message from the Executive Director



The year 2020 closes the curtain under the just concluded strategic plan spanning the period 2015-19. This report therefore is the last in that strategy period. On behalf of the Secretariat of NANHRI, I thank our members and partners for the technical, financial and in-kind support over the last six years that has enabled the successful pursuit of our mission work in support of all our Network members. It has been a highly challenging, but equally rewarding journey of service to our members through implementation of activities aligned to the five goals as set by the Network of African NHRIs in the 2015-2019 Strategic Plan. Through our various programmes and projects, we managed to address several human rights issues on the continent thereby allowing citizens to live and enjoy their right to a life with dignity.

Although some of the issues remain a challenge and have been compounded by the disruptions of Covid19, we are strengthening our internal capacity at the Secretariat to surmount them.

In the course of 2020, we assessed our members areas of interest in order to provide for targeted responses to members priorities. The emerging priority areas were packaged into the new NANHRI 2021-2025 Strategic Plan under three broad objectives:

**Strategic objective one:** *enhanced capacity of NHRIs in Africa to deliver on their mandate;*

**Strategic objective two:** *enhance the promotion, protection and fulfilment of human rights in Africa;*

**Strategic objective three:** *enhance the organisational development and institutional sustainability of NANHRI.*

NANHRI is alive to the fact that Covid-19 and its associated pandemics have derailed gains made over the last decade in advancing human rights. We take cognizance that NHRIs are also adjusting their work to incorporate the emerging issues for a holistic human rights preservation.

In our annual work plan, which we shall be sharing with the members through the General Assembly, we will endeavour to also adjust our activities for better service.

Similarly, we recognise the role of NHRIs in delivery of Agenda 2030 of the Sustainable Development Goals and Agenda 2063 of the African Union. In 2017, during the 11<sup>th</sup> NANHRI Biennial Conference in Kigali, Rwanda, the African NHRIs committed to provide a human rights-based approach to the implementation of the two agendas. As the Secretariat, we remain committed to this course in ensuring No One is Left Behind in the Africa We Want. This will be carried out under the frameworks of sustainable recovery beyond Covid-19.

To this end, we look forward to intensified partnership between and among all the human rights actors for the next five years.

Mr Gilbert Sebihogo

Executive Director, NANHRI

# Executive Summary

As is the practice, the Secretariat of the Network of African NHRIs developed a draft Annual Work Plan for 2020 in January the same year. Activities were scheduled based on the Five Goals of the 2015-2019 Strategic Plan, whose implementation was extended for one year by the General Assembly.

The year 2020 was a very challenging one. In February 2020 the continent reported the first case of Corona Virus Disease (COVID-19), occasioning a huge disruption to the activities of the Secretariat. In response to the growing pandemic, most States adopted stringent containment measures to control the spread of the virus. This necessitated swift action and adaptive programming to ensure the Secretariat and the members fulfil their human rights mandate.

After consultation with the Steering Committee (SC) and partners, most activities were moved to online platforms, with others rescheduled to later times with the hope of slowed infections of the virus. This report, therefore, covers activities implemented virtually, physically or blended as dictated by the prevailing situation.

Some of the key results realised in the reporting period include the NHRIs of Côte d'Ivoire and Mauritania acquiring 'A' status accreditation, effectively bringing the number of full Paris Principles compliant members to 23. The Secretariat also convened the inaugural NANHRI NHRIs Forum on the margins of the African Commission on Human and Peoples' Rights (ACHPR). This platform was also an opportunity for launching the Regional Mechanisms Database, which collates all decisions of the regional and sub-regional human rights mechanisms into one repository. At the same time, NANHRI Guide for NHRIs in implementing the ACHPR's Resolution 275 was also launched. This guide has been a key reference material for the NHRIs and CSOs in their advocacy and public engagement work.

Against the backdrop of the use of excessive force by security agents in the enforcement of the Covid-19 prevention measures, the Network of African NHRIs offered a platform to the members to share experiences and good practices in fulfilling their human rights mandate through webinars, and establishment of a dedicated sub-website on Covid-19. In the same breath of fighting impunity, the NHRIs of Sierra Leone, Uganda and Nigeria developed national action plans for decriminalisation of petty offences in collaboration with local State-and non-State stakeholders.

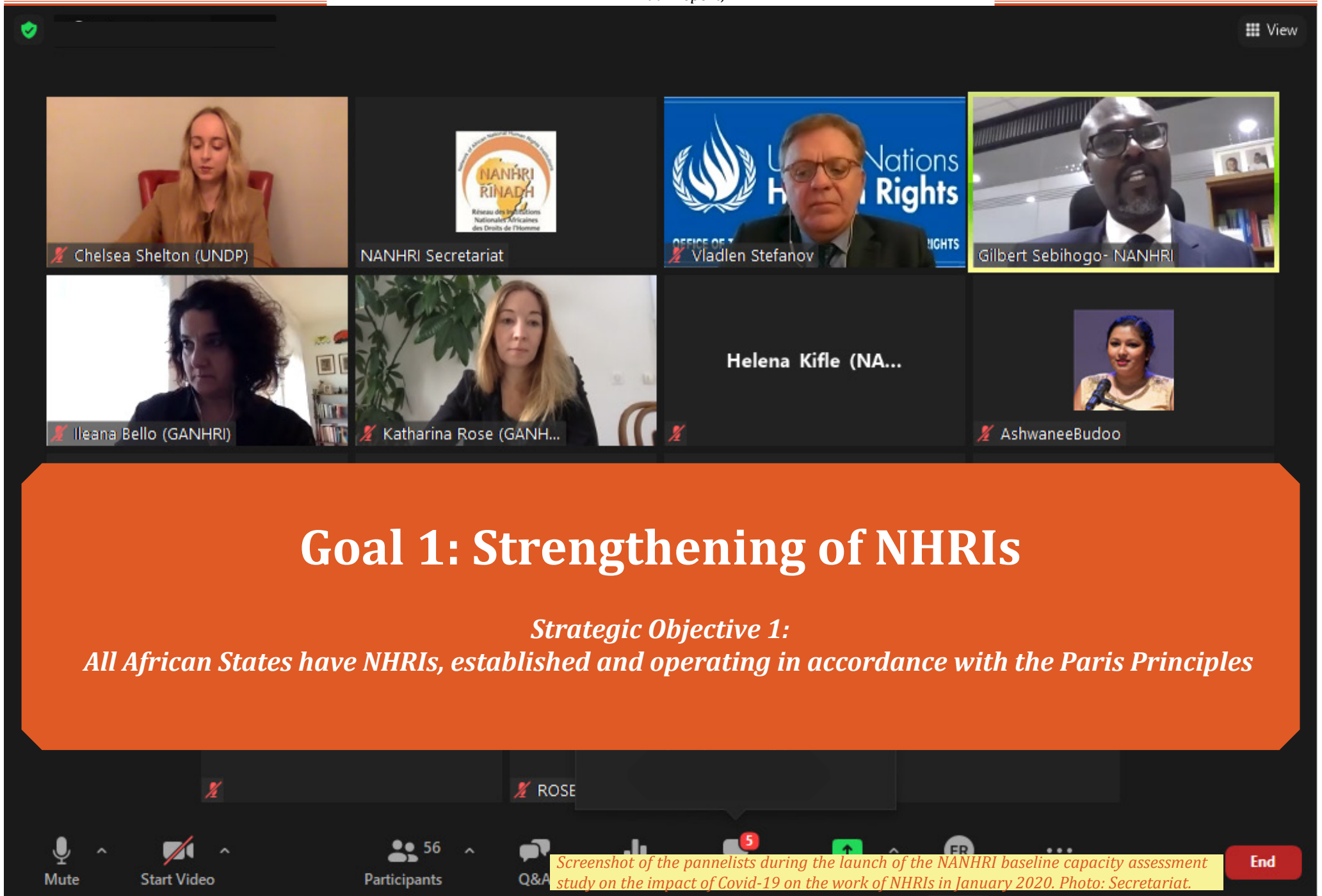
Further, in the face of increased reprisals against human rights defenders (HRDs), various tools were developed based on assessments of the situations in select countries, and guided by the Marrakech Declaration (2018) of the Global Alliance of National Human Rights Institutions.

In spite of the challenges, the Secretariat is proud of the successes realised through the implementation of the planned activities. This report, therefore, gives an account of the progress achieved, a financial statement as well as the NANHRI membership and accreditation status.



*A medical practitioner takes samples for Covid-19 testing in Nairobi, Kenya. Covid-19 was a major challenge in 2020 disrupting work in all sectors. Photo: Secretariat.*







## ***Enhancing compliance of African NHRIs to the Paris Principles***

### **Induction for new commissioners of the Commission for Human Rights and Good Governance of Tanzania**

NANHRI conducted a capacity building workshop for the new commissioners of the Commission for Human Rights and Good Governance of Tanzania (CHRAGG) on their role in preservation of human rights as per the national, regional and international instruments on January 30, 2020 in Dodoma.

In particular, the workshop helped the commissioners, who were sworn into office on November 3, 2019, understand their mandate as defined by the CHRAGG Act, 2001, the Constitution of the United Republic of Tanzania, the Paris principles and other regional and international human rights instruments.

In the workshop, the Executive Director of NANHRI also highlighted the requirement of the NHRI to collaborate with other State and non-state actors, including civil society organisations (CSOs) in improving the human rights situation in the country within their promotion, protection and advocacy mandate as prescribed by the Paris Principles. The importance of such collaboration for expansion of the shrinking civic space in the country and safety of human rights defenders (HRDs) as per the Marrakech Declaration adopted by members of the Global Alliance

of National Human Rights Institutions (GANHRI) in October 2018 was emphasised.

The forum highlighted the importance of being accountable to stakeholders through the publication of annual reports that can allow them to monitor institutional progress. CHRAGG has not published any annual report for the past five years.

Another meeting of understanding areas of partnership between the CHRAGG and the Tanzania Human Rights Defenders Coalition (THRDC) was held in Dar es Salaam on January 31, 2020.



*A group photo of the CHRAGG-Tanzania induction workshop for commissioners led by NANHRI.*



## Capacity assessment and development support for the *Commission Nationale des Direitos Humananos -Mozambique*

NANHRI and a team of experts recommended capacity development programmes for strengthening the *Commission Nationale des Direitos Humananos- Mozambique* (CNDH-Mozambique) following an assessment of the institution on February 24-29, 2020 in Maputo, Mozambique.

The team, which comprised experts from the NANHRI, the Ombudsman Office of Portugal, Office of the High Commissioner for Human Rights (OHCHR), the United Nations Development Programme (UNDP) identified various gaps below upon which they made the recommendations.

### Key findings:

1. The commission is not established by the constitution, but by a law, which underlines its mandate of promotion and protection of human rights. The commission interprets its mandate as monitoring of detention centres and managing a modest number of cases/complaints, while promotion is viewed mainly as training on human rights, and offering some advice to draft bills.
2. Most interventions on human rights violations by the institution are as requested by other stakeholders; the institution does not act on its volition even on systemic issues like the widespread child marriages.
3. The credibility of the commission has been dented by failure to publish annual reports on violations. As of the time of the assessment, the 2018 annual report was a draft.

4. The commission has never drafted its own report on human rights situation in the country for submission to regional or international mechanisms which Mozambique is party to. It has, however, engaged and contributed to reports of CSOs.

After the assessment, the team held discussions with the Speaker of Parliament, Ministry of Education and Human Development, Ministry of Interior, Ministry of Public Service, Minister of Finances and Economy and Ministry of Justice and called for capacity building support to the institution to meaningfully carry out its mandate.

The exercise was conducted under the Tripartite Partnership Agreement of GANHRI-OHCHR-UNDP's support on building and strengthening the capacity of NHRIs.



*A group photo of the commissioners of the Commission Nationale des Direitos Humananos-Mozambique and a team of experts during the needs assessment exercise led by NANHRI in February, 2020 in Mozambique. .*

### Two African NHRIs supported in the accreditation process

The *Conseil National des Droits de l'Homme de Côte d'Ivoire* (CNDH-CI) and the *Commission Nationale des Droits de l'Homme de Mauritanie* (CNDH-Mauritanie) received 'A' status from the GANHRI Sub Committee on accreditation after its virtual session held on December 7-17, 2020<sup>1</sup> following the technical support of NANHRI. This means the institutions are in full compliance with the Paris Principles.

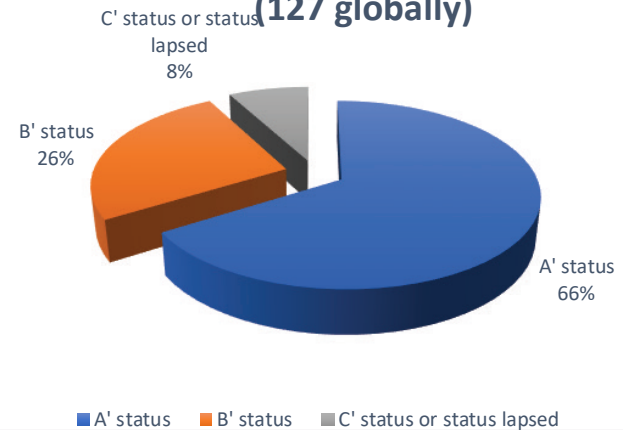
This was a culmination of intense technical assistance of about three years to the two institutions on compliance in law and practice and practice. NANHRI on December 2, 2020 submitted a statement of an assessment of how the NHRIs have complied with the Paris Principles.

The CNDH-Mauritanie was downgraded from 'A' to 'B' status in 2018. The NHRI applied for reaccreditation based on how it had addressed the issues raised by the SCA in the previous review while the CNDH-CI was appearing for the first time after reestablishment as a new institution under a revised legislation.

This brings to 23, members of NANHRI, which are in full compliance with the Paris Principles. Apart from being the biggest network in membership across the globe consisting of 46 NHRIs.

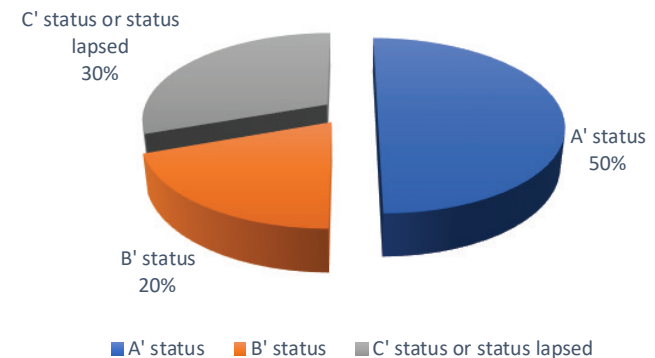
<sup>1</sup> <https://www.ohchr.org/Documents/Countries/NHRI/StatusAccreditationChartNHRIs.pdf>

### GANHRI members accreditation status (127 globally)



NB: The old institutions of Cote d'Ivoire and Madagascar, which have been replaced, are included in this total number.

### NANHRI members accreditation status (46 regionally)



NB: The old institutions of Cote d'Ivoire and Madagascar, are not included. Others are yet to be accredited

**Key:**

- 'A' Status: Full compliance with the Paris Principles
- 'B' Status: Partial compliance with the Paris Principles
- 'C' Status: Non-compliance with the Paris Principles

## Ending armed conflicts

### NANHRI, OHCHR and UN Special Envoy of the Secretary-General for the Great Lakes Region led capacity building for Great Lakes Region NHRIs on sustainable peace

#### A non-State actors consultative meeting in Mauritania hosted in collaboration with Mauritania NHRI on joint initiatives in human rights promotion and protection

*La Commission Nationale des Droits de l'Homme de la Mauritanie (CNDH-Mauritanie)* has embraced working with non-State actors in a strategic partnership in alleviating the human rights situation in the country as per recommendations of NANHRI-led discussions in 2019.

In a meeting held in Nouakchott between the CNDH and the stakeholders under the umbrella of the Thematic Group of Human Rights and Democracy in September 10, 2020, over 30 participants agreed to mobilise and take advantage of their technical and financial resources to address the violations of socio-economic, and cultural rights challenges in Mauritania. NANHRI Executive Director participated this meeting virtually.

In a past appearance before the SCA, the *CNDH-Mauritanie* was accused of a bad relationship with the CSOs and other non-State actors in its work, a factor that contributed to the downgrading of the institution from 'A' to 'B' status. It was one of the issues NANHRI helped the institution to address in readiness for the reaccreditation in 2020.

Three NHRIs from the Great Lakes Region developed national roadmaps towards ending armed conflicts for sustainable peace, giving life to implementation of the Nairobi Declaration on Justice and Good Governance adopted on May 15, 2019.

The participants from the *Commission Nationale des Droits de l'Homme et des Libertés Fondamentales en République Centrafricaine*, the *Commission nationale des droits de l'homme du Congo Brazzaville* and *Commission Nationale des Droits de l'Homme en République Gabonaise*, the National Commission for Human Rights of Rwanda, the *Commission nationale des droits de l'homme du République démocratique du Congo* and the National Commission on Human Rights and Freedoms of Cameroon developed the roadmaps in form of action plans after the July 22-23, 2020 meeting.



*NANHRI Executive Director holds bilateral talks with Barbara Matasconi the Human Rights and Justice Adviser at Office of the Special Envoy of the UN SG-GLR in Nairobi in February 2020 on supporting NHRIs in the Great Lakes Region in promoting sustainable peace.*



The virtual meeting, which comprised 42 participants from States, NHRIs and CSOs, was organised by NANHRI, the United Nations Office of the Special Envoy of the Secretary-General for the Great Lakes Region, the Secretariat of the International Conference of the Great Lakes Region (ICGLR) and the OHCHR on strengthening the capacity of the NHRIs in sustainable peace process.

Other NHRIs targeted by the training included the NHRIs of Burundi, Equatorial Guinea and Sao Tome and Principe as well as representatives of the States like Angola- although the country has no NHRI.

The NHRIs of Rwanda and DRC, which enjoy 'A' status accreditation contributed to the training as resource institutions and examples with the aim of strengthening and encouraging the other

NHRIs to be effective in human rights promotion, protection and advocacy as prescribed by the Paris Principles. They shared their experience and good practices on their journey to full compliance with the Paris Principles and how they have sustained the status.

Out of the two-day meeting, the following challenges within NHRIs were identified.

- Weak establishing laws
- Political and other forms of interference on independence
- Lack of popularism in appointment and recruitment of commissioners
- Limited human and financial resources

Out of the meeting, the participants agreed to:

- Adopt the outcome, comprising the country-specific roadmaps developed by the delegations;
- Obtain a firm assurance from respective countries' authorities to take all necessary actions to implement the roadmaps, in line with their commitments made in the Nairobi Declaration on Justice and Good Governance;
- The ICGLR to periodically engage Member States to report back on their achievements;
- Call on the ICGLR, O/SESG-GL, OHCHR, NANHRI and other partners, including other UN agencies, international organisations and development partners to support the implementation of the roadmap and other initiatives towards the strengthening of NHRIs, including on their COVID-19 related activities;
- These discussions on the roadmaps and strategies for effective implementation will have a national dimension and build regional cooperation amongst the NHRIs and other actors on rule of law issues;
- Organise a regional workshop in early 2021 to take stock of the progress in the implementation of the roadmaps.



*A screenshot of some of the pannelist during the workshop on sustainable peace in the Great Lakes Region in July, 2020. Photo: Secretariat.*





#SilencingTheGuns  
#NHRIs

Session I  
EAT/HAE:  
1300hrs-1500hrs



**Fourth AUC-NANHRI Policy Forum on the State of National Human Rights Institutions in Africa**  
*Theme: National Human Rights Institutions' Contribution to 'Silencing the Guns' in Africa*

**4ème Forum politique CUA-RINADH sur l'état des institutions nationales des droits de l'homme en Afrique**

*Thème: Contribution des Institutions nationales des droits de l'homme à la campagne « faire taire les armes » en Afrique»*



Mr. Mohamed Fayek,  
Speaker



H.E. Ambassador Xolisa Makaya,  
Speaker



Amb. Amb Salah Hammad  
Moderator



Ms. Ulla André,  
Speaker



H.E. Minata Samate Cessouma  
Speaker



Hon. Dr. Solomon Ayele Dersso  
Speaker



Ms. Nwanneakolam Vwede-Obahor  
Speaker



H. E. Baye Moctar Diop  
Speaker



Mr. Gilbert Sebihogo  
Speaker



**Date: 22 - 24 Sep 2020; Venue: Virtually/ Virtuel (Zoom)**

*The Policy Forum will be streamed live on Facebook Network of African National Human Rights Institutions.*

*Join the Conversation on Facebook and Twitter @NANHRI40*

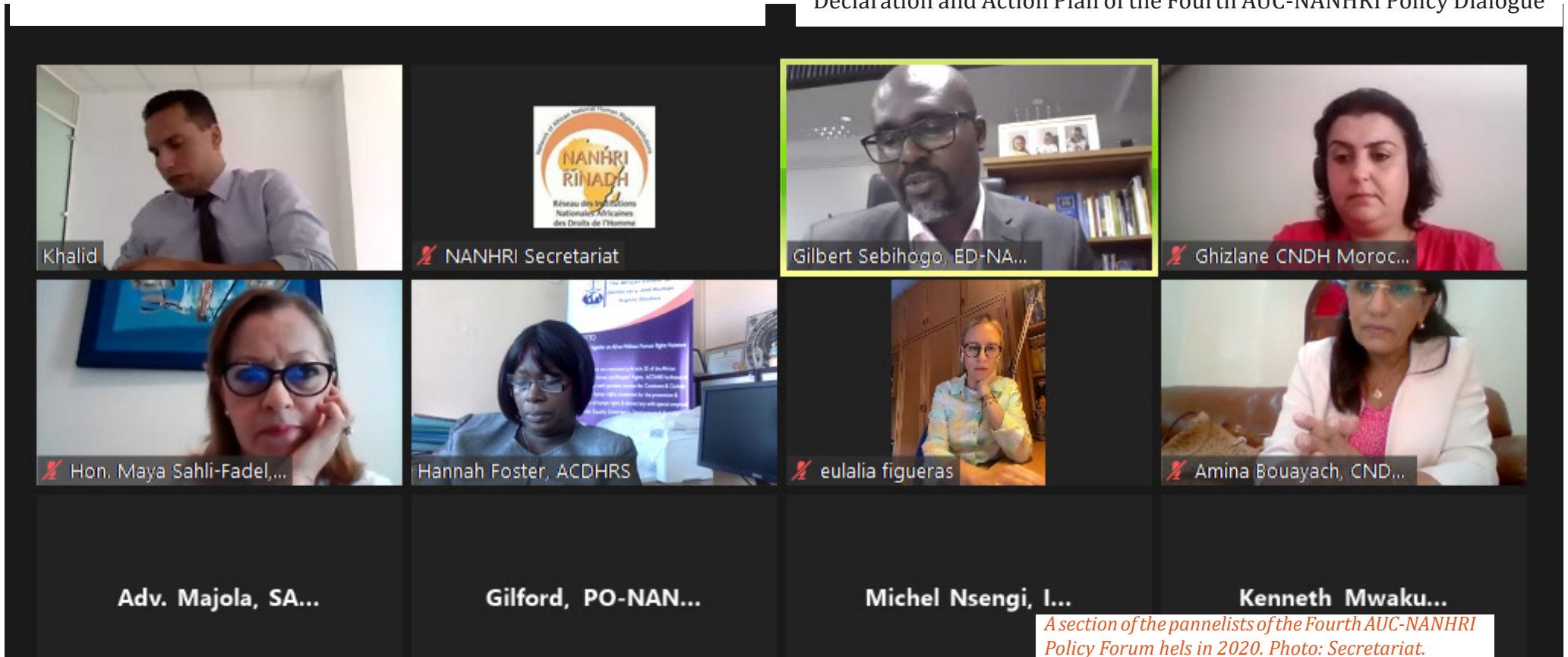
## The 4<sup>th</sup> AUC-NANHRI Policy Dialogue Forum on the State of National Human Rights Institutions in Africa

The Forth Policy Dialogue Forum on the State of National Human Rights Institutions in Africa, was held virtually on 22-24 September 2020 under the theme “*National Human Rights Institutions’ Contribution to ‘Silencing the Guns’ in Africa*”. The Policy Dialogue Forum was organised by NANHRI and the African Union Commission Department of Political Affairs (AUC-DPA) in partnership with Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWI).

It was attended by a total of 128 participants (58 men and 70

women) drawn from NHRIs, Members of the African Union Permanent Representatives Committee, Representatives of relevant African Union and Regional Economic Communities Organs, Representatives of relevant UN bodies, experts, academicians, civil society organisations and development partners.

Presentations during the Forum focused on the conflict situation, challenges and what has been done to silence the guns. The discussions, which also involved two working groups, evaluated the role of NHRIs in monitoring and responding and mainstreaming human rights into sustainable peace. Further, prevention through addressing courses and taking remedial measures were discussed culminating in adoption of the Declaration and Action Plan of the Fourth AUC-NANHRI Policy Dialogue





Forum on September 24, 2020.

The Chairperson of the Permanent Representatives Committee to the African Union, who is also the South African Ambassador to Addis Ababa, Hon. Edward Xolisa Makaya emphasised that a conducive environment for socio-economic recovery is key in Africa. He added that development is key to addressing the needs of the people and reduce disgruntlement, and that NHRIs and other actors must lead in advocating for rule of law and supremacy of human rights.

Chairperson of the African Commission on Human and Peoples' Rights Dr Solomon Ayele Dersso, who also was in attendance highlighted that NHRIs must be steadfast in monitoring and reporting on human rights violations during conflicts in addition to contributing to lasting solutions. This echoed the remarks of the NANHRI Chairperson, Mohamed Fayek who called on African Union Members to deeply engage the NHRIs in conflict prevention, management and resolution in all processes of decision making and implementation.

Participants of the Forum developed a declaration and a regional action plan as a roadmap to ending armed conflicts in Africa. The action plan outlines various actions to be undertaken by NHRIs in collaboration with other stakeholders.

The actions covered seven areas namely: Conflict prevention through addressing causes and triggers; Human rights protection in conflict situations; Supporting and facilitating peace processes; Cooperation with national, regional and international human rights mechanisms; Monitoring and promoting implementation of peace agreements; Post conflict reconciliation, reconstruction and rehabilitation processes; and supporting accountability and transitional justice mechanisms and ending impunity.

## Key outcomes

1. Increase in the number of African NHRIs that are fully compliant with Paris Principles, from 21 to 23 following the successful accreditation of the *Conseil National des Droits de l'Homme de Côte d'Ivoire* and the *Commission Nationale des Droits de l'Homme de Mauritanie* which were granted with 'A' status (full compliance) accreditation.
2. The development and adoption of the declaration and plan of action on the role of NHRIs in silencing the guns in Africa
3. The development and adoption of road maps for the Great Lakes NHRIs of Central African Republic, the Republic of Congo and Gabon and Rwanda to guide interventions in strengthening their institutional and functional framework and capacities.
4. Enhanced awareness of the NHRIs of République centrafricaine, Republic of Congo and Gabon in relation to the requirements for full compliance to the Paris Principles.
5. Enhanced awareness and understanding of NHRIs mandate of promotion and protection of human rights as per the constitution, enabling legislation, regional and international instruments by the commissioners of Tanzania's CHRAGG. .
6. Enhanced cooperation and collaboration between the CSOs and CHRAGG in the advancement of human rights in Tanzania. A national NGOs forum for exchange of information between and among the human rights stakeholders in the country is expected to be established to sustain the engagement.
7. Enhanced ability of the NHRI of Mozambique to strengthen their institutional capacity in making use of the recommendations provided from the capacity assessment undertaken.

## Goal 2: Enhanced Respect and Adherence to Economic, Social, and Cultural (ECOSOC) Rights

*Strategic Objective 2:  
At least 75% of African States have articulate and operational core minimum standards on realization of economic, social, and cultural rights*



*NANHRI Regional Exchange Workshop on African National human Rights Institutions' engagement ahead of the Sixth Session of the African Regional Forum on Sustainable Development (ARFSD) in February 2020 in Victoria Falls, Zimbabwe. Photo: Secretariat.*



## Contributing to sustainable development

### African NHRIs participate and hold activities at the margins of the sixth session of the African Regional Forum on Sustainable Development in Zimbabwe

Ten members of NANHRI developed key messages for the Sixth Session of the African Regional Forum on Sustainable Development (ARFSD) during the NANHRI Regional Exchange Workshop on African National human Rights Institutions' engagement ahead of the Forum on February 22-23, 2020 in Victoria Falls, Zimbabwe.



*NANHRI Working Group members and focal points and a representative of DIHR in a group photo during the Sixth Session of the African Regional Forum on Sustainable Development (ARFSD) in February 2020 in Victoria Falls, Zimbabwe. Photo: Secretariat.*

The key messages- which were developed by the NHRIs of Cameroon, Côte d'Ivoire, Democratic Republic of Congo, Egypt, Ghana, Kenya, Malawi, South Africa, Togo and Zimbabwe- contributed to the outcome document<sup>1</sup> of the Sixth ARFSD held on February 24-27, 2020 in Victoria Falls, Zimbabwe.

The NANHRI Regional Exchange Forum, which was co-organised with the DIHR and the OHCHR, developed the key messages around five clusters, that is; people, prosperity, peace and partnership-as summarised from Agenda 2030 of the Sustainable Development Goals.

The messages focused on data collection and use, reporting general engagement in national processes and internal capacity and planning for NHRIs' effective contribution to sustainable development.

<sup>2</sup> The ARFSD 2020 Key Messages and Victoria Falls declaration can be found here: [https://www.uneca.org/sites/default/files/uploaded-documents/ARFSD/2020/arfsd-6\\_final\\_key\\_messages\\_and\\_victoria\\_falls\\_declaration\\_e2000473\\_english.pdf](https://www.uneca.org/sites/default/files/uploaded-documents/ARFSD/2020/arfsd-6_final_key_messages_and_victoria_falls_declaration_e2000473_english.pdf)

### NHRIs introduced to Fuse Universal community for global NHRIs

Representatives of the NHRIs of Ghana, Kenya, Malawi and South Africa and Cameroon- who are part of the NANHRI Working on SDGs - were trained on the Fuse Universal- a platform established by GANHRI to enhance electronic sharing of information towards realisation of SDGs in a workshop held on February 25, 2020 in Victoria Falls, Zimbabwe.

The Fuse platform, which is organised in communities depending on the thematic areas, will be central place for the NHRIs to share experiences, post



relevant information, discuss approaches to implementation of the SDGs, and ask for assistance, advice and support from peers.

Through the practical guide during the induction, the participants were able to independently access and navigate through the functionalities of the Fuse platform.

Fuse is an online knowledge management platform recommended by a gap assessment report of 2016, which among other issues, found that there is no central resource of information on various thematic areas at the GANHRI level. It was also established that the expertise on the NHRIs across the globe is least harnessed and there is a knowledge and skills gap after they leave. Fuse Universal, was adopted as the online platform to serve this purpose for the members of GANHRI under thematic areas which are structured in form of Communities.

Following the training which involved practical sessions on the application of the platform, NHRIs outlined the following ways they intend to utilise the Fuse Platform in their work:

- Sharing and accessing important information on SDGs;
- Requesting for support when encountering challenges in SDG implementation and monitoring;
- Engaging youth in human rights education activities using FUSE;
- Sharing information and documents with working group members and having virtual meetings of the working group;
- Learning from other members on the platform; and
- Exchanging good experiences with other members of the community

NANHRI identified SDGs as one of the areas that requires a Fuse Community, for knowledge management for the Working Group on SDGs. The Community was created in 2019.

## **NANHRI Working Group on SDGs reviews African Union 10-Year action Plan**

The NANHRI Working Group on SDGs contributed to the draft African Union 10 Year Action Plan on Human and Peoples' Rights Decade in Quarter 3, 2020.

Once adopted, the plan will support implementation of the Decade (2016 - 2026) for Human and Peoples' Rights.

### **Focal points on SDGs established in 20 NHRIs**

In enhancing the follow-up on implementation of the SDGs, the Network of African NHRIs identified 20 focal points from the membership in Quarter 3. The focal points will be key in following up and reporting on the involvement of the NHRIs and other critical actors in the implementation of SDGs.

### ***Contributing to regional human rights agenda***

#### **NANHRI welcomed revision of rule of procedure for affiliate status of NHRIs to ACERWC**

NANHRI lauded the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) for revising its rules of procedure to allow for granting of affiliate status to the regional body for enhanced collaboration in the protection of the rights of the child.

In delivering of opening remarks during the opening of the ACERWC's 35<sup>th</sup> Ordinary Session on August 8, 2020, the NANHRI executive Director said granting affiliate status will provide an avenue for enhance and meaningful collaboration between NHRIs and the regional body in promoting and protecting the rights of the child in Africa. The session was held on August 31-September 8, 2020.

### Key Outcomes:

1. Enhanced capacity of African NHRIs to contribute to international discourses on sustainable development as evident from the contributions made ARFSD 6<sup>th</sup> Session where their key messages were included in the outcome document.
2. Enhanced capacity of the NHRIs in monitoring implementation of Agenda 2030 and Agenda 2063 of the African Union through the engagements in various activities on sustainable development processes. With the establishment of focal points in 20 NHRIs, it will be easy for the Network for African NHRIs to collect data on SDGs.
3. Increase in dissemination and sharing of knowledge within and between NHRIs on a HRBA to sustainable development in the national context.
4. NANHRI Working Group on SDGs gained understanding of how to use Fuse Universal in interactions. By the end of the first quarter 2020, four out of the five focal points had separately logged into the NANHRI SDGs Community of Fuse Universal after the training

### Challenges and innovation

Lack of funds to support the Working Group activities since there is no standing project on it. Collaboration with partners such as the DIHR made it possible for the Working Group to execute its duties as outlined in the terms of reference.

### Lessons

Active involvement of NHRIs in the working group improves the effectiveness of NANHRI, therefore, should be encouraged in all the thematic areas.

## Goal 3: Reduction of systemic impunity in Africa, particularly violations on rule of law, and civil liberties:

### *Strategic Objective 3:*

*Improved governance in all African countries, particularly rule of law and protection of civil liberties  
(All african countries by at least 50%)*

Forum des Institutions nationales des droits de l'homme en marge de la 67ème Session ordinaire de la Commission africaine des droits de l'homme et des peuples (CADHP)

Registration/ Inscription: [https://zoom.us/webinar/register/WN\\_0wz46AbRQ3G9WQBDONMgdg](https://zoom.us/webinar/register/WN_0wz46AbRQ3G9WQBDONMgdg)

EAT/  
HAE:  
12:00hrs-  
14:30hrs



Mr. Mohamed Fayek,  
Speaker



H.E. Minata Samate Cessouma  
Speaker



Mr. Gilbert Sebihogo  
Moderator



Hon. Dr. Solomon Ayele Dersso  
Speaker



Ms Hannah Foster  
Speaker

**Date: November 10-12, 2020; Venue: Virtually/ Virtuel (Zoom)**

The NHRIs Forum will be streamed live on Facebook Network of African National Human Rights Institutions.

Join the Conversation on Facebook and Twitter @NANHRI40

## Enhancing capacity of NHRIs to support African human rights systems

### Regional Mechanisms Database launched

With more than 290 documents uploaded, NANHRI launched the Regional Mechanisms Database<sup>1</sup> (RMD) also known as the online information centre on November 12, 2020 virtually ahead of the 67<sup>th</sup> Ordinary Session of the ACHPR.

The resource centre, which will be regularly updated, provides NANHRI members and the public easy access to documents and information from all subregional and regional human rights mechanisms, in a centralised repository.

The information includes recommendations, decisions, concluding observations and judgments of the African Commission on Human and Peoples' Rights, African Court on Human and Peoples' Rights, African Committee of Experts on the Rights and Welfare of the Child (ACERWC). Others include the Southern African Development Community (SADC) Tribunal, East African Community (EAC) Court of Justice and the Economic Community of West African States (ECOWAS) Court of Justice.

The database will also contain information submitted to the regional human rights bodies by NHRIs.

This one-stop-shop platform has been developed to help the NHRIs to follow up on the implementation of the outcomes of the regional and subregional human rights mechanisms.

NANHRI developed the database to enhance the contribution of the African NHRIs in the work of regional human rights bodies in addition to engagement with regional treaty bodies.

<sup>3</sup> <https://nanhri-online-centre.uwazi.io/>

The development of the RMD was completed in the first quarter of 2020 and the uploading of the documents has been in progress. On a similar initiative, NANHRI followed up with members to submit alternative reports to the ACHPR. Technical support was offered to the National Commission on Human Rights and Freedoms of Cameroon to submit its alternative report ahead of the State report consideration. The NHRI submitted its report to the Country Rapporteur responsible for the Republic of Cameroon.

**African National Human Rights Institutions**  
Engagements with the Regional Human Rights Mechanisms

Search documents...

The aim of this database is to strengthen African National Human Rights Institutions engagements and utilisation of the Regional Human Rights Mechanisms and Outcomes.

Mechanism	Number of Documents
ACHPR	75
ACERWC	109
MechDD	0
<b>Total</b>	<b>236</b>

### **Members of NANHRI participated in the 66<sup>th</sup> Ordinary Session of the ACHPR**

Five members of NANHRI participated and issued statements at the 66<sup>th</sup> Ordinary Session of the ACHPR held virtually from July 13 to August 7, 2020.

The members included the NHRIs of Algeria, Cameroon, Kenya, Rwanda and Nigeria. The statement of NANHRI was delivered by the Chairperson Mr. Mohamed Fayek, who is also the Chairperson of the National Council for Human Rights of Egypt.

NANHRI encouraged the members to take part in this and other sessions through submission of parallel reports to State reports for the ACHPR to make informed concluding observations on matters before it. In a statement during the opening session, Chairperson of NANHRI Mr. Mohamed Fayek commended the ACHPR for the amendment of the Rules of Procedure increasing the number of sessions from two to four annually and requiring States to appoint focal persons to streamline communication between the parties.

The increase of sessions allows for more time for engagement between the regional body and its audiences and expedition of matters before the ACHPR.

### **NHRIs Forum held ahead of the 67<sup>th</sup> Ordinary Session of the African Commission on Human and Peoples' Rights**

NANHRI in collaboration with the ACHPR hosted the inaugural NHRIs Forum virtually on November 10-12, 2020 at the margins of the 67<sup>th</sup> Ordinary Session of the Commission.

In attendance were NANHRI members, the Commissioners and representatives of the ACHPR, the Department of Political Affairs of the African Union Commission (DPA-AUC), United Nations bodies, members of the diplomatic corps and development partners, CSOs and academia.

The Forum deliberated on the situation of human rights in Africa, with a specific focus on Nigeria, Côte d'Ivoire, Tanzania and Cameroon. It also discussed the electoral situation of Côte d'Ivoire and Tanzania, shrinking civic space and violations of human rights and freedoms. Participants also discussed the civil unrests in Nigeria resulting from police brutality in respect to the SARs - Special Anti-Robbery Squad accused of mass killings- and the long-standing Anglophone crisis in Cameroon which has disenfranchised the rights of innocent civilians.

NHRIs in these countries committed to work actively towards ensuring the respect of human rights. The Forum further noted that while human rights situation in some of these countries has continued to deteriorate, NHRIs, while undertaking their role as human rights defenders, are working in hostile environments. Delegates of the Forum called on African NHRIs to pursue independence and deliver on their mandate with impartiality.

The delegates discussed and adopted a statement on the human rights situation in Africa, which was delivered during the opening ceremony of the 67<sup>th</sup> Ordinary Session of the ACHPR.

Participants also drafted two resolutions that were submitted to the African Commission for further consideration.

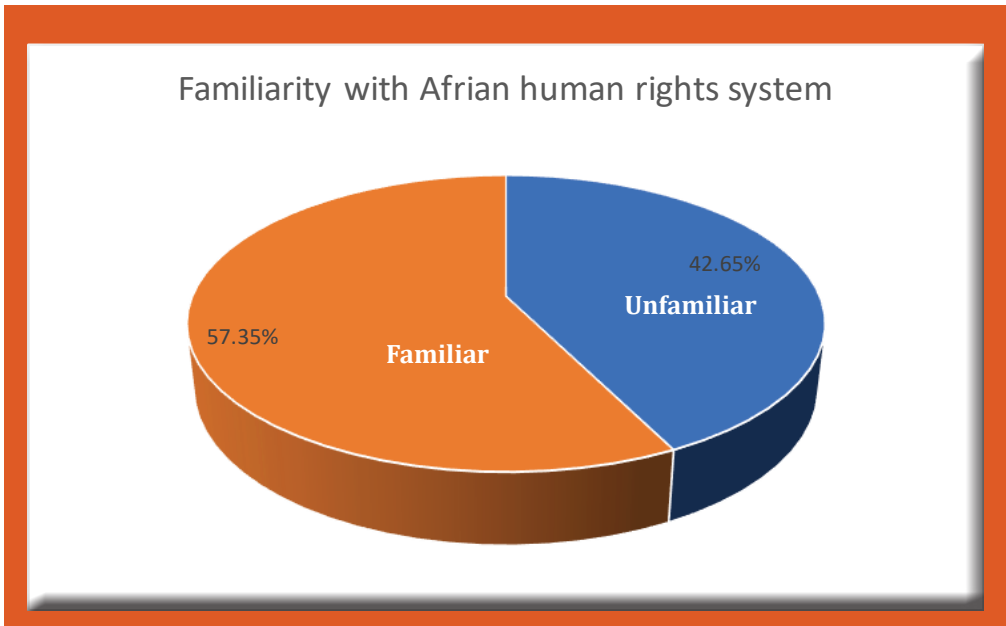
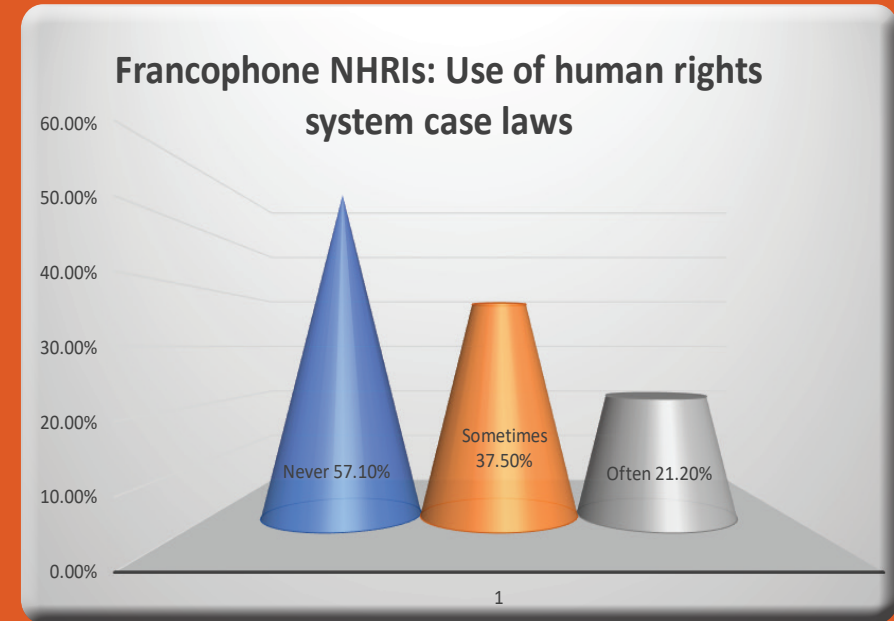
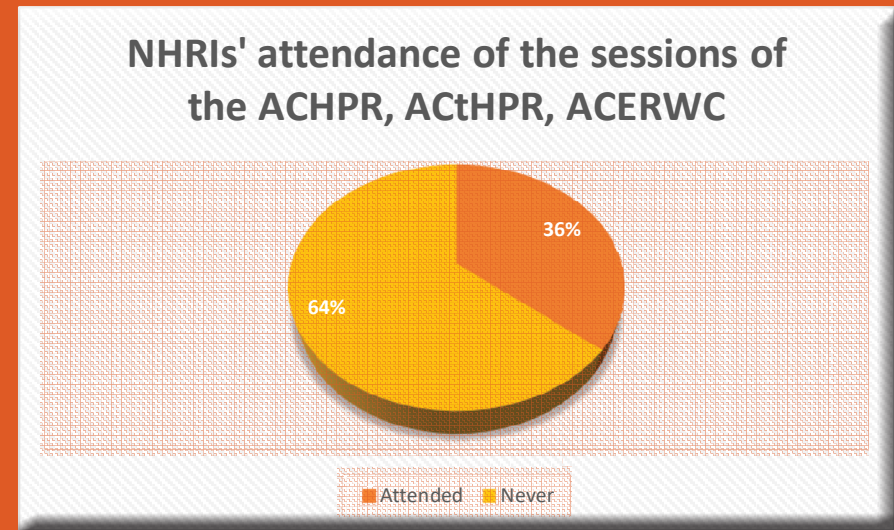


### NANHRI trained NHRIs on litigation before African human rights treaty bodies

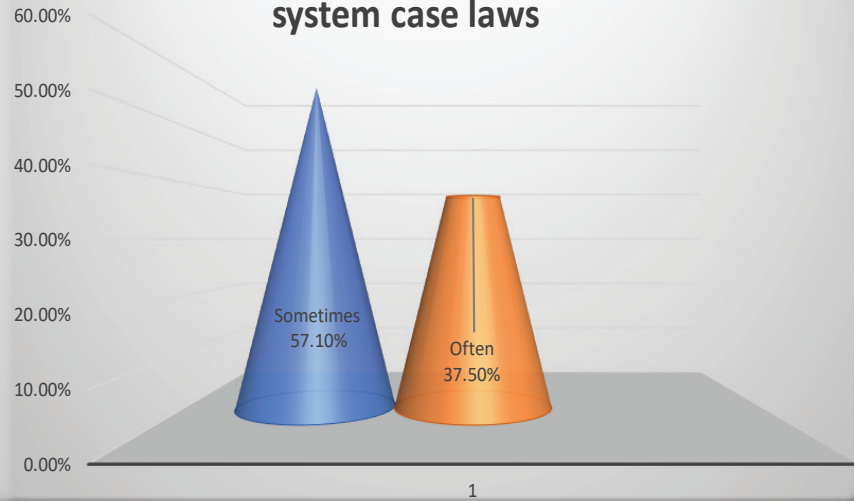
NANHRI trained 48 representatives of African NHRIs on litigation before the regional human rights bodies virtually from November 30-December 4, 2020 under the theme “Building the capacity of African NHRIs to engage in litigation before regional human rights treaty bodies”. The workshop aimed at strengthening the technical capacity of NHRIs in supporting entrenchment of a human rights culture in Africa through the ACHPR, the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), and the African Court on Human and Peoples’ Rights (ACTHPR).

Out of the survey, a training manual was developed in response to the needs of NHRIs on litigation capacities for a training.

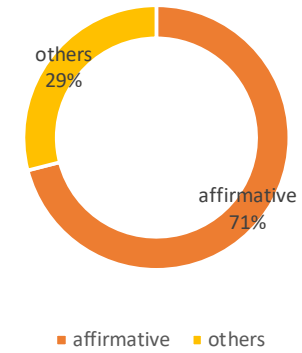
The following knowledge gaps were identified from the 47 respondents involved in the survey, and they informed the training:



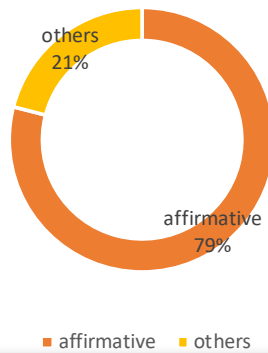
### Anglophone NHRIs: Use of human rights system case laws



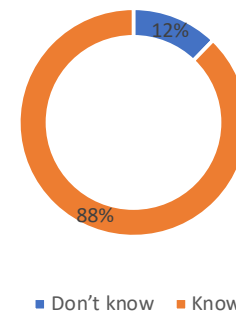
### Anglophone NHRIs: Confidence that NHRIs can file cases before African treaty bodies



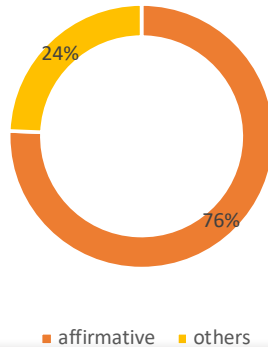
### Francophone NHRIs: Confidence that NHRIs can file cases before African treaty bodies



### Know that NHRIs mandate allows monitoring implementation of decisions of regional treaty bodies



Thinking that decisions of regional treaty bodies may be enforced by national courts



The survey revealed that while most Anglophone NHRIs have previously filed cases before national courts, most of their Francophone counterparts have never done so. However, the survey confirmed that the participating Anglophone and Francophone NHRIs have never filed cases before the regional bodies.

**Follow-up trainings:**

**a) NANHRI trained KNCHR staff on litigation at regional level**

As a follow-up to the online litigation training the Network of African NHRIs trained 19 staff of the KNCHR on presenting cases at the ACHPR, the AfCHPR and the ACERWC on December 22-23, 2020 in Nairobi, Kenya.

The training led by two experts helped the staff identify areas of intervention based on the provisions and rules of procedures of the

African human rights system.

This training was relevant to Kenya because:

- Kenya has ratified four of the seven key regional human rights treaties including the African Charter on Human and Peoples’ Rights, the African Charter on the Rights and Welfare of the Child, the Protocol on the Rights of Women in Africa (Maputo Protocol), and the Protocol on the Establishment of the African Court on Human and Peoples’ Rights.
- All the three regional human rights treaty bodies have issued adverse decisions against Kenya.
- The KNCHR has a long history of litigating at the national level and the training offered the opportunity to reflect on the prospects of leveraging this experience and extending it to the regional level.

At the end of the training, a quick survey was undertaken to assess its impact.



*NANHRI Workshop for the KNCHR staff on litigation before the regional treaty bodies. The workshop was held in December 22-23, 2020 in Nairobi, Kenya. Photo: Secretariat.*



The participants described the training as ‘educative’, ‘articulate’ and ‘enlightening’.

**How they described the training:**

*“There is space for the KNCHR to engage with the regional human rights institutions.”*

*“I have learnt of opportunities for KNCHR to follow-up on implementation of decided cases.”*

*“There is a lot to be done by [the] KNCHR regionally.”*

**b) NANHRI trained staff of the *Commission Nationale des Droits de l’Homme de la République démocratique du Congo* on litigation at regional level**

At least 35 participants from the *Commission Nationale des Droits de l’Homme* (CNDH-RDC) took part in a follow-up blended training on litigation before the regional human rights bodies on December 21-22, 2020. This was a follow-up training of the online workshop held on November 30-December 4, 2020.

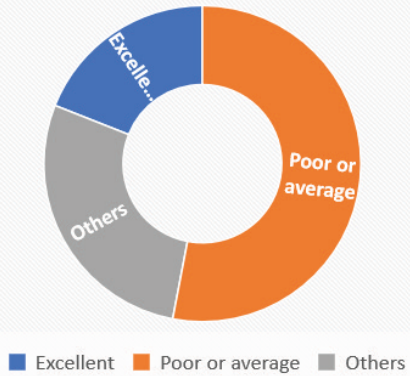
The training was held in Kinshasa while other participants joined virtually via Zoom.

At least 32 of the 35 participants participated in a survey on litigation before regional bodies. Some of the key results of the survey are as follows:

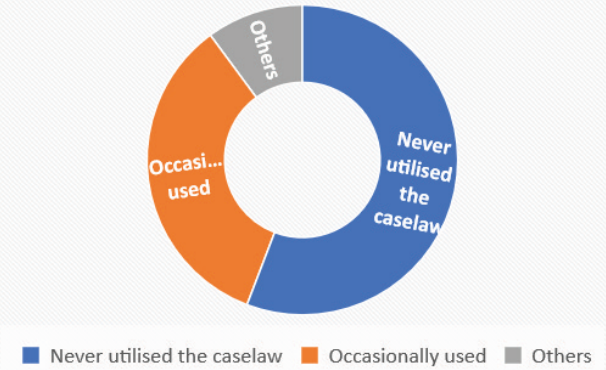


*NANHRI Workshop for the CNDH-RDC staff on litigation before the regional treaty bodies. The workshop was held in December 2020 in Kinshasa, DRC, and virtually Photo: CNDH-RDC.*

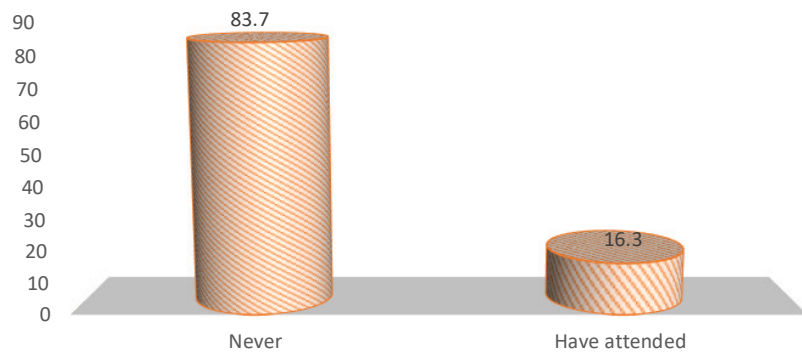
### Knowledge of the African human rights system



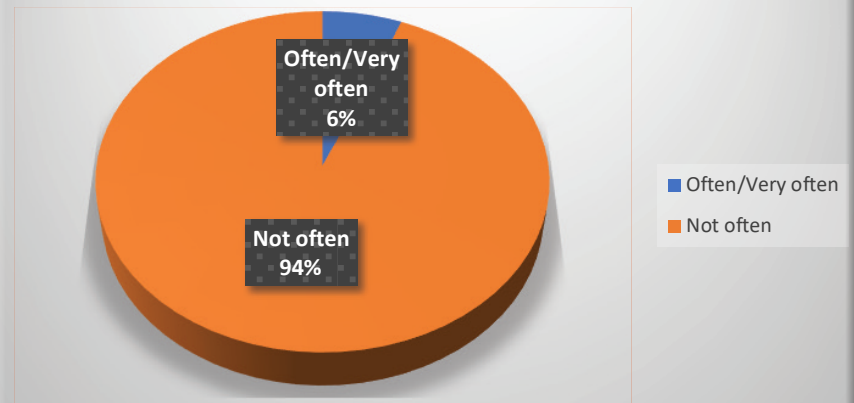
### Utilisation of the case laws of the African treaty bodies



### ATTENDANCE OF SESSIONS OF ANY OF THE REGIONAL BODIES



### Those who had utilised the case laws





Further more, the discussions focused on the role of CNDH in monitoring implementation of three previous decisions issued against the DRC.

As part of the training, the participants were also divided into three working groups for the following assignments:

- Draft a one-page shadow or parallel report to the 2017 DRC state party report submitted to the ACHPR. The groups were given the latitude to choose a theme or a provision under the Maputo Protocol on which to write specifically about;
- Develop and explain three strategies for the implementation of the ACHPR decision in *Institute for Human Rights and Development in Africa and Others v DRC (Communication 393/10)*;
- Develop five strategies to ensure the DRC ratifies the Protocol on the Rights of Persons with Disabilities in Africa and the Protocol on the Rights of Older Persons in Africa.

The training happened two weeks after the DRC officially deposited its instruments of ratification in respect to the Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights (African Court Protocol) and the African Charter on the Rights and Welfare of the Child (African Children's Charter). This means cases against the DRC can be brought before the AfCHPR and the ACERWC.

At the time of ratifying the African Court Protocol, the DRC never made the declaration envisaged under Article 34(6) to enable individuals and NGOs to directly access or file cases at the AfCHPR. At the moment, therefore, only the ACHPR and State Parties can directly file cases against the DRC at the AfCHPR.

### **Supporting NHRIs to end impunity through legal review**



*An informal trader sells goods in Freetown, Sierra Leone in November 2020. Hawking is an income generating activity, that is criminalised in most countries in Africa. NANHRI is working with NHRIs, other national actors and partners for decriminalisation of hawking and other petty offences in Uganda, Sierra Leone and Nigeria. Photo: Secretariat.*

### **A needs assessment report developed on three NHRIs for Phase II of Decriminalisation of Petty Offences**

NANHRI developed a baseline assessment report on the capacity needs of the Uganda Human Rights Commission (UHRC), Human Rights Commission of Sierra Leone (HRCSL) and National Human Rights Commission of Nigeria (NHRC), which were selected for Phase II of Decriminalisation of Petty Offences project.

Out of the assessment, NANHRI supported the three NHRIs in engaging national stakeholders like parliament to decriminalise petty offences through review of laws, regulations and policies perpetuating



discrimination and punishment of petty offenders. This review is to ensure national legal frameworks are in tandem with the constitution, regional and international instruments. One such basic guide is the ACHPR's Principles on Decriminalisation of Petty Offences in Africa, adopted in 2018 in Banjul, the Gambia.

From the report, the following areas were identified as priority areas for each NHRI:

*Uganda Human Rights Commission*

- Working towards policy reform
- Engaging the Uganda Law Reform Commission whose mandate is to review the laws of Uganda
- Lobbying relevant authorities for the decriminalisation of petty offences, training of police, prosecutors and members of the judiciary.

*National Human Rights Commission of Nigeria*

- Review of laws, policies and administrative measures and recommend decriminalisation of petty offences in Nigeria.
- Advocate for the decriminalisation of petty offences through engagement across various levels of government including engagement with law reform commission and the National Assembly for amendments of laws, policies and administrative measures contravening existing regional and international laws on petty offences.

*Human Rights Commission of Sierra Leone*

Conduct evidence-based research that will provide primary information in the field of petty offences. The outcomes of this research will show the prevalence of the type of petty offenses for which people are arrested and held in custody. It will also contribute to the on-going efforts at reforms in the criminal justice system in Sierra Leone.

Develop partnerships with other key stakeholders to complement each other in the campaign against petty offenses with the aim of avoiding duplication of efforts and

Map out intervention strategies for the repeal of the laws criminalising petty offenses.

Further to the needs, the assessment also found that hawking, minor traffic offences like speeding, urinating and washing clothes in public, prostitution, failure to pay debt, disrespecting parents, loitering and being vagabond are common criminal offences in the three countries.

These offences are disproportionately used against vulnerable people, especially the poor. For this reason, national stakeholders – state and non-state actors- have initiated some work towards decriminalising petty offences.

Based on these, the two-year project is expected to



accelerate national strategies of decriminalisation for the laws to comply with the African Charter on Human and Peoples' Rights and the Universal Declaration of Human Rights – the broad human rights frameworks. In preparation for the national consultations, a training manual was developed based on the needs. A capacity building workshop was held on August 12, 2020 involving three, two and one participants from HRCSL, UHRC and NHRC respectively.

**National consultations conducted for the UHRC, HRCSL and NHRC on the development of action plans for decriminalisation of petty offences**

**a) The Human Rights Commission of Sierra Leone**

The HRCSL developed and adopted a national action plan (NAP) for decriminalisation of petty offences after a national consultation of State and non-State actors on November 18-19, 2020 in Freetown, Sierra Leone.

Through the various activities identified in the action plan, the representatives of the NHRI, State agencies and CSOs pledged to play their roles through boardroom and public engagements, including parliament to implement the roadmap.

The NAP was developed based on the discussions of the two-day meeting on the status of petty offences in Sierra Leone.

Petty offences are in the Public Order Act, 1965<sup>4</sup>, the Road and Traffic Act, 2007<sup>5</sup> and other laws and bylaws enforced by government

<sup>4</sup> <http://www.sierra-leone.org/Laws/1965-46s.pdf>

<sup>5</sup> <http://www.sierra-leone.org/Laws/2007-5p.pdf>

*It defeats the course of justice to criminalise activities which do not have victims like hawking-  
The Court of Appeal and Sierra Leone Representative to the ICC  
Justice Miatta Samba.*



*A photo of the Sierra Leone in-country consultation meeting on decriminalisation of petty offences. The meeting was held in November, 2020 in Freetown. Photo: Secretariat.*

agencies. The petty offences in Sierra Leone laws include being rogue and vagabond, failure to pay debt, hawking, loitering, prostitution, driving without a license, speeding, among others. Upon conviction, one is liable to a sentence of up to three years and a fine (up to 1 million Leones-USD\$100) or both depending on the offence. With an overwhelmed judicial system, the Commission has established that some accused persons await trial for more than two years before their cases are concluded. According to the HRCS, at least 1,116 inmates in Sierra Leone are pretrial detainees, with most of them being petty offenders.

The consultation was attended by the HRCSL Chairperson Patricia Ndanema who thanked NANHRI for selecting their NHRIs from a pool of 46 NHRIs as one of the institutions that deserves support. She underscored the institution's commitment to working with the actors present to answer to the urgent call of promoting decriminalisation of petty offences in Sierra Leone.

The Attorney General, and the Minister of Justice Anthony Yeihowe Brewah in his remarks highlighted that the initiative came when the government of Sierra Leone was re-evaluating laws with a

view of expanding the democratic space and enjoyment of rights for the people. He expressed the commitment of his office to expedite work on decriminalising petty offences in Sierra Leone.

The Court of Appeal and Sierra Leone Representative to the International Criminal Court Justice Miatta Samba on his part highlighted that it is non-beneficial to sentence someone when the crime they are accused of has no victims. An example is hawking where a person is trying to get out of poverty. This calls for legal reforms to change such situations.

***b) Uganda Human Rights Commission (UHRC) national consultation on decriminalisation of petty offences***

Uganda Human Rights Commission developed and adopted a NAP after a daylong discussion with critical state and non-state actors on the status of petty offences in Entebbe, Uganda on November 25, 2020.

The UHRC meeting hosted representatives from the police and correctional services, the Judiciary, Office of the Attorney General, CSOs, prisons and correctional services. It was noted that laws on petty offences have continued to marginalise the poor.

The Uganda Law Reform Commission which was also in attendance made a presentation on findings from a study conducted aimed at reviewing the penal code. In the study, some laws on petty offences were identified for repeal or amendment. These included Sections 39, 40, 42, 43, and 44 on sedition and seditious intention and seditious offences. These sections were considered outdated and unlawful, among other laws.

The study report and recommendations were presented to the Minister of Justice and Constitutional Affairs and the Attorney General in 2016, but there has been no progress, thus the meeting agreed on the need to access the report for further review and inclusion of more other sections for review and recommendation for repeal.

In addition, monitoring places of detention for accurate data petty

offences, sensitisation of security agents, working with the judiciary among others were identified as ways of accelerating the decriminalisation of petty offences. These tasks were consolidated into a Road Map at the end of the meeting.

***c) The National Human Rights Commission of Nigeria***

The NHRC led State and non-state actors in developing a NAP during a national consultation on December 3-4, 2020 in Abuja.

The NAP provided a collective roadmap agreed upon by the key actors in decriminalising petty offences in Nigeria, a process that is expected to trickle down to the Federal Capital Territory and the 36 Federal States.

The NAP was developed out of discussions and presentations. It was noted that petty offences are against human rights and further marginalise the poor. These laws were also found to be vague, thus



*An informal trader at a traffic jam in Abuja, Nigeria. Photo: Secretariat.*



providing a leeway for arbitrary application by arresting officer, or the sentencing judge.

One of the areas that the parties will be considering is developing an omnibus bill repealing all petty offences, a factor that will trigger all the States to align their legal frameworks to it, instead of lobby the Federal States to one by one remove these minor offences on their own.

Nigeria (government of) has an obligation to protect the rights of everyone irrespective of their status as provided for by the constitution as well as regional and international instruments to which it is party to.

Executive Secretary of the NHRC Mr. Tony Ojukwu underscored that holding someone for a year or more awaiting trial and sentencing sinks them and their families into poverty, propagating inequality, which further impact achievement of the SDGs.

*‘Criminalising live supporting activities like hawking without providing alternative source of income for the underprivileged cannot be justified even when the country is working towards the Sustainable Development Goals where no one should not be left behind-*

*Executive Secretary of the NHRC Mr. Tony Ojukwu*



*Benedict Agu, Head of Monitoring, National Human Rights Commission of Nigeria leads a session during the incountry meeting on decriminalisation of petty offences in December, 2020. Photo: Secretariat.*

*‘I commended the NHRC for the timely event happening when the rights of the people Nigeria must be protected. He pledged their support to the bill when it is brought to the House-*

*Nigeria’s House of Representative Committee Vice Chairperson Simon Karu.*

## ***Building structures of defending human rights defenders***

### **An assessment of structures of protecting HRDs in six countries undertaken**

NANHRI developed a report from six NHRIs which has established that work is in progress for implementation of the Marrakech Declaration, 2018.

The report was developed based on questionnaires and other tools used to evaluate the existing structures for protection of HRDs, which were sent to, *Conseil National des Droits de l'Homme de Côte d'Ivoire*, *Commission Nationale Indépendante des Droits de l'Homme du Madagascar*, Tanzania Commission on Human Rights and Good Governance, Kenya National Commission on Human Rights, the National Human Rights Council of Morocco and Zimbabwe Human Rights Commission in quarter 3 and 4, 2020.

In particular the evaluation was to:

1. Document past and current activities, practices NHRIs have on protection of HRDs;
2. Document any existing partnerships with National, Regional or International Civil Society Organization's on protection of HRDs;
3. Document any efforts NHRIs have made towards implementation of the Marrakesh Declaration;
4. Document any challenges NHRIs have experienced in the protection of Human Rights Defenders and in implementation of the Marrakesh Declaration 2018.

It was noted that while many NHRIs are incorporating the Marrakech Declaration into the existing programmes, it was noted that the

KNCHR and CNDH-CI have made more progress towards the protection of HRDs- the KNCHR has drafted a policy on protection of HRDs while CNDH-CI is leading in the implementation of the HRDs law of the country. The two NHRIs have participated in awareness raising on the situation of HRDs, training and capacity development, interventions in specific cases, collaboration and partnership at national and international levels among others.

Only Côte d'Ivoire out of the six countries has a law on Protection of HRDs. However, the law is yet to be fully implemented. In light of this, NANHRI developed a model law that NHRIs can advocate for adoption and domestication by countries.

A training workshop will be organised later in 2021 on the use of the above documents for a systematic implementation of the Marrakech Declaration.

Based on this report, NANHRI will develop the following tools to help the NHRIs in implementing the Marrakech Declaration:

- i. A Regional Action Plan on the implementation of the Marrakesh Declaration;
- ii. Development of a 'quick response' reference handbook for NHRIs

### **An assessment undertaken on three NHRIs on HRDs protection structures**

In yet another initiative of supporting implementation of the Marrakech Declaration, NANHRI developed a National Action Plan template, a model law on HRDs and a monitoring framework in quarter three and four, 2020.

Under this project, which is under the UNDP-GANHRI-OHCHR Tri-Partite Partnership to Support National Human Rights Institutions, NANHRI worked with the NHRIs of Liberia, the Democratic Republic of

Congo and Niger.

An assessment was also done of the extent of the implementation of the Marrakech Declaration. The findings informed the development of the National Action Plan template, a model law on HRDs and a monitoring framework

### **An evaluation undertaken on NHRIs awareness of Marrakech Declaration in Kenya under Kamwe project**

NANHRI evaluated the awareness, understanding and implementation of the Marrakech Declaration by 11 national institutions in Kenya which have a human rights mandate over quarter 4, 2020.

The institutions, which are respondents in the assessment are include: the KNCHR, the National Police Service Commission, the Inspector General of Police, the Judiciary, Office of the Director of Public Prosecution, the National Cohesion and Integration Commission, the Office of the Ombudsman, the Internal Affairs Unit, the Independent Policing Oversight Authority, and Office of the Attorney General.

By the time of compiling this report, the Judiciary, the Director of Public Prosecution, the National Cohesion and Integration Commission and National Police Service Commission had not responded to the questionnaire and follow-up was ongoing.

From the received data, it was noted that all the institutions under review except the KNCHR have been working towards protection and promotion of HRDs without focusing on the Marrakech Declaration. There has also been no budget allocation at national and within the various institutions for the implementation of the Marrakech Declaration.

Further, it was noted that none of the institutions who were part of the study identified themselves as human rights defenders.

An example is the KNCHR. It was noted that the institution's work on HRDs began even before the adoption of the Marrakech Declaration. The analysis revealed that no institution had a staff member, whose key

role is to address HRDS matters. HRDs matters were handled by the complaints and investigation department within the various institutions, just like any other complaint.

Further, it was revealed that within the Office of the Ombudsman, KNCHR and the National Police Service, some effort was put in place towards handling matters lodged by special interest groups like as women human rights defenders.

Based on the findings there is need for:

- **A national legal framework on protection of HRDs. Intensified sensitisation on the Marrakech Declaration aligned to the human rights mandate of the particular institutions in the study.**
- **Lobby the government to set aside resources for the implementation of the declaration.**

In this initiative, the Network of African NHRIs was working in partnership with FIDA Kenya, Mathare Social Justice Center and Protection International under the "Kamwe Project: supporting Women HRDs and their grassroots organisations to document and prevent Extrajudicial Executions in the Republic of Kenya.

### **An assessment of Tanzania institutions' awareness of Marrakech Declaration undertaken**

In a similar initiative the Network of African NHRIs sought to assess the Tanzania Commission for Human Rights and Good Governance and other government bodies that have a human rights mandate on the implementation of the Marrakesh Declaration (2018) in Quarter 3, 2020. Besides CHRAGG, NANHRI was working with the Tanzania Human Rights Defenders Coalition in this project.



This work was, however, suspended to a later date following the growing harassment of human rights defenders in what has been linked to the October 28, 2020.

**A statement on the Situation of HRDs delivered during the 43<sup>rd</sup> Session of the Human Rights Council**

The Vice Chairperson of NANHRI Dr Elasto Hilarious Mugwadi delivered a statement on behalf of NANHRI on the situation of human rights defenders in Africa during the 43<sup>rd</sup> Session of the Human Rights

Dr. Mugwadi highlighted the challenges the NHRIs and other actors in human rights are facing in Africa and the steps the Network of African NHRIs and other stakeholders like the regional mechanisms are taking to ameliorate the situation.

Based on the overall situation of HRDs on the continent and from an assessment of select countries, NANHRI has developed tools for implementation of the Marrakech Declaration.



*NANHRI Vice-chairperson Dr Hilarious Mugwadi (centre) presents a statement on the state of HRDs in Africa at the 43<sup>rd</sup> Session of the HRC in Geneva, Switzerland in March, 2020.. With him is GANHRI Representative to Geneva, Katharina Rose and GANHRI Chairperson Alfonso Negret Mosquera (right). Photo: Courtesy, HRC.*

### Key Outcomes

1. The capacity of the 48 representatives of the African NHRIs who were part of the litigation trainings was increased as they understood better how to engage the regional human rights mechanisms.
2. A report on the status of decriminalisation of petty offences in Uganda, Sierra Leone and Nigeria was developed
3. Capacity of the NHRIs of Nigeria, Sierra Leone and Uganda on key issues in decriminalisation of petty offences was built hence the development of the national action plans
- 4.
5. NANHRI issued statements on the human rights situation in Africa during the 66th and 67<sup>th</sup> Ordinary Session of the ACHPR
6. A progress report on the implementation of the Marrakech Declaration was developed based on nine countries drawn from the five subregions of NANHRI
7. Tools for implementation of the Marrakech Declaration developed. These are: Regional action plan; Quick reference handbook on HRDs; National action plan template; Model law on HRDs; and Monitoring Tool on HRDs
8. The Regional Mechanisms Database was developed and launched. This is a centralised repository of information for NHRIs and regional human rights mechanisms.
9. The NHRI of Cameroon submitted its alternative report to the ACHPR for consideration in the 67<sup>th</sup> Ordinary Session through the Special Rapporteur on the country with the help of NANHRI.
10. NANHRI has managed to connect, consolidate and enhance collaboration between and among State and non-state actors in decriminalisation of petty offences in Nigeria, Uganda and Sierra Leone.

### Challenges

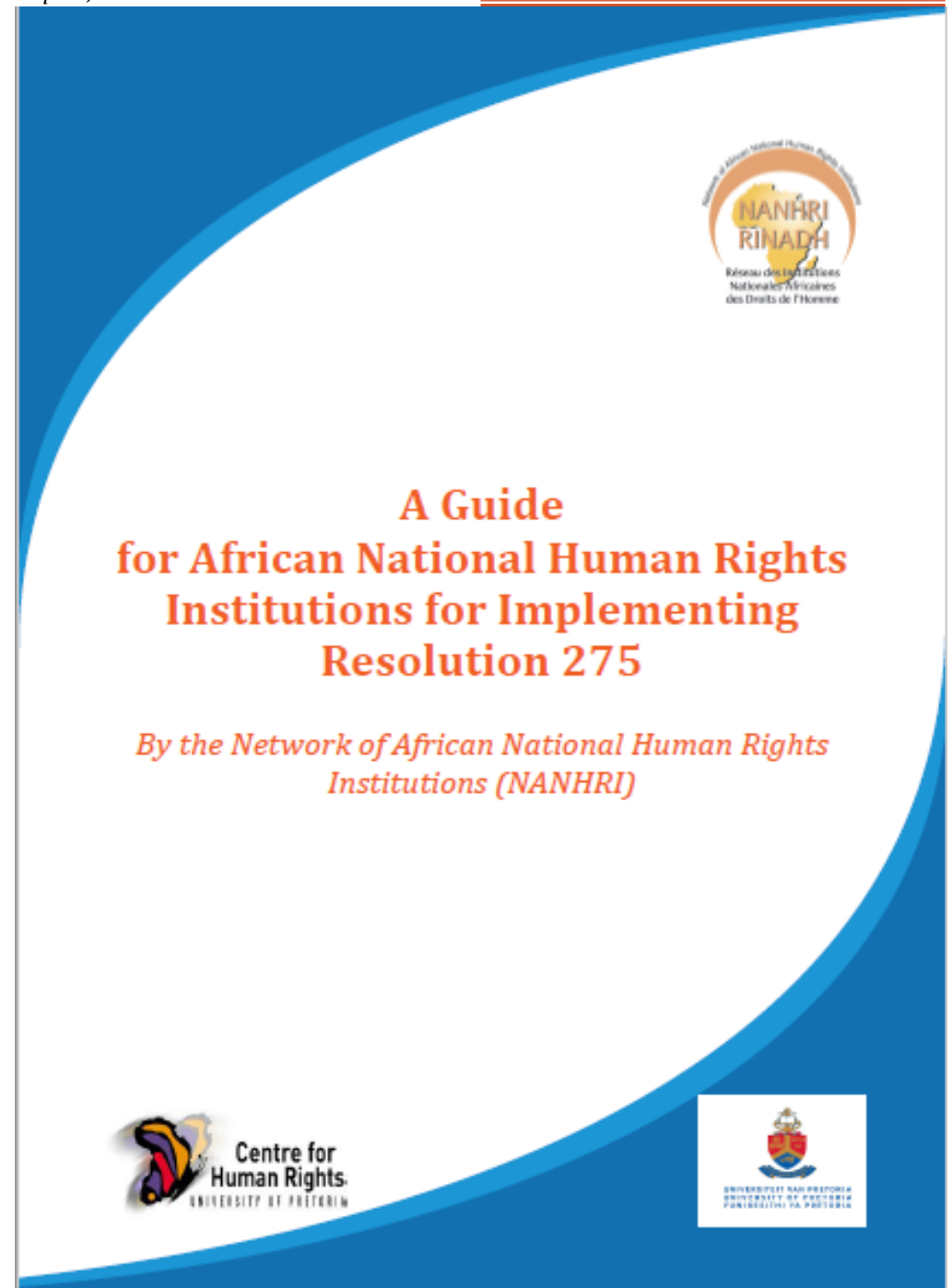
1. Due to the Covid-19 situation regional fora and physical meetings cannot take place affecting even the ordinary sessions of the ACHPR.
2. Continuous internet access for the training on the Decriminalisation of Petty Offences, to mitigate this, NANHRI will send many participants training material and a quiz via email. These can be downloaded and taken offline.
3. Penetrating Tanzania with the HRDs project has been a challenge due to intentional barriers from the government
4. Additionally, NHRIs are slow in responding due to bureaucracy and other national human rights priorities. NANHRI will identify focal points who will take up the course and they can be contacted directly.

### Lessons

There is need to focus on high impact activities that can be implemented with minimal resources more so virtually. Blending of virtual and physical meetings has also been helpful in beating Covid-19 restrictions.

**Goal 4: Enhanced adaptive capacity of NHRIs to respond to emerging and thematic human rights issues**

*Strategic objective 4:  
Enhanced adaptability of NHRIs in responding to emerging and thematic human rights issues by at least 50% of NHRIs*





## **NANHRI accelerates protection of sexual minority rights**

### ***Including Children on the move in GCM***

#### **Webinar on protection of children on the move hosted in collaboration with KNCHR**

Sixty-five participants drawn from the African NHRIs, CSOs and other partners took part in a webinar organised by the Network of African NHRIs and the Kenyan National Commission on Human Rights on June 15, 2020 a day before the commemoration of the Day of the African Child on June 16, 2020.

In the webinar, in which the Chairperson for the NANHRI Working Group on Migration was represented, was held on the theme: *“Access to Child Friendly Justice for Children on the Move”*.

Discussions aimed at addressing specific violations facing girls and boys during the migration with an emphasis on data disaggregation between minors, genders for evidence policy making.

Further, the meeting discussed human rights-based approaches in legislation, fundamental rights of children such as education, health and access to justice. Documentation of human rights violations in all stages of migration with an emphasis of sharing the data amongst relevant government and CSOs for policy making and improved service delivery. In addition, the importance of partnership, cooperation and coordination among State and non-state actors in protecting rights of children and particularly migrants were of priority.

A report was generated and the NANHRI Working group Chairperson was tasked to incorporate the recommendations in the ongoing activities towards sustainable migrations as envisioned by the GCM.

#### **Publishing of Resolution 275 rapid assessment report**

In the first and second quarters of 2020, NANHRI conducted an assessment on the extent to which five NHRIs in the SOGIE Project Phase I institutionalised and operationalised Resolution 275 of the ACHPR.

The institutions include the Commission on Human Rights and Administrative Justice of Ghana, Malawi Human Rights Commission, Kenya National Commission on Human Rights, South African Human Rights Commission and Uganda Human Rights Commission.

The assessment report was published with the following findings:

1. The NHRIs are progressively integrating SOGIE into the main programmes of the institutions and capacity of the staff has immensely increased, with some of them having focal points specifically to working on Resolution 275.
2. In giving more impetus to non-discrimination, some of the NHRIs have adjusted policies to allow for opportunities for everyone even at work. One of such initiatives is the work of the KNCHR on intersex, which influenced the government of Kenya to include a third gender marker of intersex for the first time in the census of 2019. Out of the census, the country determined that there are at least 1,524 intersex persons. This is the first data of such persons, captured by government records.
3. Further, the NHRIs have consistently worked with CSOs in the LGBTIQ+ sector such as in reference of cases based on the mandate, sharing of data and joint litigation as amicus curiae, interested party and in form of other capacities. Examples include SAHRC and KNCHR. The NHRIs have also been particularly vocal in issuance of statements when CSOs working on SOGIE matters are under attack.

### A Convening on SOGIE and SDGs hosted in collaboration with CHRAJ

The NHRIs of Kenya, Malawi, Ghana, and South Africa developed action plans for integrating SDGs into SOGIE programmes and projects after convening of NANHRI hosted by the CHRAJ in Accra, Ghana, on October 26-28, 2020.

This followed intensive discussions by representatives of the KNCHR, CHRAJ, MHRC, SAHRC, UHRC (virtually due to Covid-19 travel restrictions), select CSOs, the DIHR and focal points of the NANHRI working Group on SDGs on the risk of leaving behind people who identify as LGBTI/TGNC as

the globe implements Agenda 2030 of the SDGs.

Deliberations, which informed the action plans, were held on the progress made by NHRIs to enhance inclusion of SOGIE rights and response to human rights violations towards LGBTI/TGNC persons. It was also a peer learning forum on the linkages between SDGs, Resolution 275 and how they relate to LGBT/TIGNC persons. The NHRIs also shared their experiences and lessons on working on SDGs.



*A photo of the NANHRI meeting on SOGIE and SDGs in Accra, Ghana, in October, 2020 Photo: Secretariat.*



### The African NHRIs Guide for Implementation of Resolution 275 of the ACHPR launched

NANHRI launched the Guideline for African NHRIs on Implementing Resolution 275 on the margins of the 67<sup>th</sup> Ordinary Session of the African Commission on November 10, 2020.

Before the official launch, a panel discussion was held on the expected impact of the Resolution 275 in protecting the rights of LGBTIQ communities and the roles and obligations of NHRIs in implementing the Guide through incorporating SOGIE into programming.

The launch was held during the African NHRIs Forum to:

- Officially presenting the Guide to African NHRIs, CSOs and relevant stakeholders to assist them in incorporating LGB/TIGNC persons within their programming
- Expanding NHRIs understanding of Resolution 275 and how they can utilise the ACHPR to contribute to the Resolution

Resolution 275 was adopted by the ACHPR in 2014 with the aim of protecting the rights of LBGTIQ persons against violence based on real or perceived sexual orientation gender identity expression.



*A photo of the NHRIs exchange visit to the SAHRC on handling of SOGIE-related human rights complaints on December, 2020*



### Three NHRIs take part in learning and exchange visit to SAHRC facilitated by NANHRI

NANHRI facilitated an exchange visit of three African NHRIs and CSOs working on SOGIE issues to the South African Human Rights Commission and the Commission of Gender Equality (CGE) in Johannesburg, South Africa on December 9-11, 2020.

The objectives of the visit of the NHRIs of Ghana, Kenya and Malawi were:

- To learn on the good practices on how the SAHRC and CGE, which have a human rights mandate complement one another in their work
- To foster networking and create an avenue for further collaborations between NHRIs and CSOs working on human rights issues and SOGIE issues
- To join the SAHRC in commemorating 25th Anniversary of its establishment in addition to the 72<sup>nd</sup> International Human Rights Day.

The visit amplified the understanding of the NHRIs on how the two Chapter 9 institutions created by the Constitution of South Africa handle their mandate especially in relation to SOGIE matters.

#### Key Outcomes:

1. Out of the webinar on the Day of the African Child, a report was generated with recommendations of ensuring justice to children on the move. This is expected to enrich the interventions of the NANHRI Working Group on Migration.
2. Out of the SOGIE Regional Convening, each of the NHRIs drafted action plans aligning SOGIE activities with SDGs with the assistance of the SDGs focal points.
3. The NHRIs also understood the link between SDGs and the rights of LGBTIQ persons.
4. Following the launch of NANHRI Guide for implementation of Resolution 275, the NHRIs and critical stakeholders have a reference material
5. From the visit, to the SAHRC and CGE the NHRIs learnt strategies of litigation that the institutions utilise to ensure justice is served for those who face violations.

## Goal 5: improved institutional visibility, efficiency and effectiveness of the NANHRI Secretariat:

*Strategic objective 5: Critical institutional systems established, and institutional efficiency and effectiveness improved in core service areas*



*NANHRI Executive Director Gilbert Sebihogo makes remarks during the 72<sup>nd</sup> International Human Rights Day, which was also the 25<sup>th</sup> Anniversary of the SAHRC in Johannesburg, South Africa, Photo: Secretariat.*



### ***Institutional visibility***

#### **Steering Committee meeting held virtually to review the Annual Work Plan**

The Steering Committee (SC) of the Network of African NHRIs met on May 5, 2020 and adopted the revised 2020 Annual Work Plan and budget for activities to be implemented by the Secretariat.

The initial workplan, developed in January 2020 was revised upon consultation with the NANHR leadership to reflect the disruptions of Covid-19. Some of the adjustments made were moving activities to online platforms and postponement of some to later dates of the year. In addition, the SC received and adopted the activity and audited financial report of the year ended December 31, 2020.

#### **NANHRI celebrates International Human Rights Day and 25<sup>th</sup> Anniversary of the SAHRC**

Representatives of NANHRI joined the SAHRC in celebrating its 25<sup>th</sup> Anniversary. The celebrations coincided with the 72<sup>nd</sup> International Human Rights Day on December 10, 2020.

The meeting, which was held in Johannesburg, South Africa, was attended by the representative of the Secretariat and the NHRIs of Ghana, Malawi and Kenya. In his remarks, the Executive Director recognised the role the SAHRC has played in the establishment and growth of NANHRI. Having hosted the Secretariat for the first time after establishment, NANHRI and SAHRC have enjoyed a fruitful working relationship over the years, which have contributed to enhance human rights promotion, protection in Africa. He congratulated the SAHRC for its outstanding



*Some NANHRI members take part in marking the 72<sup>nd</sup> International Human Rights Day, which was also the 25<sup>th</sup> Anniversary of the SAHRC in Johannesburg, South Africa, Photo: Secretariat.*

performance in human rights promotion, protection and advocacy in South Africa since establishment in 1995.

This has been recognised by the GANHRI Subcommittee on Accreditation, which has consistently granted the NHRIs 'A' status for full compliance with the Paris Principles. While alluding to the volatile human rights situation in Africa, Mr. Sebihogo challenged the NHRIs to work with other state and non-state actors in sustainable peace in Africa through constitutionalism and the adherence to the rule of law.



### NANHRI calls on African States to support NHRIs during African Human Rights Day

NANHRI addressed the African Human Rights Day on October 21, 2020 in virtual meeting attended by the President of the Republic of Botswana Dr. Mokgweetsi Masisi and other dignitaries from the African Union and its organs with human rights mandate.

In a statement read by the Executive Director Mr. Gilbert Sebihogo,

NANHRI called on State and other actors to strengthen the national human rights institutions through sufficient funds and strong enabling legislations. This will enable them effectively support the State in delivering on its human rights mandate.

While calling for establishment of NHRIs in the few countries where they do not exist, the Executive Director challenged President Masisi to help in reforming the Office of the Ombudsman of Botswana to have a human rights mandate in compliance with the Paris Principles.

H. E. Dr. Mokgweetsi E.K. Masisi, President of the Republic of Botswana is talking...



Hon. Jamesina Essie L. King, Co...



Ambassador Zenene, Botswana ...



Lindiwe Khumalo, Acting Executi...



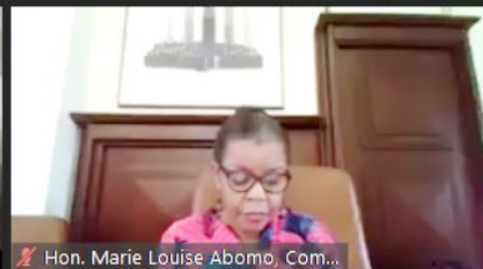
Hon. Solomon Ayele Dersso, Ch...



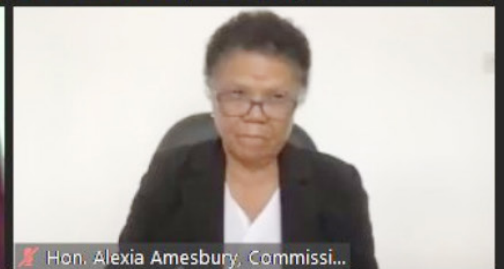
Hon. Rémy Ngoy Lumbu, Vice C...



H.E. SAMATE Cessouma Minata, ...



Hon. Marie Louise Abomo, Com...



Hon. Alexia Amesbury, Commissi...

*Botswana President Botswana Dr. Mokgweetsi Masisi responds to NANHRI's challenge on having a fully Paris Principles compliant NHRI in Botswana.*



H. E. Dr. Mokgweetsi E.K. Masisi, Pr...



Hon. Maria Teresa Manuela, Co...



Mr. Gilbert Sebihogo, Executive ...

The President expressed his commitment to human rights and invited NANHRI to start engaging the Ombudsman in identifying the gaps that need to be addressed to enable the institution deliver on human rights.

*‘We are committed to seeing that the Ombudsman of Botswana, fully takes on the protection and promotion of human rights and is complaint with the Paris Principles. I invite NANHRI to engage the Ombudsman,’ President Masisi.*

### Draft NANHRI Strategic Plan (2021-2025) developed

In Quarter 4, 2020, NANHRI collected views from stakeholders towards development of the 2021-2025 Strategic Plan. Based on data collection tools focusing on various stakeholders 50% and 39% of the SC members and the targeted members’ respectively have provided their responses.

A zero draft was developed for internal review by the Secretariat staff in January 2021 before submission to the Steering Committee and the members for adoption.

### Several actions undertaken in Response to the impact of Covid-19 pandemic on human rights

NANHRI carried out the following activities to contribute to a human rights-based response to the pandemic.

#### *i) Covid-19 sub website*

NANHRI set up a website to document the work of the members in responding to Covid-19. The sub website<sup>1</sup>, has reports, press releases,

<sup>1</sup> <http://covid19.nanhri.org/>



The landing page of the NANHRI Covid-19 sub-website. Photo: Secretariat.

press statements, advisories, among other resource materials from the members.

#### *ii) Statements*

Two statements were issued after the first cases of COVID-19 was reported in Africa. While the first statement urged states to prioritise human rights in responses to Covid-19, the second condemned the racial discrimination against people of the African origin in China over accusations of spreading new cases of the virus.

#### *iii) Press release*

A press release was prepared and published on the Commemoration of the African Pre-Trial Detention Day held on April 25, 2020. The press release urged States to decongest prisons as one of the ways of reducing the possibility of the virus spreading into these facilities, some of which are more than three times their capacity.

Some NHRIs visited the detention centres, and also issued statements calling on states to ensure the numbers in the facilities do not put lives at risk.



*iv) Webinars*

NANHRI organised three webinars on the response of African NHRIs to various human rights violations in the context of Covid-19.

The first webinar was held on May 26, 2020 to discuss the emerging human rights violations the NHRIs addressed in the context of Covid-19. More than 90 participants, five panelists, one moderator took part in this meeting. It was co-organised by NANHRI and the National Human Rights Commission of Nigeria.

The second webinar was held on June 10, 2020 on the use of excessive force by security agents in enforcing the movement restriction measures and other procedures of curbing Covid-19. More than 100 participants, nine panelists and a moderator Mr. Sean Tait, Director of African Police Civilian Oversight Forum attended this webinar. The panelists, who were mainly NHRIs and experts in the thematic area highlighted their responses to the excessive use of force.

The third webinar was held on June 24, 2020 on gender-based violence in the context of Covid-19. The moderator of the meeting was from the National Human Rights Commission of Nigeria Ms. Ndi Kato. There were 703 views on Facebook livestream of the webinar and 78 engagements. The panelists presented on their approaches of dealing with GBV. The panelists, who were mainly NHRIs and expert in the thematic area highlighted their responses to GBV.

The webinars on excessive use of force and GBV were also streamed live in Facebook. The webinar on excessive use of force received 1,262 views and 101 engagements.

In preparation for the commemoration of the Day of the African Child, the Network of African NHRIs in collaboration with other partners organised a joint webinar on access to justice for children on the move. The NANHRI Working Group on Migration Chair, the National Human Rights Council of Morocco, represented NANHRI by explaining the role of NHRIs and in particular the Working Group in ensuring access to justice for these children on the move. A joint report was developed for circulation.



*A medical practitioner takes samples for Covid-19 testing. The pandemic has devastated the globe, with human rights sector suffering most. Photo: Secretariat.*



NANHRI, the UNAIDS, UNFPA and the OHCHR co-organised a webinar “As part of the commemoration of the 16 days of activism to end Violence Against Women and Girls” on November 27, 2020 as part of the sharing of experiences and good practices on sexual reproductive health rights.

This was part of the initiative of the partners in offering a platform of sharing experiences between and among the actors, towards a publication on good practices on SRHR. This publication focused on the NHRIs of Namibia, Madagascar, Uganda, Kenya and South Africa. Upon publication in 2021, the report will be launched for the other NHRIs to access to draw lessons to enrich their interventions on SRHR.

### ***Resource mobilisation for institutional and membership support***

#### **US\$50,000 donated by the Government of Egypt towards NANHRI institutional support**

The government of the Arab Republic of Egypt, through the National Council for Human Rights of Egypt, gave a grant of US\$50,000 for institutional support to NANHRI.

The grant was in honour of a pledge to the NANHRI Steering Committee, led by NANHRI Chairperson Mohamed Fayek, when it paid a courtesy call to President Abdel Fattah el-Sisi on November 5, 2019 at State House in Cairo. The visit happened during the NANHRI 12<sup>th</sup> Biennial Conference.

After discussions between the NANHRI Executive Director and the Chairperson, the Secretariat drafted and submitted a project proposal of USD \$4,452,905 in January 2020.

### **Several other resource mobilisation activities undertaken**

#### ***i) Tripartite partnership project proposal***

Concept note and proposals were developed and shared with GANHRI and UNDP-OHCHR- partners. The funds secured will support accreditation process for the NHRIs of Mauritania and Cote d’Ivoire. In addition, a COVID-19 rapid needs assessment will be carried out involving all the NHRIs.

The two projects ran from July 2020- to December 2020.

#### ***ii) SOGIE Phase II proposal submitted***

NANHRI developed a proposal on SOGIE rights under Phase II, which is funded by Wellspring, Arcus Foundation and a new donor, Foundation for a Justice Society for USD \$800,000 in 2021-2022). This is an increase by USD \$400,000 from previous years. The final budget and proposals were submitted to the three donors and the funding has been approved. NANHRI will implement the project from April 2021 to March 2023.

This phase of the project targets the NHRIs of Liberia, Nigeria, Namibia, Côte d’Ivoire and Togo in addition to continued support to the NHRIs in the current phase – the NHRIs of Kenya, Uganda and South Africa.

#### ***iii) Submission for NHRI.EU Project Phase III***

The GANHRI and the four regional networks, APF, ENNHRI, NANHRI and RINDHCA submitted a draft concept note on the continuation of the NHRI.EU Project Phase III on capacity building of NHRIs. With prospects of funding, the project is expected to start in 2022.

#### ***iv) Proposal for UNDP project on accelerating domestication of African treaties***

NANHRI developed a proposal and submitted to the UNDP, Addis Ababa Regional Office. UNDP requested NANHRI to share an operating

budget activity of USD\$400,000 towards accelerating domestication of African treaties in the context of Covid-19. This was submitted on October 27, 2020.

*v) NANHRI and RWI submitted proposal to DANIDA for NAP implementation on displaced persons*

NANHRI and the Raoul Wallenberg Institute submitted a proposal for a project to strengthen the capacity of selected African NHRIs to implement the African Union Commission-NANHRI Action Plan on National Human Rights Institutions' Contribution to Durable Solutions on Forced Displacements in Africa in 2020-2022.

The proposal was submitted with the aim of implementing the NAP as defined by the regional human rights instruments.

*vi) Other resource mobilisation initiatives*

- A concept note was submitted to UNDP in light of COVID-19 response for USD \$100,000. Concept note is on "Accelerating Domestication of African Treaties in Light of COVID-19 response".
- UNFPA proposal and budget were submitted on June 12, 2020 for USD \$ 20,000. The project aims at helping NANHRI develop its institutional capacity.
- UNDP-GANHRI-OHCHR initiatives: budget and concept note submitted to UNDP on July 3, 2020 with all needed documents for implementation of three activities: the Marrakech Declaration, COVID-19 response related to assessing NHRIs, and accreditation of three NHRIs. The amount is for \$99,433.

**Key outcomes:**

1. Emphasis was made on the plight of HDRs in Africa and steps of addressing the issues in the NANHRI statement to the 43<sup>rd</sup> Session of the HRC.
2. The SC approved the revised 2020 Annual Work Plan and budget, enabling the Secretariat to implement planned activities
3. Out of the engagements on the African Human Rights Day, the President of the Republic of Botswana Dr. Mokgweetsi Masisi invited NANHRI to engage the Ombudsman of the country towards establishment of a Paris Principles compliant NHRI.
4. Covid-19 sub website allowed NANHRI to document interventions of the NHRIs in responding to the pandemic.
5. Webinars in the context of the pandemic were platforms of sharing of good practices in preserving human rights more so in crisis moments
6. NANHRI secured the SOGIE Project Phase II funds
7. Online technical support ensured seamless implementation of activities in spite of the pandemic.
8. Social media engagement, especially in following up on the discussions of the webinars multiplies from an average of 10 engagements per post to tens depending on the webinar, more so those streamed live on Facebook.
9. The annual and activity reports are also a show of accountability to members and partners
10. The publications and statements, like the one delivered at the HRC showcase NANHRI's work
11. Preparation of other institutional documents and administrative support enhanced communication from the Secretariat to the members and partners, as well as visibility and accountability.

12. USD\$50,000 received from Government of Egypt as a contribution to NANHRI institutional strengthening
13. NANHRI call to States for decongestion of prisons and other detention areas of April 25, 2020, also amplified by the NHRIs led to release of more than 48,000 detainees across the continent to avert catastrophic impacts of the pandemic

### **Challenges:**

1. Delayed responses from partners, especially in the TPP application due to bureaucracies. NANHRI completed its side of the bargain to limit early impacts out of the delays.
2. Some donors require a lot of work done, which is incommensurate to the funding. And To avoid straining the lean staff of the Secretariat, such opportunities were dropped or the donor asked to reconsider the grant amounts offered.
3. In other cases, too much time is spent in discussions and negotiations with donors before concrete outcomes are reached.



## General challenges, mitigation and lessons

In January 2020, the Secretariat of the Network of African NHRIs prepared the draft Annual Work Plan for the year. A host of activities were planned for the year 2020 pending approval by the SC and the membership of NANHRI in the February-March General Assembly. That was never to be. Covid-19 struck the continent in February 2020 disrupting programmes and projects, with physical meetings being the hardest hit.

In compliance with State imposed protocols on curbing the spread of the virus, the Secretariat readjusted the activities to online format or later-in-the-year implementation. This was done in consultation with the SC virtually.

Despite the pandemic, progress was made with virtual activities taking place seamlessly as a result of progressive investment in purchase of online platforms like Zoom and equipment, like professional video cameras. Even with the general decline in the number of Covid-19 cases towards the end of the year across the continent, the Secretariat made a deliberate decision to allow for few participants in physical meetings, while allowing more others to join virtually. This approach helped the Secretariat implement more than 90 per cent of the planned activities with very few pushed to Quarter 1, 2021 in consultation with the partners.

These efforts were made to ensure that the NHRIs, continue receiving the support they needed to effectively and efficiently respond to the pandemic, and more specifically the deterioration of the human rights situation at national level as a result of enforcement of Covid-19 restriction measures.

From this experience, it was clear that investment in equipment and technology is critical in sustaining human rights even beyond physical barriers.

In addition, it was clear that future meetings, especially when financial resources are limited, can still tap into blended modes and still obtain the same results. There is no need of suspending meetings or struggling to replace resource persons to physically attend meetings, when they can offer their expertise virtually. At the same time, virtual modes can accommodate as many participants as possible, including the public, who can still make meaningful contributions to discussions.

While virtual is the way to go, from the experience of the 2020, few people keep attention for more than four hours. Apart from limited technological knowhow in some participants, poor internet connection as others connect away from the office (which may be source of stable internet), home and informal settings distract participants.

## Conclusion

While 2020 was one of the most challenging years in recent time, from the reports and other forms of documentation, the NHRIs performed exceptionally well. However, as the Secretariat readjusts to serve the NHRIs better, there is need for adopting and integrating various forms of technology to sustain the human rights work because it is central and cannot be suspended even when the State does not consider this function essential. In addition, unfavourable decisions may be made by States, which negatively impact the work of NHRIs. There is need for strategic engagements with the State and its agencies for inclusion in critical decision making as well as contribution of a HRBA to sustainable response to crises.

**THE NETWORK OF AFRICAN NATIONAL HUMAN RIGHTS INSTITUTIONS ANNUAL REPORT AND FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 31<sup>ST</sup> DECEMBER 2020**

**STATEMENT OF COMPREHENSIVE INCOME**

		<b>2020</b>	<b>2020</b>	<b>2019</b>	<b>2019</b>
<b>Income</b>	<b>Note</b>	<b>KES</b>	<b>USD</b>	<b>KES</b>	<b>USD</b>
Member contributions		18,185,400	173,704	16,901,000	168,841
Grants and donations	<b>8</b>	68,266,731	652,074	38,565,792	385,274
Other income	<b>9</b>	3,556,904	33,975	4,162,877	41,587
<b>Total income</b>		<b>90,009,035</b>	<b>859,753</b>	<b>59,629,669</b>	<b>595,702</b>
<b>Expenditure</b>					
Administrative expenditure	<b>10</b>	24,890,470	237,748	26,219,614	261,935
Program expenditure	<b>11</b>	25,699,916	245,482	24,888,640	248,637
<b>Total expenditure</b>		<b>50,590,386</b>	<b>483,230</b>	<b>51,108,254</b>	<b>510,572</b>
<b>Surplus/(Deficit) / Balance for the year</b>		<b>39,418,649</b>	<b>376,523</b>	<b>8,521,415</b>	<b>85,130</b>

**THE NETWORK OF AFRICAN NATIONAL HUMAN RIGHTS INSTITUTIONS ANNUAL REPORT AND FINANCIAL STATEMENTS  
FOR THE YEAR ENDED 31<sup>ST</sup> DECEMBER 2020**

**STATEMENT OF FINANCIAL POSITION**

		2020	2020	2019	2019
Non-current assets	Note	KES	USD	KES	USD
Property and equipment	4	1,384,622	12,683	510,415	5,105
<b>Total non-current assets</b>		<b>1,384,622</b>	<b>12,683</b>	<b>510,415</b>	<b>5,105</b>
<b>Current assets</b>					
Accounts receivable	5	62,710,232	574,418	52,228,646	522,287
Cash and cash equivalents	6	98,436,875	901,669	49,006,360	490,063
<b>Total current assets</b>		<b>161,147,107</b>	<b>1,476,087</b>	<b>101,235,006</b>	<b>1,012,350</b>
<b>Less: current liabilities</b>					
Accounts payable	7	24,507,520	224,485	3,139,861	31,399
<b>Net current assets</b>		<b>136,639,587</b>	<b>1,251,602</b>	<b>98,095,145</b>	<b>980,951</b>
<b>Net assets</b>		<b>138,024,209</b>	<b>1,264,285</b>	<b>98,605,560</b>	<b>986,056</b>
<b>Represented by:-</b>					
General fund		135,279,555	1,239,144	96,735,112	967,352



Capital fund		1,384,621	12,683	510,415	5,104
Restricted fund		1,360,033	12,458	1,360,033	13,600
<b>Fund balance (page 8)</b>		<b>138,024,209</b>	<b>1,264,285</b>	<b>98,605,560</b>	<b>986,056</b>

These financial statements were approved by the Steering Committee on \_\_\_\_\_ 2021 and signed by:-

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**Gilbert Sebihogo**

(Network of African NHRIs Executive Director)

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**Mr. Mohamed Fayek**

(Chairperson, Steering Committee)

## Accreditation status of the members of the Network of African National Human Rights Institutions (NANHRI) as of December 2020

Country	Institution	Status
1. Algeria	The National Human Rights Council	B
2. Benin	<i>Commission béninoise des droits de l'homme</i>	C
3. Burkina Faso	<i>Commission nationale des droits de l'homme</i>	Status has lapsed
4. Burundi	<i>Commission nationale indépendante des droits de l'homme</i>	B
5. Cameroon	National Commission on Human Rights and Freedoms	A
6. Cape Verde	<i>Commission Nationale des Droits de l'Homme et de la Citoyenneté</i>	
7. Central Africa Republic	<i>Commission Nationale des Droits de l'Homme et des Libertés Fondamentales</i>	
8. Chad	<i>Commission nationale des droits de l'homme</i>	B
9. Comoros	<i>Commission Nationale des Droits de l'Homme</i>	
10. Côte d'Ivoire	<i>Conseil nationale des droits de l'homme</i>	A
11. Democratic Republic of the Congo	<i>Commission Nationale de Droit de l'Homme</i>	A
12. Djibouti	<i>Commission Nationale des Droits de l'Homme</i>	
13. Egypt	National Council for Human Rights	A
14. Ethiopia	Ethiopian Human Rights Commission	B
15. Gabon	<i>Commission Nationale des Droits de l'Homme</i>	

16. Gambia	National Human Rights Commission	
17. Ghana	Commission on Human Rights and Administrative Justice	A
18. Guinea Bissau	<i>Commission nationale des droits de l'homme</i>	
19. Guinea Conakry	<i>Commission Nationale des Droits de l'Homme</i>	
20. Kenya	Kenya National Commission on Human Rights	A
21. Liberia	Independent National Commission on Human Rights	A
22. Libya	National Council for Civil Liberties and Human Rights	B
23. Madagascar	<i>Commission Nationale Indépendante des Droits de l'Homme</i>	A
24. Malawi	Malawi Human Rights Commission	A
25. Mali	<i>Commission nationale des droits de l'homme</i>	B
26. Mauritania	<i>Commission nationale des droits de l'homme</i>	A
27. Mauritius	<i>Commission nationale des droits de l'homme</i>	A
28. Morocco	<i>Conseil national des droits de l'homme</i>	A
29. Mozambique	<i>Commission Nationale des Direitos Humananos- Mozambique</i>	
30. Namibia	Office of the Ombudsman	A
31. Niger	<i>Commission Nationale des Droits Humains</i>	A
32. Nigeria	National Human Rights Commission	A

33. Republic of Congo	<i>Commission nationale des droits de l'homme</i>	B
34. Rwanda	National Commission for Human Rights	A
35. Senegal	<i>Comité sénégalais des droits de l'homme</i>	B
36. Sierra Leone	Human Rights Commission of Sierra Leone	A
37. South Africa	South African Human Rights Commission	A
38. South Sudan	National Human Rights Commission	
39. Sudan	National Human Rights Commission	
40. Eswatini	Commission on Human Rights and Public Administration	
41. Tanzania	Commission for Human Rights and Good Governance	A
42. Togo	<i>Commission nationale des droits de l'homme</i>	A
43. Tunisia	<i>Comité Supérieur des Droits de l'Homme et des Libertés Fondamentales</i>	B
44. Uganda	Uganda Human Rights Commission	A
45. Zambia	Zambia Human Rights Commission	A
46. Zimbabwe	Zimbabwe Human Rights Commission	A

The accreditation can be found via this link.  
<https://www.ohchr.org/Documents/Countries/NHRI/StatusAccreditationChartNHRIs.pdf>



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