

Network of African National Human Rights Institutions



Réseau des Institutions
Nationales Africaines
des Droits de l'Homme



**NANHRI MEMBER SURVEY ON
BUSINESS AND HUMAN RIGHTS &
SUSTAINABLE OCEANS**

NANHRI MEMBER SURVEY ON BUSINESS AND HUMAN RIGHTS & SUSTAINABLE OCEANS





THE DANISH
INSTITUTE FOR
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PREFACE

Over the past few decades, Africa has continued to be a preferred investment destination for businesses. As a result, business activities and/or operations have emerged as contributors to deterioration of human rights, through potential and actual human rights impacts posed. This presents a constant need for addressing fundamental questions on corporate accountability and, the promotion and protection of human rights, in the context of business activities.

In June 2021, as Africa marked the 40th anniversary of the African Charter on Human and Peoples' Rights (The Banjul Charter), the world marked the 10th anniversary of the landmark United Nations Guiding Principles (UNGPs) on Business Human and Human Rights that entrenched the "Protect, Respect, and Remedy" framework. Despite the significant progress realized through the UNGPs, it's worthwhile to note that, a decade later, coherence in implementation of the UNGPs still faces challenges. Additionally, business, and human rights related violations and abuses still remain rampant in Africa, with insufficient access to remedy, especially for the vulnerable populations. This in itself, presents the need to accelerate implementation of the UNGPs, improve coherence and create greater impact. Similarly, at the regional level, the implementation of the 2030 and 2063 Agenda, has made significant gains, but not devoid of challenges. For instance, the African Union draft policy on Business and Human Rights developed by the African Union is yet to be launched. The Blue Economy in general and/or the African Blue Economy Regional Strategy, are areas where NHRIs have not had engaged sufficiently.

Therefore, in line with NANHRI's Strategic Plan 2021 -2025, under Objectives 1 and 2: Enhancing the capacity of African NHRIs to deliver on their mandate and enhancing the promotion and realization of human rights in Africa, NANHRI, in collaboration with the Danish Institute for Human Rights (DIHR), embarked on this project on Business and Human Rights & sustainable oceans in Africa to support NANHRI and its members to strengthen their capacity in, develop research on, and implement collaborative activities related to the implementation of UNGPs, the 2030 Agenda for Sustainable Development, in particular SDG 14, and Agenda 2063.

This survey could not have come at a better time, considering that the United Nations Working Group on Business and Human Rights, in the just ended 10th UN Annual Forum on Business and Human Rights, held between 29th November – 1st and December 2021, launched the UNGPs 10+, which is a Roadmap for the next decade of business and human rights. Additionally, a strengthened regional engagement by NHRIs on the Blue Economy, would be timely to address the climate crisis, ensure a sustainable and resilient recovery from COVID-19 pandemic, and to strengthen and accelerate the implementation of Agenda 2030 and Agenda 2063.

We will therefore, take up and align the recommendations of this survey, to these ongoing regional and international processes, to ensure that the holistic capacity of NHRIs to promote and protect human rights in the context of Business and Human Rights, and sustainable oceans, is strengthened to realize greater impact.

NANHRI thanks all the partners for their invaluable contribution and support in implementing this project, and we look forward to continued collaboration.

Gilbert Sebihogo

Executive Director – NANHRI



ABBREVIATIONS

AFCNDH	.....The French Speaking Association of National Human Rights Commissions
APRM	.....African Peer Review Mechanism
AU	.....African Union
BHR	.....Business and Human Rights
COP	.....Conference of Parties
CSOs	.....Civil Society Organisations
DIHR	.....Danish Institute for Human Rights
EAC	.....East African Community
ECOWAS	.....Economic Community of West African States
GANHRI	.....Global Alliance of National Human Rights Institutions
IPIS	.....International Peace Information Service
NANHRI	.....Network of African National Human Rights Institutions
NHRI	.....National Human Rights Institution
OHCHR	.....United Nations Office of the High Commissioner for Human Rights
SDG	.....Sustainable Development Goal
SOMO	.....The Centre for Research on Multinational Corporations
UNGPs - BHR	.....United Nations Guiding Principles on Business and Human Rights
UNWG	.....United Nations Working Group on Business and Human Rights
UPR	.....Universal Periodic Review
VNR	.....Voluntary National Review



EXECUTIVE SUMMARY

This report highlights the key findings from the member survey on engagement of African National Human Rights Institutions (NHRIs) on Business and Human Rights (BHR) and sustainable oceans, which was conducted by the Secretariat of the Network of African National Human Rights Institutions (NANHRI) in collaboration with the Danish Institute for Human Rights (DIHR). The report is divided into five main sections including: The introduction, where the background, scope and objectives, organization of the survey and the methodology of the survey, have been elaborated.

The third section of the report, provides an analysis on the African NHRIs' engagement on Business and Human Rights section. It is worthwhile to note that, the BHR section is a follow up to the 2013 mapping survey conducted by NANHRI on African NHRIs on their engagement on BHR. This section has, therefore, further delved deeper into main emerging and existing BHR issues and/ or impacts, the relationship between main sectors and their associated human rights impacts, the current NHRIs activities, the overall challenges of engagement and the NHRIs needs with regards to engaging on BHR.

The fourth section has provided an analysis on the engagement of African NHRIs on the sustainable oceans theme, with a specific focus on three areas: Fisheries and Aquaculture Sector, Sustainable Development Goal 14 (SDG14), and the blue economy in general and/or the African Blue Economy Strategy 2019. The section has provided an introduction to the three areas, and also assessed the current level of engagement of the NHRIs in the same. Issues of linking the NHRIs' mandates to the national, regional and international implementation frameworks and role of NHRIs in the implementation of Fisheries and Aquaculture, SDG 14 and blue economy were also assessed and discussed. The section then builds up to a discussion on emerging opportunities, potential and actual prioritized areas of support for NHRIs with regards to the engagement on Fisheries and Aquaculture, SDG 14, and the blue economy.

The report concludes in the fifth section, by providing recommendations to NANHRI, States, NHRIs and development partners, drawn from the responses of the NHRIs who participated in the survey.



1. Introduction

1.1 Background

As outlined in the Network of African National Human Rights Institution (NANHRI) Strategic Plan 2021-2025,¹ under Objectives 1 and 2: Enhancing the capacity of African National Human Rights Institutions (NHRIs) to deliver on their mandate and enhancing the promotion and realisation of human rights in Africa, NANHRI, in collaboration with the Danish Institute for Human Rights (DIHR), set out to undertake a member survey on Business and Human Rights (BHR) & sustainable oceans (including a focus on Sustainable Development Goal 14 (SDG14))² and the Africa Blue Economy Strategy 2019³.

This initiative is a follow-up to the 2013 mapping survey of African National Human Rights Institutions on Business and Human Rights⁴ conducted by NANHRI, following the adoption of the Yaoundé Plan of Action in 2012⁵ and the NANHRI Strategic Plan 2012-2014. The 2013 survey assessed the engagement, needs, capacities and priorities of NANHRI members on BHR.

Following the adoption of Agenda 2030 of the SDGs⁶ and Agenda 2063 of the African Union⁷ in 2015, NANHRI held the 11th Biennial Conference in November 2017 culminating in the adoption of the Kigali Declaration and Action Plan of the African NHRIs.⁸ The Kigali Declaration and Plan of Action emphasised the role of African NHRIs in ensuring a human rights-based approach to sustainable development at the national level.

Further, this survey will support NANHRI to assess the understanding and engagement of African NHRIs with the Africa Blue Economy Strategy that was developed by the African Union in 2019.

1.2 Scope and objectives

This study serves as a review of African NHRIs' engagement on BHR and sustainable oceans. It discusses work to date, emerging challenges and trends. In particular, the objectives of the survey are to:

- Identify entry points and inform advocacy efforts of NANHRI to support members on BHR and sustainable oceans;
- Build upon the 2013 BHR baseline survey to identify the current BHR activities and priorities for NANHRI members;
- Establish a baseline on African NHRIs' engagement on sustainable oceans;
- Provide recommendations for furthering NHRIs' engagement on BHR and sustainable oceans; and
- Inform future analysis and feed into the global roadmap on BHR and the promotion of sustainable oceans.

1.3 Organisation of the survey

The survey design and implementation were led by NANHRI, in collaboration with the DIHR, as key implementing partners. The AFCNDH supported the key implementing partners with outreach to francophone NHRIs to complete the survey.

1. Read the strategic plan here: https://nanhri.org/wp-content/uploads/2021/10/NANHRI_SP-2021-2025_EN_v1.pdf

2. You can read more about SDG14 [here](#)

3. [Africa Blue Economy Strategy](#)

4. <https://www.nanhri.org/wp-content/uploads/2021/12/Report-on-NANHRI-Mapping-Survey-on-Business-and-Human-Rights.pdf>

5. <https://www.nanhri.org/the-yaounde-declaration/>

6. [Agenda 2030 – 17 SDGs](#)

7. Find Agenda 2063 [here](#)

8. <https://www.nanhri.org/final-kigali-declaration-on-the-agenda-2030-and-agenda-2063/>



NANHRI and the DIHR designed the survey in two main sections, addressing BHR and sustainable oceans, respectively. Each section broadly had questions around the role and engagement of NANHRI members based on their mandate, implementation of national frameworks, prioritised areas of need and/or support, emerging trends and opportunities, and recommendations by NHRIs on the two themes. It is important to note that the questions were further subdivided into key sectoral, thematic and institutional themes at national and regional levels. The questionnaire used for the survey can be found in Annex A.





2. Methodology

2.1 Research approach

The questionnaire design was informed by the following considerations:

- The BHR content was designed to follow up on the 2013 survey conducted by NANHRI, but also incorporating updates to allow comparison to 2013 data while capturing new developments in BHR and NANHRI member activities, current priorities and emerging opportunities;
- The sustainable oceans questions were new and more baseline focused; and
- The questionnaire had a mix of closed and open questions, to blend statistical data with more narrative descriptions of BHR and sustainable oceans activities, and to capture considerations from the NHRIs that were not captured in the closed questions.

2.2 Data collection and analysis

The survey questionnaire was developed in English and French and was technically delivered through the DIHR's Online Survey XACT Platform. The links were distributed to the identified BHR and SDGs focal points from the NHRIs by email with a 3-week period provided for completion. The focal points from each NHRI were identified through nomination by the chairpersons of the NHRIs, to whom an official invitation to the survey had been sent, with a further request to nominate focal points within their institutions who work on BHR and SDGs. Out of the 46 NANHRI members, 40 NHRIs completed the survey (39 NHRIs fully completed the survey and one NHRI partially completed the survey). The survey responses and the data from the participating NHRIs was to be presented in anonymity, to encourage accuracy and to avoid any risk of adverse consequences or retaliation against participants, consistent with a human rights-based approach.

2.3 Limitations of the survey

While the rate of survey completion was high and has yielded some interesting data, several limitations should be noted:

- The survey was not prepared in an attempt to provide an in-depth analysis of NHRI engagements on BHR within the whole Africa region but rather to provide a snapshot of the situation (more in-depth follow-up case studies are foreseen in 2022);
- The survey is not an assessment of NHRI performance on BHR, which would require a significantly larger effort and would serve a different purpose;
- Some NHRIs who had provided focal points were not able to complete the survey despite follow-up encouraging their participation. The survey team did not attempt to analyse whether the NHRIs that did not complete the survey have different characteristics than the NHRIs that did complete it.



3. African NHRIs' engagement on Business and Human Rights

This chapter presents a summary of the survey findings on NANHRI member perspectives and engagements on BHR. It outlines challenges, opportunities and recommendations to amplify the work of African NHRIs on BHR.

3.1 Main BHR issues

3.1.1 Labour rights

Figure 3.1



Note: Own calculations. Number of respondents: 40.

Several issues pertaining to fundamental principles and rights at work remain persistent across the jurisdiction of surveyed NHRIs. Fundamental principles, as defined by the International Labour Organization (ILO) Declaration on Fundamental Principles and Rights at Work,⁹ apply to all people in all States – regardless of the level of economic development – and include: (a) freedom of association and the effective recognition of the right to collective bargaining; (b) the elimination of all forms of forced or compulsory labour; (c) the effective abolition of child labour; and (d) the elimination of discrimination in respect of employment and occupation.

Gender-based discrimination was noted as the most relevant area of concern (60%). Similarly, sexual harassment and human trafficking were noted as highly relevant issues by around half of the responding NHRIs. Despite ranking such issues as highly relevant, interestingly, the data suggests that gender-related issues remain underrepresented in the complaints received by NHRIs: 43% of the NHRIs reported that they have not received any complaint linked to gender-based discrimination in employment. This suggests that there may be persistent barriers in seeking justice

9 <https://www.ilo.org/declaration/lang-en/index.htm>



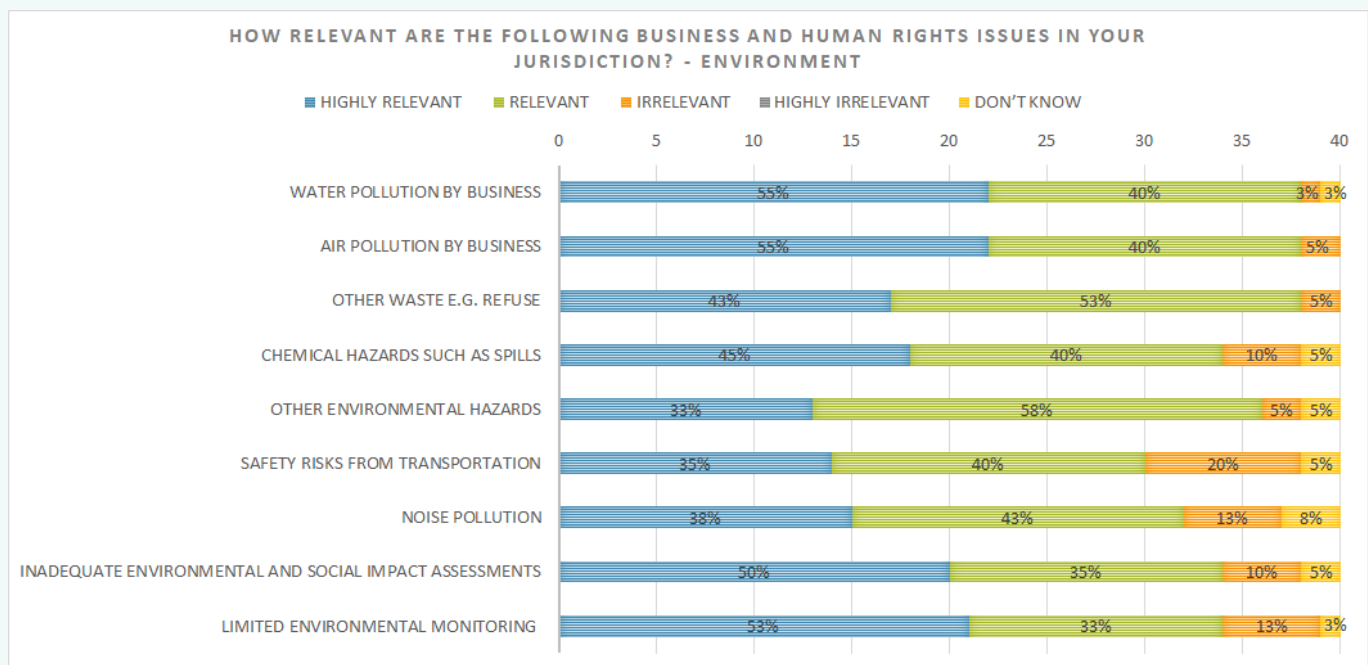
for women victims of business-related abuse, as well as those that may be discriminated against on the basis of Sexual Orientation, Gender Identity and Expression (SOGIE).

General working conditions and employment relations also emerges as a key theme, with respondents highlighting inadequate pay and unsafe working conditions as highly relevant (58% and 45% respectively). Inadequate pay, unsafe working conditions and excessive hours also constitute the majority of complaints received by NHRIs: 73% of respondents indicated having received complaints linked to pay within the past five years. Finally, it is worth noting that a majority of the NHRIs mentioned that activities in the informal economy (e.g., those run by micro and small enterprises, family-run businesses, informal workers working for informal and formal businesses) as a highly relevant or relevant BHR issue (55% and 38% respectively).

Child labour emerges as a pervasive issue with all but, one of the responding institutions considering the issue of relevance or high relevance. Similarly, 83% of the surveyed NHRIs reported issues of forced and compulsory labour as relevant or highly relevant. Furthermore, all but, one of the surveyed NHRIs noted freedom of association and collective bargaining as relevant or highly relevant.

3.1.2 Environmental issues

Figure 3.2



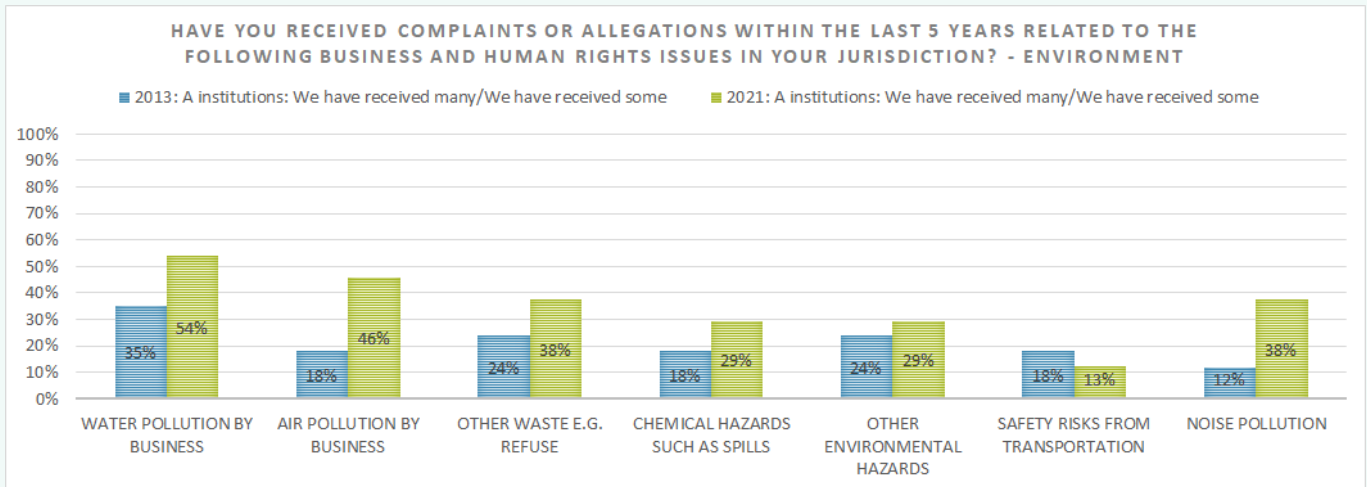
Note: Own calculations. Number of respondents: 40.

Two key themes emerging from the data on environmental issues are: (1) pollution; and (2) inadequate regulatory protection in terms of environmental management. Half of the respondents considered water and air pollution, limited environmental monitoring, and inadequate environmental and social impact assessment as highly relevant. When considered in combination, this clearly points to NHRIs encountering regulatory protection gaps in environmental management. Interestingly, despite environmental issues ranking as highly relevant as land and labour issues, NHRIs seem to have received fewer complaints concerning environmental matters, when compared to labour and land issues. Of all responding institutions, just over 40% reported receiving many or some complaints about water pollution, while only one-quarter received this level of complaints regarding other refuse and environmental hazards. Fewest complaints were received about safety risks from transportation. Nevertheless, it is worth noting that there has been an increase in the number of complaints received within this category since 2013. While only one third of responding NHRIs had declared receiving many or some complaints linked to water pollution in 2013, more than half of the NHRIs



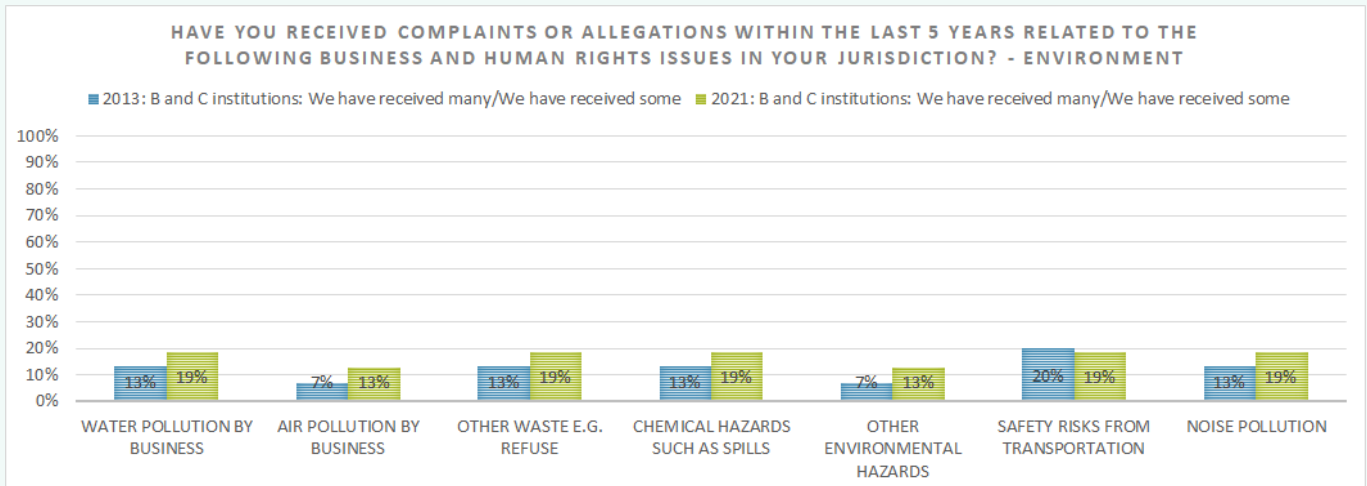
confirmed receiving issues within this category in 2021. This trend is also noticeable for other environment-related complaints, with NHRIs receiving more environment-related complaints in almost every category in 2021, when compared to 2013. Further research might usefully explore if this shift is due to heightened environmental awareness among rights-holders, an increase in environmental threats, increased NHRI capacity to receive environment-related complaints or other factors.

Figure 3.3



Note: 2021: Own calculations, 2013: “Report of the NANHRI mapping survey on Business and Human Rights” from 2013. Number of respondents in 2021: 40.

Figure 3.4

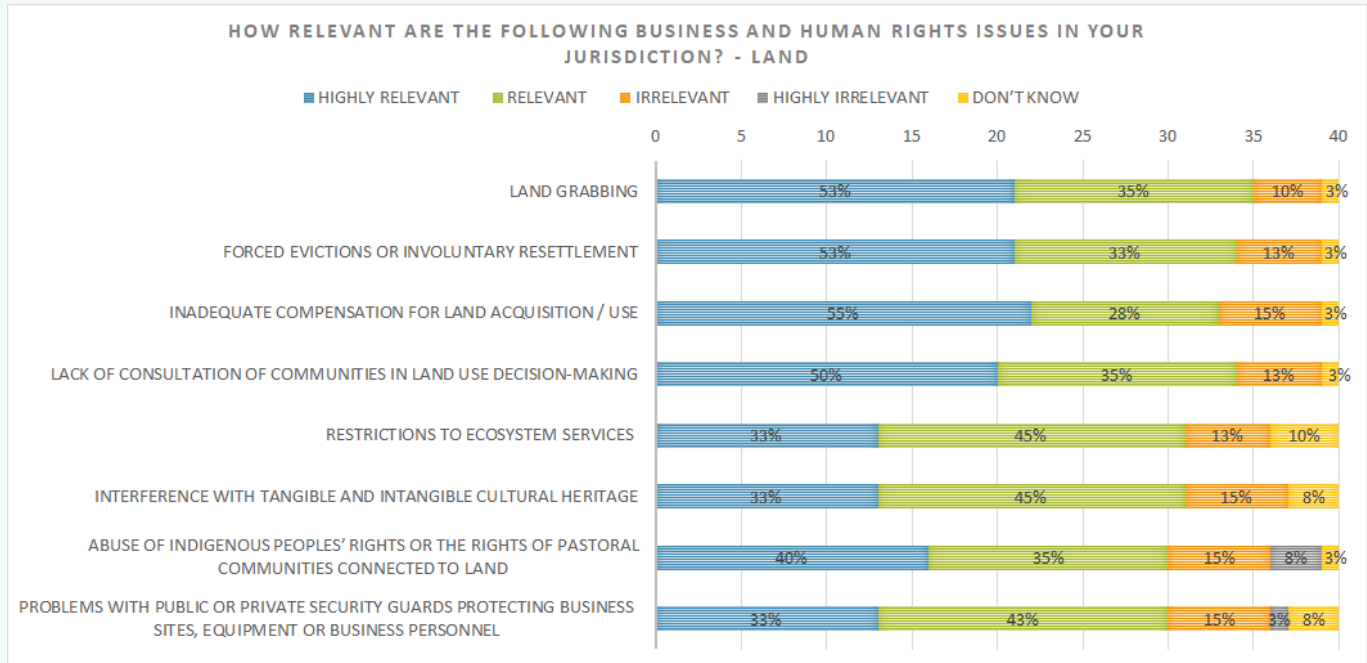


Note: 2021: Own calculations, 2013: “Report of the NANHRI mapping survey on Business and Human Rights” from 2013. Number of respondents in 2021: 40.



3.1.3 Land rights

Figure 3.5



Note: Own calculations. Number of respondents: 40.

Land-related issues were consistently ranked as relevant or highly relevant. Notably, two-thirds of the respondents indicated the relevance of all categories linked to land.

In particular, land grabbing, forced evictions or involuntary resettlement, and inadequate compensation for land acquisition were all ranked as highly relevant by more than half of the respondents. Reflecting on the known interplay of these issues, the survey findings indicate that NANHRI members are keenly aware of the implications of increasing public and private investment in land on people’s rights. Relatedly, lack of community consultation of communities in land-related decision-making also came out strongly. Interestingly, restrictions to ecosystem services, and interference with tangible and intangible cultural heritage, while also commonly associated with increased land acquisition, lease and use by public and private investors, were only ranked as highly relevant by one third of the respondent NHRIs. Further research might usefully explore why this is the case.

The magnitude of the above challenges is further reflected in the complaints received by NHRIs within the land category: More than half of the NHRIs indicated receiving many or some complaints linked to forced evictions and involuntary resettlement. This number constitutes the second highest category of all complaints indicated by NANHRI members and is only preceded by the complaints linked to inadequate pay. In addition, almost half of surveyed NHRIs declared receiving many or some complaints relating to land grabbing and relating to inadequate compensation for land acquisition and use.

Finally, it is worth noting that respondents operating in the West Africa region have indicated problems with public or private security guards protecting business sites, equipment or business personnel as highly relevant: 5 out of 6 respondents from West Africa reported receiving many complaints on the issue. Whether this category is particularly relevant to countries of West Africa, as many of these currently operate within fragile security settings marked by conflict and violence, could be yet another future area of research.

3.1.4 Other emerging issues

Corruption in and connected to the business sector was viewed by most respondents as an important issue: 92% of the institutions classified the category as relevant or highly relevant. It is worth noting that corruption has been



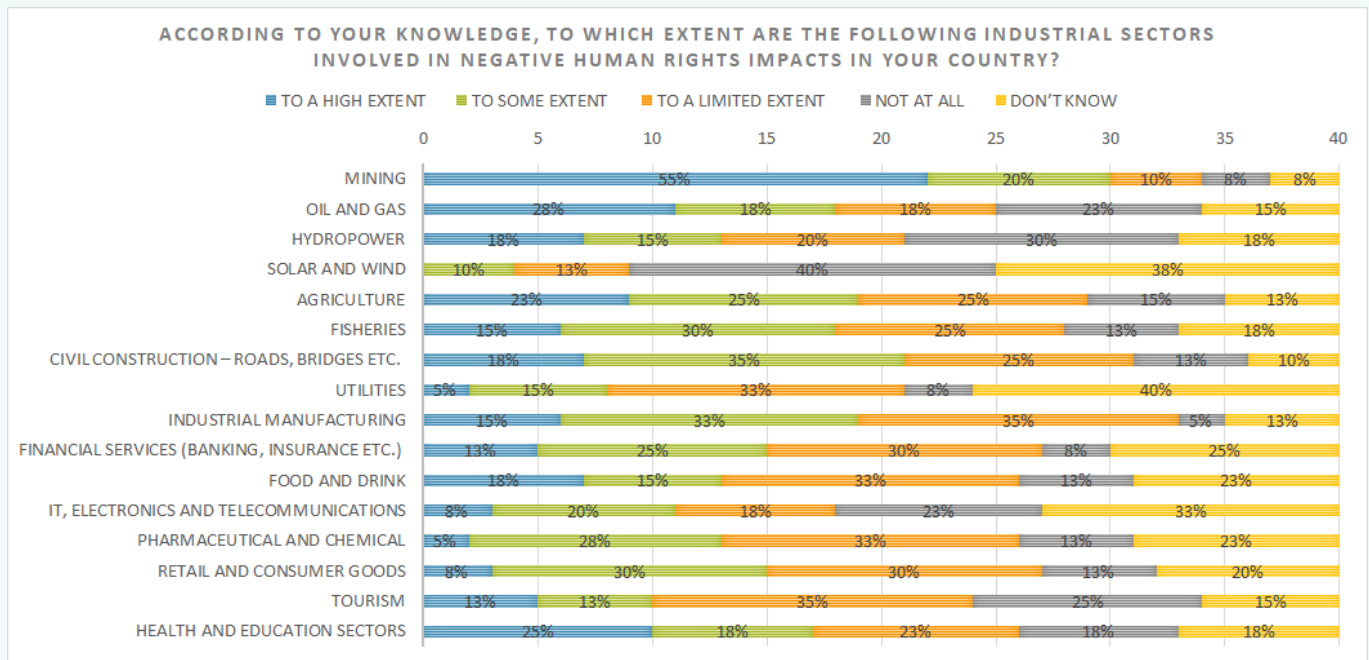
mentioned in various instances across the survey data. For example, respondents who mentioned the uneven power held by businesses as a key challenge impeding the work on BHR, have further emphasised the role of corruption as a root cause of the disproportionate influence held by businesses. For example, one respondent NHRI pointed to the private sector as one of the primary sources of corruption in their jurisdiction. Another respondent enumerated the negative impacts of the mining industry.

Other rising issues highlighted by the responding NHRIs revolve around new forms of human rights challenges associated with the expanding information and communications technology (ICT) sector. Increasing concerns regarding technology-enabled privacy violations were mentioned by 81% of the respondents. Besides elements from the listed categories, one respondent flagged increasing issues of online misinformation and information as highly relevant. While there exists less research about hoaxes and inaccurate information across the African continent, recent developments have pointed to the life-threatening impacts of false and misleading online information in contexts such as the COVID-19 pandemic or political campaigns. The same respondent also pointed to upcoming challenges at the intersection of technology and gender issues, emphasising the rise of tech-facilitated gender-based violence as a relevant issue to address going forward.

Another prominent issue brought forward by the NHRIs is the shrinking space on civic freedom and threats linked to human rights defenders who challenge business activities. While a majority of the NHRIs highlighted the relevance of the issue in relation to the rights of communities and land grabbing, the degree of intimidation mentioned varied from threats to the killing of human rights defenders. One respondent also pointed to the increasing use of civil litigation in silencing and intimidating human rights defenders. Strategic Lawsuit Against Public Participation (SLAPPs) refer to the civil lawsuit filed by a business against individuals or non-governmental organisations (NGOs) with the aim to shut down critical speech by intimidating critics into silence and draining their resources.¹⁰

3.2 Main industry sectors

Figure 3.6



Note: Own calculations. Number of respondents: 40.

The mining sector was starkly highlighted to have the highest extent of negative human rights impacts, ranked by 55% of the respondent NHRIs as being involved with negative human rights impacts to a high extent. This was followed



by the oil and gas, health and education, and agriculture sectors highlighted, with slightly less than one third of the respondents, whose negative human rights impacts were also considered to be high. As such, the findings clearly identify the extractive industries in the region as connected to negative human rights impacts. Taking a combined assessment considering sectors that were ranked as contributing to negative human rights impacts either to a high extent or to some extent, the civil construction (roads, bridges etc.), industrial manufacturing and the fisheries sectors should be noted. The solar and wind and hydropower sectors were the two sectors which most responding NHRIs reported as not being involved in any negative human rights impacts (40% and 30% respectively). Given the increasing interest in the development of renewable energies in the region, further research might usefully further explore NHRIs exposure to and experiences with the traditional and renewable energy sectors to better understand the notable divergence in reported association with negative human rights impacts.

Interestingly, many responding NHRIs also indicated that they could not make an assessment of the linkages between the listed sectors and negative human rights impacts. Particularly notable are the utilities, solar and wind, and IT, electronics and telecommunications sectors, by close to half of the responding NHRIs. Whether this is due to limited negative human rights impacts associated with these sectors, limited data being available to NHRIs, limited understanding of NHRIs of these sectors or other factors, could be usefully explored in further research.

3.3 NHRIs' activities on BHR to date

3.3.1 Status of NHRIs' engagement on BHR

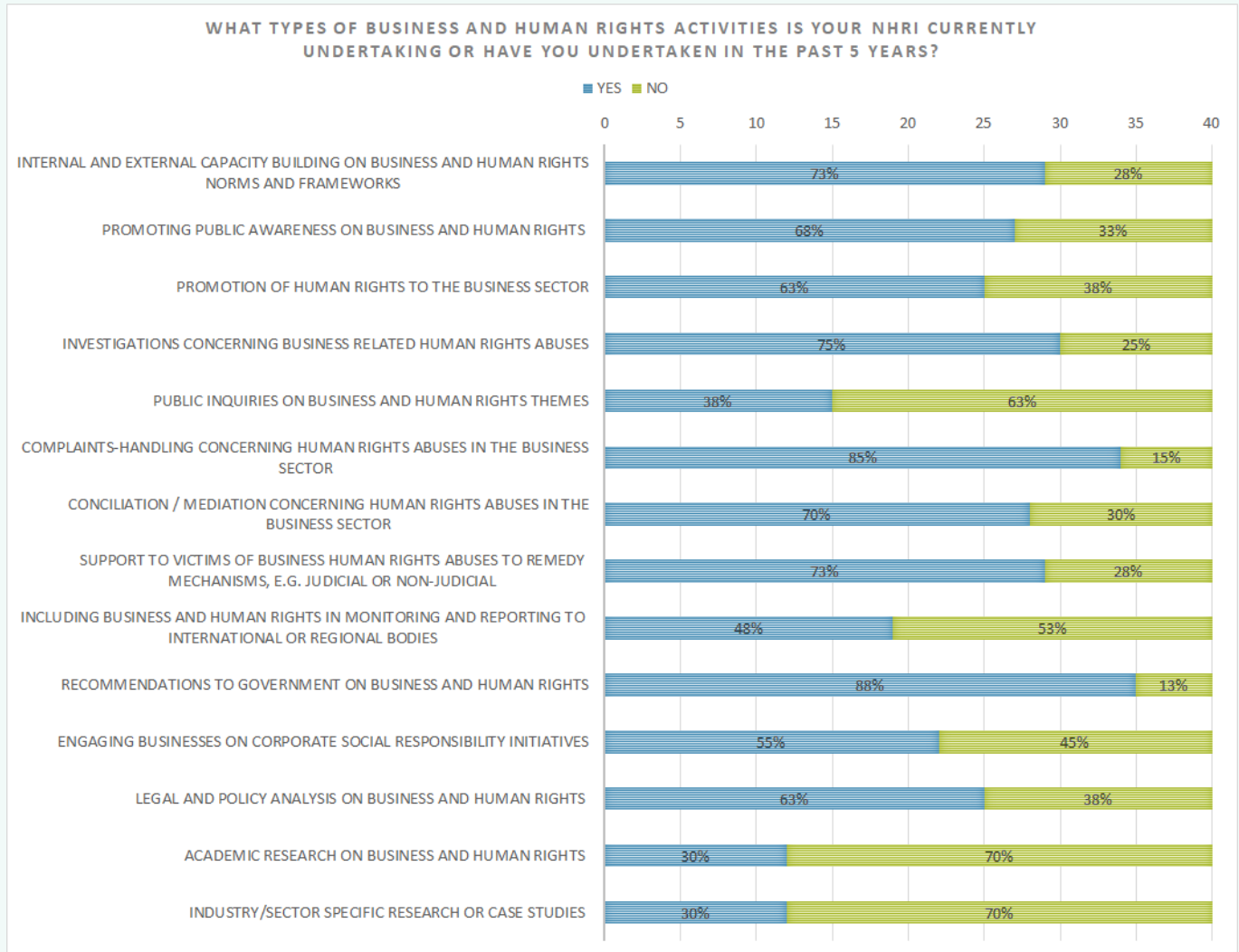
Ninety percent of responding NHRIs consider their mandate suitable to conducting BHR activities, especially as most of them interpret their mandate broadly to encompass BHR. Yet, despite possessing the legal basis for undertaking BHR work, the extent of BHR engagement has varied among NHRIs. Only six respondents indicated not having undertaken any BHR-related work, meanwhile the remaining respondents mentioned varying degrees of BHR engagement. While most respondent NHRIs in East and Southern Africa seemed to reflect a relatively longer tradition of working on BHR (10 years), a majority of institutions operating in West Africa and other subregions indicated ad-hoc engagement and/or discontinuous activities on the topic. Optimistically, all responding institutions have expressed interest in engaging further on BHR and indicated a need for support on the agenda going forward.





3.3.2 Overview of undertaken BHR activities

Figure 3.7



Note: Own calculations. Number of respondents: 40.

Despite reporting a lack of relevant capacities, institutions indicated that in practice they nevertheless undertake a range of BHR-related activities. In particular, recommendations to government on BHR and complaints-handling concerning human rights abuses in the business sector, stand out (88% and 85% respectively); followed closely by investigations concerning business-related human rights abuses and support to victims of business-related human rights abuses to remedy mechanisms, by around three quarters. Notably, these categories align closely with the common functions of NHRIs as articulated in the Paris Principles. Internal and external capacity building on BHR was an activity reported by almost three quarters of the respondents. In the section below, we elaborate further on the main and least developed activities indicated by respondents of the survey and draw implications for NANHRI support to members going forward.

Advisory and recommendations

In line with their mandate to suggest effective measures for the promotion and protection of human rights, 88% of responding institutions declared the provision of advice and recommendations to the government as the main type of activity undertaken on BHR. Most NHRIs reported integrating BHR recommendations in their annual reports. Few suggested other pathways of providing advice and recommendations to the government. One respondent mentioned holding technical advocacy meetings with government officials within technical units, as a follow-up to



any fact-finding mission undertaken by their institution. Two respondents referred to reporting specifically on BHR and the issuing of sectoral recommendations following site visits. How BHR might be most effectively reported on by NANHRI members in their respective jurisdictions, could therefore be an interesting area for further research.

Complaints-handling

Besides the advisory role, another key area of BHR work underlined by a majority of respondents (85%) relates to complaints-handling concerning human rights abuse in the business sector. Institutions have further suggested different ways in dealing with the complaints depending on their inclusion of BHR within their mandate, their financial resources and staff capacity. It was also observed that many institutions referred to alternative dispute resolution (ADR), including mediation and conciliation, to resolve BHR-related complaints in the first instance. Other institutions have implemented mechanisms of coordination with inspection bodies and referred cases to court when needed.

While some institutions pointed to handling complaints systematically, through actions such as monitoring and site visits, many mentioned lacking capacity to address BHR issues systematically, especially in relation to complaints-handling. How NANHRI members apply their mandates to handle business-related complaints could therefore be an instructive area for further research.

Business engagement and outreach

When compared to the 2013 survey on BHR, there has been an increase in the business-facing activities driven by NHRIs: 63% of respondents mentioned promoting human rights awareness to the business sector as part of their activities. At least 55% of the respondents also mentioned engaging business on corporate social responsibility initiatives. One NHRI mentioned that while engaging with business is a key priority, lack of resources and weak means of advocacy have prevented consolidating advocacy in that area.

Yet, engagement with businesses was stated among respondents as an area for which increased engagement could take place in the future. One respondent specifically expressed interest in focussing on select sectors and working with mining companies to encourage them to meet human rights targets and goals.

Interaction with regional mechanisms

In general, the NHRIs have had limited BHR-related interactions with regional mechanisms. A majority of the respondent NHRIs declared not being familiar with most of the regional BHR frameworks, mechanisms, procedures and projects. NHRIs declared being familiar with the UNGPs to a very high/high extent. However, all other frameworks, especially regional ones, appear less known among the respondents. For example, only one fourth of the respondents declared being familiar to very high or high extent with the African Commission Working Group on the Extractive industry. This workstream is nonetheless of interest to NANHRI members as 95% of respondents stated they have an interest in strengthening their engagement with regional mechanisms and frameworks on BHR.

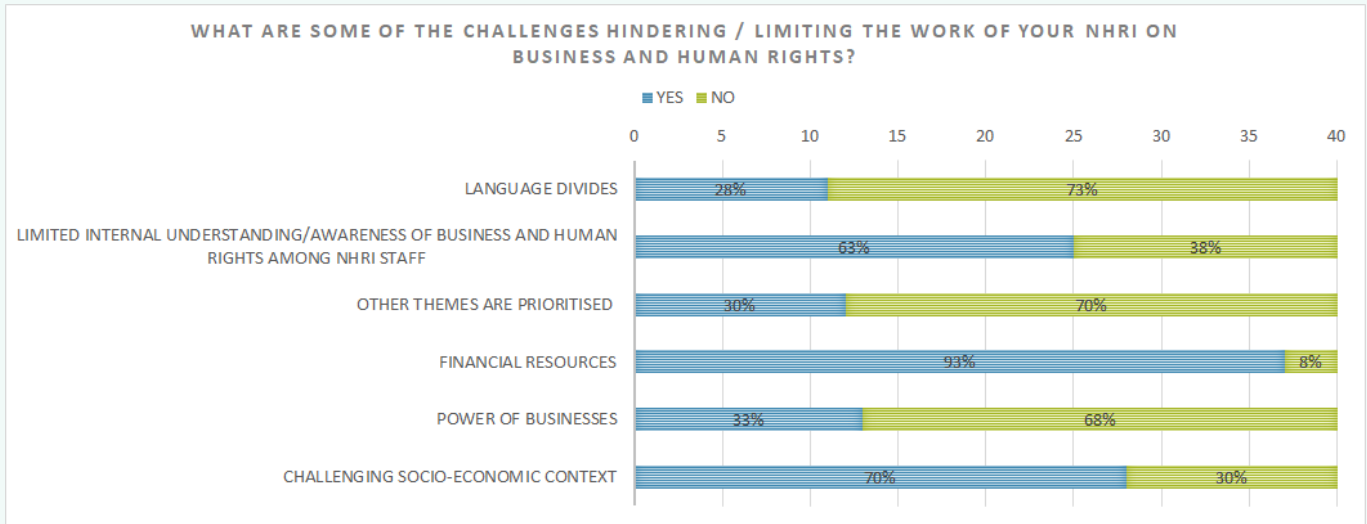
Exchange of information with other stakeholders

In general, more than half of the NHRIs reported extensive information exchange (to a high or to some extent) with other entities such as: national civil society organisations, ministries of the national government, and local media. However, there was considerably less communication, by contrast, between slightly above one thirds of the responding NHRIs, with multinational enterprises, foreign governments, international donor organisations, and other NHRIs. Information exchange with local government authorities, privatised utility companies, the police, national business associations and the military was also reportedly limited. When it comes to modalities of engagement with different stakeholders, many NHRIs reported collaborating with different stakeholders on BHR by means of facilitating internal and external capacity building events. Some NHRIs also mentioned convening forums and events aiming at raising awareness on BHR. Another means of collaboration indicated was collaborative case study development and research on BHR.



3.3.3 Challenges hindering NHRI engagement on BHR

Figure 3.8



Note: Own calculations. Number of respondents: 40.

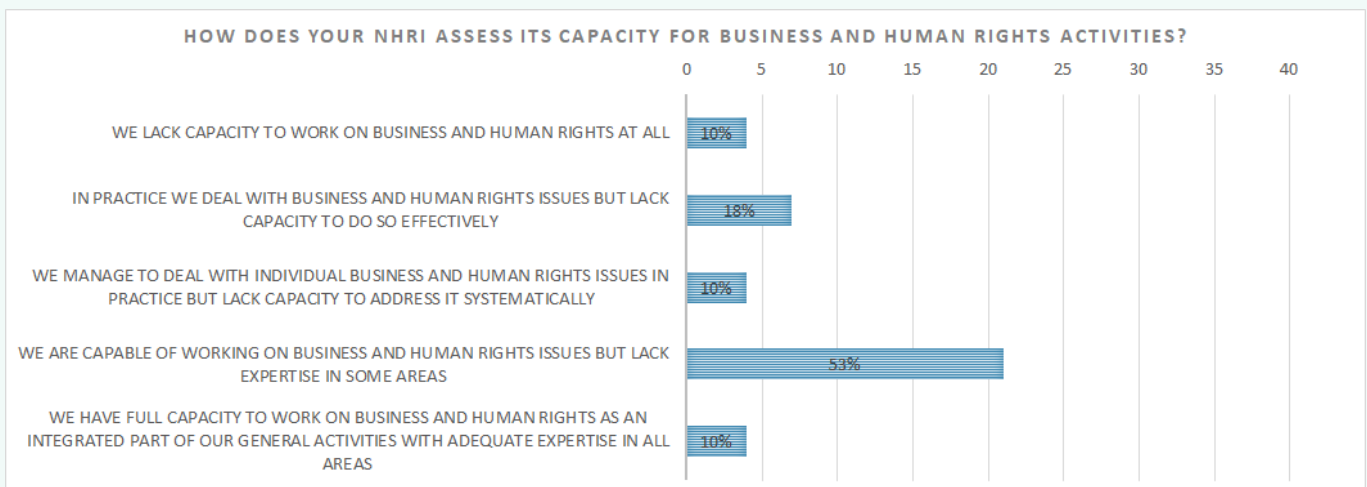
Financial and economic challenges

Financial resources emerged as the main challenge limiting NHRI engagement on BHR (93%). The multiple ways in which this plays out were also elaborated by the respondents. While 26 respondents declared having integrated BHR in their 2021 workplan, only 14 respondents indicated possessing the needed dedicated resources to implement these activities. One respondent further reported that the government has not approved any dedicated BHR funding for this year, therefore pointing to the challenges of policy autonomy faced by NHRIs. Almost all NHRIs indicated that their institutional budget was insufficient to effectively conduct the said BHR activities. In this context, few NHRIs mentioned having sought support from international actors.

Further issues raised by two-thirds of the respondents relate to the challenging socio-economic context across countries creating bottlenecks on the capacity of NHRIs to mobilise on BHR. One respondent pointed to social unrest, the COVID-19 pandemic and other changes diverting focus from the human rights implications of business activities to other human rights focus areas. Another respondent highlighted the longstanding systemic issues of creating employment as a contextual barrier to pursuing meaningful engagement on the promotion of responsible business conduct. As such, the persistence of job creation challenges, causing economies to focus on the creation of livelihood opportunities and the promotion of subsistence activities, makes it difficult to focus and promote responsible business conduct.

Institutional capacity

Figure 3.9



Note: Own calculations. Number of respondents: 40.



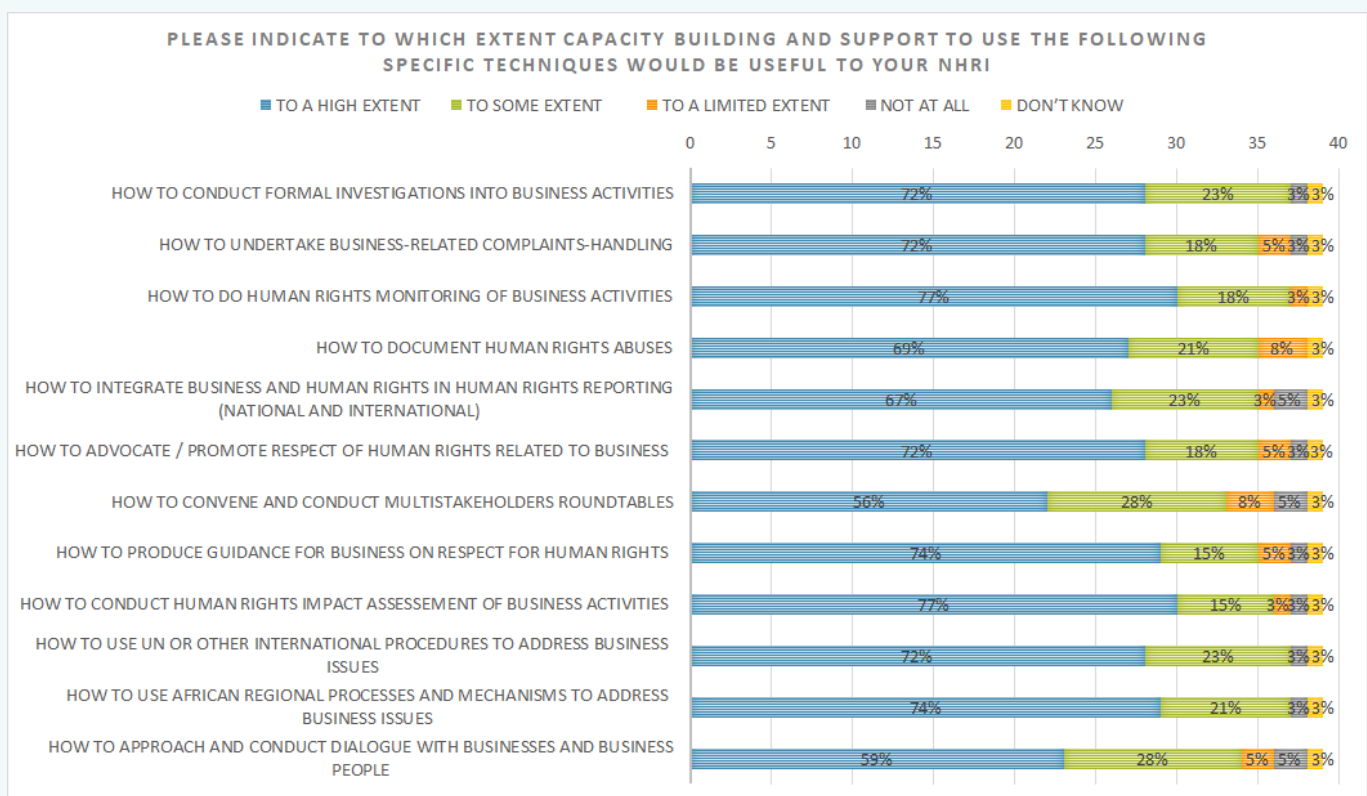
While findings of the survey highlight NHRIs' interest in forging the BHR agenda, the institutional capacity to effectively conduct work on BHR was noted as a lacuna among most responding NHRIs. As such, only few institutions indicated having a dedicated commissioner to work on BHR. Nonetheless, a majority mentioned that commissioners in charge of socio-economic rights loosely interacted with the BHR agenda, pointing to the potential synergies between these two areas of work. When it comes to implementing BHR specific activities, only 20 institutions declared having a designated focal point to implement BHR activities.

Generally, there is an agreement among respondents that internal capacity of NHRIs could be strengthened to better tackle BHR issues. Respondent NHRIs stated internal capacity building on BHR as a priority: More than half of the respondents reported lacking some expertise in the areas of BHR. Some respondents explicitly mentioned that BHR remains a new topic of interest and may therefore be understudied and less understood by the institution.

Other institutional challenges mentioned by respondents concern the lack of collaboration between actors and the weak interest of institutional actors and private actors in the agenda. One respondent further mentioned the constant shifts within the structuring of their institution impeding any effective implementation of BHR work.

3.4 Needs

Figure 3.10



Note: Own calculations. Number of respondents: 40.

Overall, the respondent NHRIs expressed high needs for capacity building and support in all the categories included in the survey. The need for capacity strengthening of NHRIs in the areas of human rights monitoring of business activities and conducting human rights impact assessment of business activities ranked the highest (both at 79%). The need for support especially in relation to strengthening capacity to draw linkages and assess human rights impacts linked to environmental challenges was a recurring theme mentioned by the respondents.



Another area where improvement could be considered, relates to capacity strengthening on complaints-handling, conducting formal investigations and engaging with the African regional processes and mechanisms (all at 74%). The need for capacity strengthening on the African processes and mechanisms was a timely request in particular, considering that this engagement by NHRIs has been weak or sometimes lacking, compared to the NHRIs' more robust engagement on the international mechanisms and processes, such as the United Nations processes. From the findings, it is also important to note that the responding NHRIs generally expressed the need for capacity strengthening for all the mentioned techniques. However, it could be deduced that the responding NHRIs' capacity is relatively stronger on conducting dialogue with businesses and business people, and organising stakeholder roundtables, compared to all the other areas.

Inter-NHRI exchange programmes and study tours for knowledge and good practice experience sharing at regional and international levels was a highly requested area of need. Additionally, the responding NHRIs further requested support for: capacity building of NHRIs on conducting sectoral BHR baseline studies; establishment an African inter-NHRI working group on BHR; strengthening the capacities of NHRIs in the development of National Action Plans on Business and Human Rights; more designated funding for NHRIs to implement BHR projects and/or activities; need for a continent wide agreement by all NHRIs on a BHR treaty; and targeted seminars, training and study tours with a thematic focus on BHR, specifically for the relevant BHR focal persons and staff within the NHRIs.

3.5 Emerging Opportunities for NHRIs in BHR

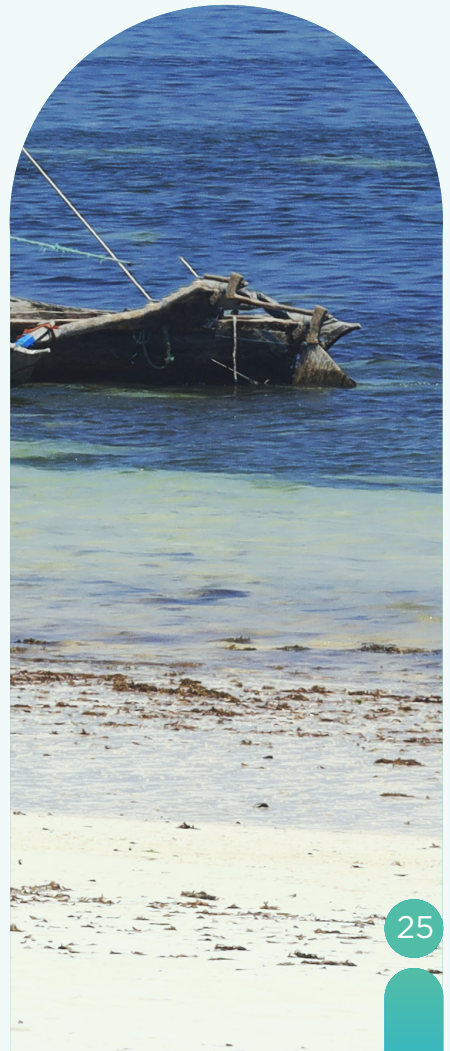
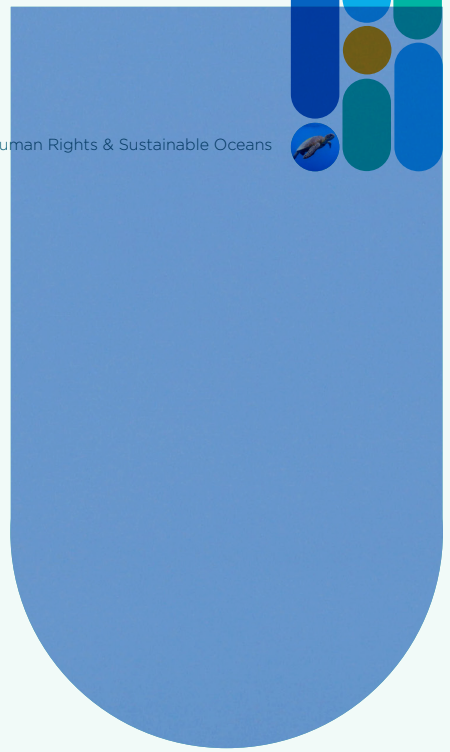
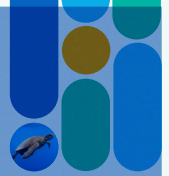
Some of the emerging opportunities for the NHRIs from the survey data were:

a. National level

- Continue advocating for legislative shift and policy change on issues pertaining to BHR.
- Provision of external capacity building to businesses and their representatives.
- Development of guidance on BHR for businesses.
- Spreading awareness on human rights and business principles in local communities.
- Continuing and strengthening NHRI work on facilitating remedy, by enhancing collaboration with other remedy actors.
- Strengthening engagement with regional mechanism, in particular periodic reporting to the African Commission on Human and Peoples' Rights and the African Peer Review Mechanism.

b. Regional level

- Facilitating knowledge sharing and peer exchange on BHR at the regional level.
- Organising guided tours to institutions already working extensively on BHR.
- Holding regional workshops and seminars on BHR on the side of the NANHRI Biennial conference and GANHRI conferences and events.
- Strengthening and facilitating opportunities for comparative cross-country analysis, country-specific research on BHR, or research on sectors with significant high human right risks such as mining, technology and construction.





4. African NHRIs' engagement in sustainable oceans

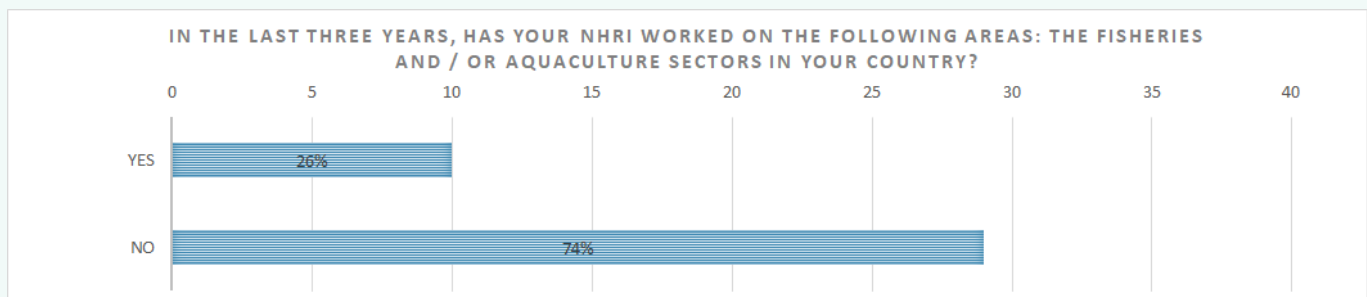
4.1 Introduction to the three sustainable oceans thematic areas

The analysis below is from the findings of the sustainable oceans section of the survey. This section contains questions focussing on specific engagement of NHRIs within three specific thematic areas of sustainable oceans, namely: (1) the fisheries and aquaculture sector; (2) Sustainable Development Goal 14 (SDG 14) – conserve and sustainably use the oceans, seas and marine resources for sustainable development (life below water) – of the 2030 Agenda/Agenda 2063;¹¹ and (3) the blue economy concept in general and the Africa Blue Economy Strategy in particular.¹² Thirty-nine respondents fully completed this section, and their responses are reflected in the analysis below.

4.2 Current level of engagement in the thematic areas (including through partnerships):

4.2.1 Fisheries and Aquaculture

Figure 4.1

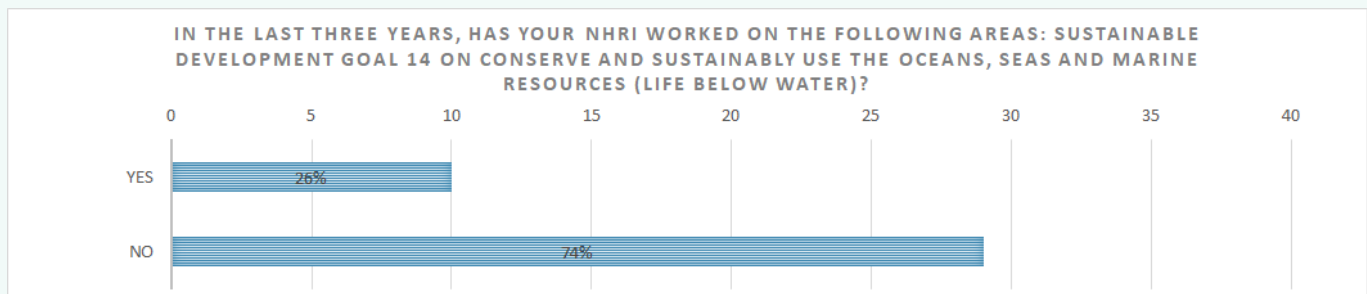


Note: Own calculations. Number of respondents: 39.

One fourth of the participating NHRIs indicated that they had generally worked in the fisheries and aquaculture sector in the last three years, with three fourths, reporting no engagement whatsoever. Further, less than half of the NHRIs highlighted the specific areas they had engaged in under these sectors, which included: engagements with the Fisheries Commission and Ministries of Fisheries to understand their roles; research and studies on labour rights and access to remedies in fish processing industries; public hearings on complaints lodged on oil spills destroying aquatic lives; bi-stakeholder engagement with the National Fisheries and Aquaculture Authority; fact-finding missions to fish-meal factories in fishing villages following reports of over-fishing and pollution of the environment.

4.2.2 Sustainable Development Goal 14

Figure 4.2



Note: Own calculations. Number of respondents: 39.

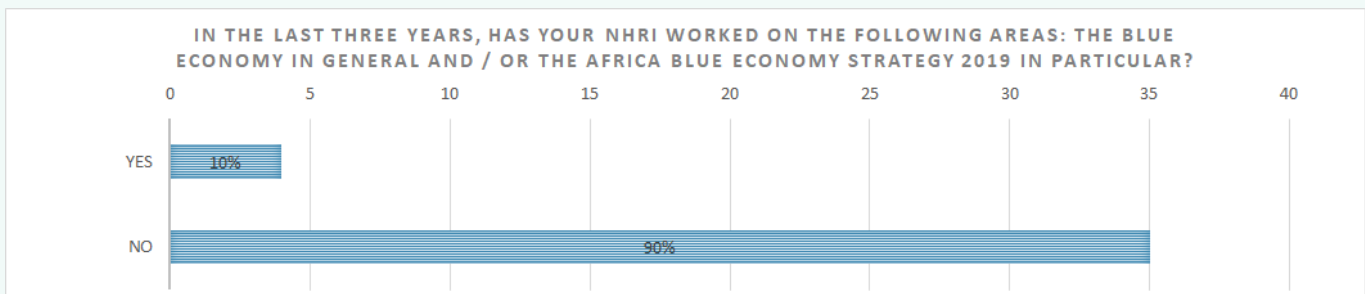
11. Ibid 2 and Ibid 7
12. Ibid 3



In the last three years, 26% of the NHRIs had implemented some work around SDG 14, with 74% reporting to not having had any engagements. Out of the 26%, 16% points further mentioned the areas they had engaged in, which include: general implementation of the SDGs; public education on sustainable fishing activities; releasing statements on World Environment Day 2021; media awareness sessions on environmental rights; workshops and conferences; complaints-handling on oil spills destroying aquatic lives followed by public hearings; fact-finding missions on over-fishing and disposal of waste into the ocean by fishing trawlers and fish-meal factories. At least 10 percentage points, did not mention any areas of engagement.

4.2.3 Blue economy in general and/or the Africa Blue Economy Strategy in particular

Figure 4.3



Note: Own calculations. Number of respondents: 39.

Generally, it was noted that in the last three years, the participating NHRIs have had little to no work on this thematic area. Only 10% of the NHRIs had some engagements, however, 90% reported no engagements with regard to the blue economy in general or the Africa Blue Economy Strategy in particular. It is worthwhile to note that none of the reported engagements were associated with the Africa Blue Economy Strategy directly, but rather with the concept of blue economy in a very general sense. Also, engagements were conducted in an unstructured manner, including: monitoring of strategies and policies and economic growth; and fact-finding into allegations of water pollution in fishing villages and use of inappropriate fishing nets by big players who use trawlers in international waters, which has been a source of conflict and maritime insecurity.

This data indicates a need for advocacy strategies by NANHRI, specifically on popularisation of the salient human rights issues that relate to development of a regional and national blue economy strategy/strategies in Africa, the important role of NHRIs in the development of national blue economy strategies and frameworks and implementation of the same, as well as capacity strengthening of the respondent NHRIs on working in a systematic and structured manner to ensure a human rights-based approach to the implementation of the Africa Blue Economy Strategy at the national level.

Stakeholders engaged

The engagement of NHRIs with key stakeholders in the three thematic areas was evident in the responses. Predominantly, the stakeholders mentioned include: government agencies, including line ministries; civil society organisations; other NHRIs; research institutions; non-governmental organisations; companies and businesses; African Union; East African Community; Economic Community of West African States; NANHRI, DIHR, GANHRI; and the United Nations Office of the High Commissioner for Human Rights.

From the findings, there is an indication of a need for the NHRIs to strengthen the engagement with the UN bodies and African regional instruments and bodies on the three thematic areas.



4.3 Using national frameworks and NHRI mandates in addressing the three thematic areas

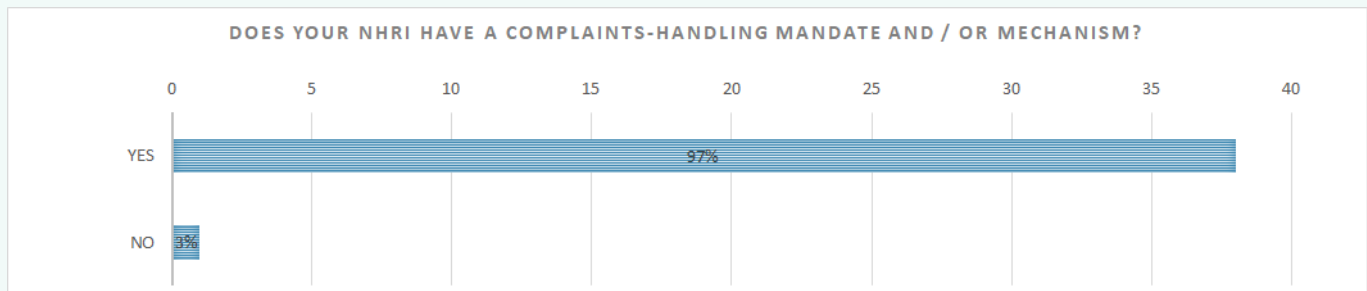
4.3.1 Existing national implementation frameworks

Almost three quarters of the participating NHRIs affirmed their awareness on the existence of national implementation frameworks on fisheries and aquaculture, 54% on Sustainable Development Goal 14 and 38% on the blue economy, respectively. It is, however, also notable that at the same time, the NHRIs reported not having been effectively engaged or involved in the development of the national Implementation frameworks. Out of the three thematic areas, NHRIs have been involved a bit more, though still below what is desirable, in development of the national implementation framework on SDG14, with 21% indicating involvement. Regarding involvement in the development of the national implementation frameworks on fisheries and aquaculture and the blue economy and/or the African Blue Economy Strategy, only a few NHRIs indicated involvement for each area respectively.

The noted minimal participation of NHRIs in the development of the national implementation frameworks for the three thematic areas has mainly been through stakeholder roundtables and consultative meetings, and with some participation in formulation and monitoring of a national policy, mainly noted in the Southern Africa region. Evidently, there is a need for NANHRI to advocate with African NHRIs for stronger engagement in the development, implementation and monitoring of these national frameworks to ensure a stronger human rights focus.

4.3.2 Complaints-handling

Figure 4.4



Note: Own calculations. Number of respondents: 39.

All participating NHRIs, except one, reported to have a complaints-handling mandate and/or mechanism, which to a great extent for most NHRIs (84%) allows for classifying complaints per sector. It was, however, evident that only few NHRIs (34%) have received complaints relating to the fisheries and aquaculture sector. Examples of the complaints received, mainly social and economic in nature, included: complaints from trade union centers; tax inflation; environmental pollution and degradation from industrial oil spillage leading to lost livelihoods with no provision of alternative livelihoods; labor laws violations; harassment by security agencies and other law enforcement state actors who manage water resources; land encroachment by mining companies; lack of public participation on access to fishing sites; corruption in the awards of fishing permits; unsustainable fishing (fishing beyond the specified seasons and beyond the fishing boundaries); and seal culling. The varied nature of these complaints points towards the need for NHRIs to adopt a structured approach to monitoring and addressing human rights abuses related to sustainable oceans, to identify recurring and structural issues, which can be addressed through convening relevant stakeholders at the national level, and engaging in policy dialogue for prevention purposes.

4.4 Role of NHRIs in the implementation of the three thematic areas

From the findings, it is evident that the participating NHRIs are well aware of their relevant primary mandates, including: evidence-based research; human rights education on sustainable use of oceans, seas and marine resources; monitoring and documentation of the state of human rights within the three thematic areas; complaints-handling; investigations; advocacy for legal reforms and promotion and protection of human rights, especially cultural, social and economic rights within the three thematic areas. However, they also expressed that their effective engagement



and implementation of their known roles within the three thematic areas is still lacking and needs strengthening. Notably, the NHRIs not already actively involved in the thematic areas, expressed interest in having their capacities strengthened to be able to efficiently implement their mandate in the three thematic areas. The unique placement of NHRIs in the bridging and interface roles between stakeholders to promote collaborative, sustainable, transparent, participatory and inclusive implementation and monitoring at national, regional and international levels, while also aligning that implementation to regional and international human rights instruments, was also highlighted by most NHRIs in their responses.

4.4.1 Reporting Processes

It was remarkable that 100% of the participating NHRIs are well aware of when their states have been up for review in the Voluntary National Review (VNR) and Universal Periodic Review (UPR) processes since 2015. However, participating NHRIs have very little to no knowledge on the recommendations or commitments around the fisheries and aquaculture sectors, and the blue economy concept which their states have received from the past VNR and UPR processes.

Highlights from the findings on what NHRIs have done/can do on the recommendations and/or commitments from the reporting processes include:

1. Organise consultative frameworks, coalitions and partnerships with relevant stakeholders for the monitoring and implementation of the recommendations and commitments;
2. Organise popularisation and awareness-raising workshops on the monitoring and implementation of all the recommendations and commitments;
3. Engage the government for lobbying and advocacy, to ensure implementation of the recommendations and commitments;
4. Complaints-handling of and capacity building on human rights with state actors and businesses;
5. Preparation of reports, considering the commitments by and/or recommendations made to the state;
6. Influence the development of sectoral policies and strategies to ensure the implementation of commitments and recommendations through their evaluations.

4.4.2 Strategic planning

4.4.2.1 Integration of the thematic areas into NHRIs' strategic plans

10% of the participating NHRIs reported to have integrated work on fisheries and aquaculture, 15% had integrated work on SDG14, and 2 NHRIs had integrated work on the blue economy in general and/or the African Blue Economy Strategy into their current strategic plan. The same tendency was reflected in existence of designated staff members within the NHRIs, tasked with implementing work on the three thematic areas. Unlike with the fisheries and aquaculture work (57%) and the blue economy work (29%), most NHRIs (71%) had dedicated staff working generally on the Sustainable Development Goals, covering SDG14.

4.4.2.2 Budgetary allocation

It was established that apart from one respondent, no other NHRI reported to have a budget specifically allocated for the implementation of the work on fisheries and aquaculture, SDG14 and the blue economy work. Some of the key reasons highlighted for lack of a budget allocation included:

1. No planned activities around the three thematic areas;
2. The budgetary allocation covers the SDGs in general, no specific allocation has been made for SDG14, the fisheries and aquaculture sector or the blue economy work;
3. Projects and activities have not been integrated;
4. COVID-19 shifted the institutional priorities, hence no budget for these three thematic areas at the moment;
5. The NHRIs have very lean insufficient budgets, hence the need to fundraise for any upcoming projects and/or activities.



4.5 Emerging opportunities for NHRIs in the three thematic areas

Some of the emerging opportunities for the NHRIs from the survey data were:

1. Fisheries and Aquaculture

a. National level

- Need for monitoring, research and publication of opportunities for NHRIs in the sectors, for example, monitoring of allocation of fishing rights to prevent irrational exploitation of non-renewable resources.
- Capacity building and support to conduct human rights education on illegal fishing practices, responsible fish farming and equitable fish trade and markets.
- Preparations for the 2022 reporting cycles, including the states up for reporting during the 70th Ordinary Session of the African Commission on Human and Peoples Rights, the 4th Cycle of the Human Rights Council Universal Periodic Review and 2022 Voluntary National Reviews.
- Aligning the national work on this sector to climate action and COVID-19 recovery.
- Integrating discussions on public policy for the establishment and strengthening of national and regional strategies on the sectors.
- Advocacy for labour rights and child rights within the sectors.
- Integration of the thematic area into the NHRIs' strategic plans and annual work plans.
- Opportunity to engage with stakeholders working on the realisation of the right to food.
- Engagement and collaboration with key national actors, such as government agencies and relevant line ministries, the private sector, civil society organisations, research institutions and academia in the thematic area.

b. Regional level

- Development of guidance tools by the African Union and other partners, including NANHRI, for the implementation of the frameworks and the strategies for regional fisheries and aquaculture reforms.
- Regional partnership, cooperation, collaboration and integration with regional bodies, including NANHRI.
- Exchange forums among the NHRIs to strengthen sharing of knowledge, good practices and lessons learnt on the NHRIs' engagement with the fisheries and aquaculture sectors.
- Integrate discussions on public policy for the establishment of a regional strategy.
- Developing a regional human rights-based policy and regulatory framework for monitoring regional commitments in the fisheries and aquaculture sector.

2. Sustainable Development Goal 14.

c. National level

- Deepening collaborations with other stakeholders to ensure knowledge sharing and capacity strengthening on the sustainable use of oceans, seas and marine resources.
- Implementing SDG14-related projects to advance implementation of Agenda 2030.
- Organising national convenings on SDG14 for awareness creation and strategic engagements.
- Respect for fishing quotas and the common heritage of humanity in accordance with international and regional commitments in this area and the COP 21 Paris Agreement.
- Need for increased focus by NHRIs on the monitoring of ocean mining to ensure sustainable use of, and conservation of, marine and aquatic life.
- Monitoring of government decisions regarding mining in marine resources.

d. Regional level

- Knowledge sharing and awareness creation on the linkage between SDG 14 and other regional commitments.
- Regional engagement to develop a regional policy and framework for and the mechanism for monitoring of, the implementation of sustainable practices that ensure the conservation of aquatic life and marine ecology.



3. Blue Economy in general and/or Africa Blue Economy Strategy in particular

e. National Level

- Reviewing the blue and green economies, with specific emphasis on Exclusive Economic Zones (EEZs).
- Human rights education on human rights violations linked to water pollution.
- Regional collaboration and knowledge sharing.
- Awareness creation and the popularisation of the Africa Blue Economy Strategy at national level.
- Increasing advocacy for the development of national blue economy projects.

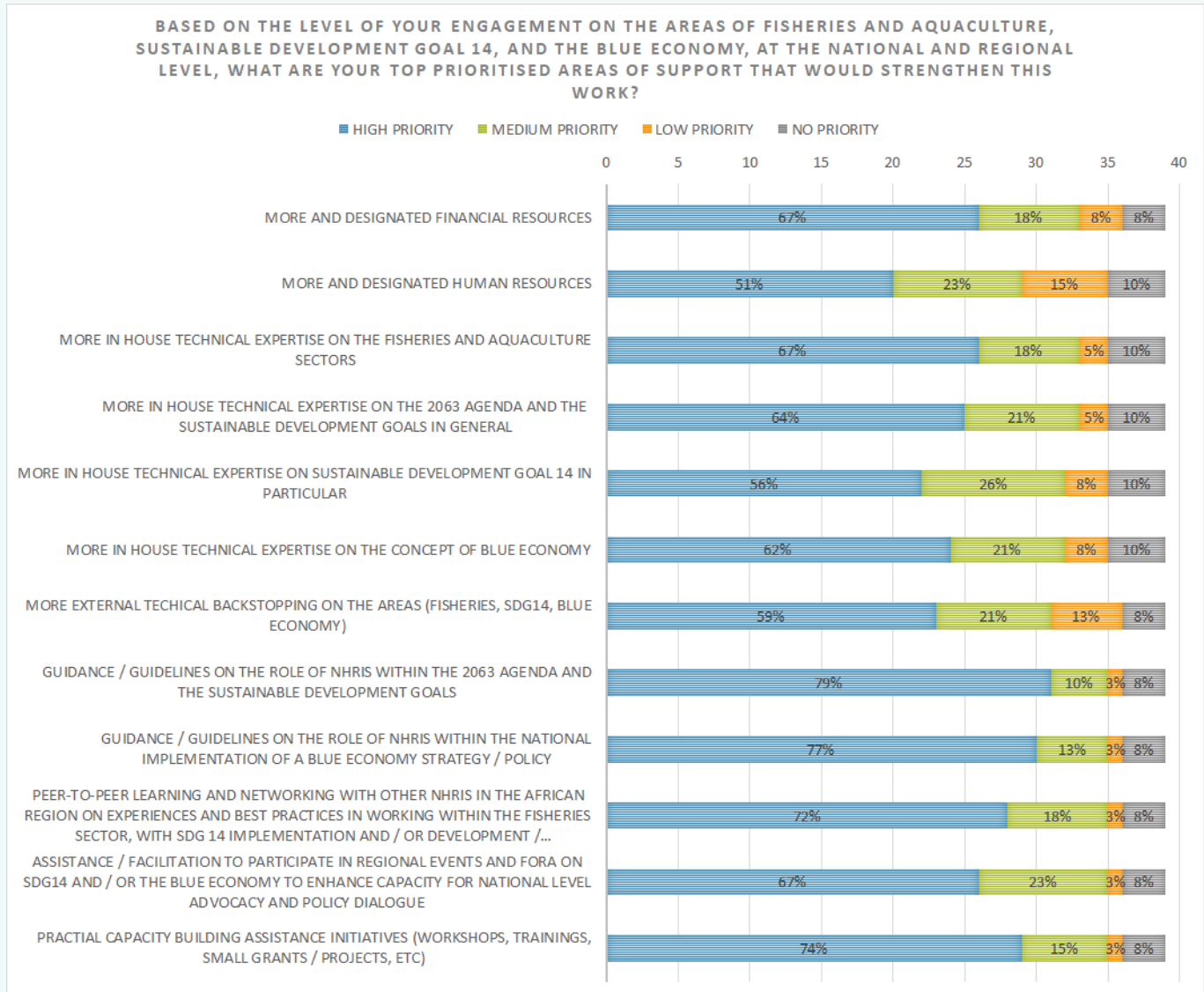
f. Regional level

- Regional discussions on respect for the periods of fishing and exploitation of marine and submarine resources.
- Need for regional-level engagement in research and capacity building initiatives on the blue economy to address the climate crisis and COVID-19 recovery.



4.6 Projected prioritised capacity needs for NHRIs

Figure 4.5



Note: Own calculations. Number of respondents: 39.

Full title of question: "Based on the level of your engagement on the areas of fisheries and aquaculture, sustainable development goal 14, and the blue economy, at the national and regional level, what are your top prioritised areas of support that would strengthen this work / ensure that your work in these areas is effective and visible?" Full text of category 10: "Peer-to-peer learning and networking with other NHRIs in the African region on experiences and best practices in working within the fisheries sector, with SDG 14 implementation and / or development / implementation of a national blue economy strategy / policy".

Based on the findings from the survey, the highly prioritised areas of support that would strengthen the work of African NHRIs on the three thematic areas – fisheries and aquaculture, SDG 14 and the blue economy – were:

1. Guidance on the role of NHRIs within the 2063 Agenda and Sustainable Development Goals;
2. Guidance on the role of the NHRIs in national implementation of a blue economy strategy;
3. Practical capacity building assistance initiatives through workshops, seminars, training, small grants or projects, for all NHRIs in the region;
4. Peer-to-peer learning and knowledge sharing with other NHRIs in the African region on the three thematic areas through study tours, exchange forums, peer reviews and related activities.



It is important and interesting to note that despite the NHRIs highlighting lack of adequate resources to implement work on the three thematic areas, the need for more designated resources came out as a priority area of support but did not come out strongly as a high priority area of support. Additionally, from the findings it can be deduced that NHRIs are more inclined to want more in-house technical expertise on the fisheries and aquaculture sector, compared to SDG14 and the blue economy, with the need for in-house technical expertise on the Sustainable Development Goals in general and the Agenda 2063 still ranking higher than the need for specialised in-house expertise on SDG14 in particular.

4.7 Using regional and global frameworks in addressing the three issues

4.7.1 Linking the three thematic areas to Agenda 2030 and Agenda 2063

Some of the suggestions from the responding NHRIs on how to link the three thematic areas to Agenda 2030 and Agenda 2063, were:

- 1) Hold one regional meeting for all the focal points from the NHRIs in Africa, to review existing national plans, strategies and frameworks and the gaps thereof, to strengthen legal reforms, leading to the formation of an African Observatory of National Human Rights Institutions in the three thematic areas.
- 2) Design guiding principles for NHRIs in Africa in the fields by drawing on experiences and best practices, as well as establishing a database for all African institutions to benefit from information in assessing and monitoring the situation of human rights in Africa, with regard to the three thematic areas.
- 3) Identify the NHRIs within the sub-regions, who have more experience in the fields to support others.
- 4) Preliminary capacity building activities should be conducted individually for each NHRI for a start.
- 5) There is need to adopt an advocacy and awareness strategy to justify the promotion of the blue economy.

The above suggestions point towards an expressed need from the participating NHRIs to strengthen not only the capacity of the individual NHRIs to engage in linking the thematic areas to the Agenda 2030 and Agenda 2063, but equally important to upscale the regional collaboration and coordination between African NHRIs to address and influence stronger linkages. This in turn suggests that NANHRI can play a lead role in this process, through providing guidance for NHRIs, as well as through a convening role to foster interregional NHRI collaboration.



5. Conclusion and recommendations

The recommendations below were drawn from the responses of the NHRIs who participated in the survey.

5.1 Recommendations for strengthening NHRIs' engagement on BHR

5.1.1 Recommendations for NHRIs

- NHRIs should engage with governments, CSOs, businesses and other key stakeholders in order to promote awareness and understanding on BHR; obtain buy-in; and develop key relationships, including identifying champions working on promoting responsible business conduct.
- Seek internal support in relation to strengthening capacity to draw linkages and assess human rights impacts linked to environmental challenges.
- Consider strengthening efforts towards advocating for community and human rights defenders' rights, in particular the right to organise and the protection of human rights defenders.
- Consider reverting to public inquiries as a mechanism to systemically uncover human rights abuse related to business activities.
- Take a proactive approach in dealing with gender-specific BHR issues: Compiling gender- disaggregated data; launch inquiries on gender-based discrimination, etc.
- Seek internal capacity building opportunities in order to strengthen capacity on handling business-related human rights issues, through the provision of workshops, seminars and study tours for relevant NHRI staff.
- There is need for NHRIs to strengthen follow-up to ensure implementation of the recommendations and commitments from the regional and international reporting processes on BHR, by their respective states.
- Providing effective, appropriate and accessible grievance mechanisms, in line with the criteria outlined in the UNGPs.

5.1.2 Recommendations for States

- Reviewing existing national laws and regulations regularly to ensure there exists a comprehensive framework to protect against human rights abuses by business, aligned with international standards, and harmonised with states' international commitments. In particular, states should ensure that legislation on key enabling rights, such as freedom of expression and fundamental labour rights, is consistent with international law.
- States should conduct National Baseline Assessments and subsequently adopt National Action Plans on BHR that are in line with the guidance of the UNWG on BHR.
- States should establish a regular exchange with NHRIs, on BHR thematic or sectoral issues. A regular exchange of promising practices and challenges related to effectively enforcing the duty of the state to protect could allow mutual learning on how to best enhance the protection against business related human rights abuse.
- States should ensure that NHRIs are sufficiently resourced to undertake BHR activities.
- States should ensure that NHRIs are policy independent, meaning that they are independent in determining their policies, findings, and strategic priorities, including in conducting work on BHR when deemed relevant.



5.1.3 Recommendations for NANHRI

NANHRI should:

- Facilitate an African working group on BHR and allow further possibilities to interact with UN working group and other mechanisms.
- Organise regional capacity strengthening, experience and knowledge sharing exchange forums for all NHRIs on business and human rights.
- Consider strengthening regional opportunities for exchange, lesson sharing on BHR for both English speaking and Francophone NHRIs.
- Strengthen the engagement of NHRIs within the existing regional procedures, mechanisms in relation to BHR.
- Engage, provide input and advocate on the process of development of the AU Policy Framework on Business and Human Rights.
- Strengthen the capacity of NHRIs on their reporting obligations on BHR to the ACHPR, APRM and the UN reporting mechanisms.
- Promote a mutual understanding of the roles of both NHRIs and the African Commission on Human and Peoples Rights in implementing the recommendations of the latter at the national level with regards to BHR.
- Facilitate and engage the NHRIs in debates around a legally binding instrument to regulate, in international human rights law, the activities of transnational corporations and other business enterprises.

5.1.4 Recommendations for Development Partners

- Increase donor support to BHR as a theme and to core institutional funding of NHRIs as the safeguards of human rights in country.
- Provide and facilitate opportunities for NHRI capacity building on BHR.

5.2 Recommendations for strengthening NHRIs' engagement on sustainable oceans

5.2.1 Recommendations for NHRIs

- Integrate the three thematic areas addressed in this survey, namely the fisheries and aquaculture sectors, Sustainable Development Goal 14 and the blue economy (both in general the African Regional Blue Economy Strategy specifically), more systematically in their strategies and work plans. Further, NHRIs should develop mechanisms for interaction with the fisheries and aquaculture sectors, especially since these are sectors whose complicated structures are not well understood, and are linked to a wide range of violations;
 - NHRIs can play a significant role in these sectors by ensuring primarily that targeted populations – especially fishermen and associated peoples, who sometimes because of historical and cultural contexts, can bear dimensions of poverty, exclusion and discrimination – enjoy their fundamental human rights, and this implies recognising their expertise and protecting their profession, acknowledging the latter as an integrated part of society and economy. Promoting and protecting the human rights of those people involved in these sectors is fundamental while development – inclusive, regenerative and sustainable development – is being sought.
- There is need for national cohesion, collaboration and integration between NHRIs and other key state and non-state actors in the sustainable oceans work, in all the three thematic areas.
- NHRIs should put in place a follow-up mechanism to monitor and ensure that access to remedy for complaints received related to the fisheries and aquaculture sectors are attained.
- NHRIs should strengthen their reporting obligation, both at regional and international levels, especially to the



African Commission on Human and Peoples Rights (ACHPR), to provide recommendations and highlight the three thematic areas, on the situation of human rights in Africa, when their states are up for reporting.

- NHRIs should strengthen follow up to ensure implementation of the recommendations and commitments from the regional and international reporting processes by their respective states.
- NHRIs need to robustly conduct resource mobilisation to ensure that all key aspects and activities in the three thematic areas are planned for, resourced and effectively implemented.

5.2.2 Recommendations for NANHRI

- NANHRI should organise regional capacity strengthening, experience and knowledge sharing exchange forums for all NHRIs on the three thematic areas.
- Regional and international bodies and institutions such as NANHRI should institute policy that mandates states to clearly outline how they intend to address issues of fisheries and aquaculture activities within their comprehensive national framework documents such as national laws and regulations, implementation plans, roadmaps, strategies and guidelines.
- NANHRI should offer specific training to NHRIs on the fisheries and aquaculture sectors, SDG14 and the blue economy in general and/or the Africa Blue Economy Strategy in particular to empower NHRIs to engage on these topics and engage other actors on the same.
- NANHRI needs to support NHRIs to take up the roles of popularising and sensitising actors on the African Blue Economy Strategy, by creating and implementing actions to promote a human rights-based approach to the blue economy from an African perspective.
- NANHRI needs to strengthen the role of NHRIs to provide the data and the platform for monitoring the compliance of the African Blue Economy Strategy.
- NANHRI should strengthen the reporting capacities of NHRIs, to ensure that the three thematic areas are well articulated in NHRIs' shadow reports to the Universal Periodic Review (UPR) and Voluntary National Review (VNR) processes and in state reports.

5.2.3 Recommendations for States

- As part of state reporting obligation on the SDGs, states should indicate how they are achieving Sustainable Development Goal 14 in terms of programmes and project implementation, and how they are linking that to sustainable oceans work.
- If and when states develop, implement and monitor a national blue economy framework under the African Blue Economy Strategy, they should involve and define an explicit role for their NHRI to ensure a stronger human rights focus.
- There is need for NHRIs to be adequately resourced, to ensure implementation of all key thematic areas within the NHRI mandate.

5.2.4 Recommendations for Development Partners

- NHRIs should be meaningfully engaged and integrated as inevitable partners, indispensably consulted, within the framework of the blue economy. For the latter cannot be envisaged without the continuous presence, expertise and safeguard of NHRIs as stakeholders within and for such economic development. Otherwise, it will be partial and segmented, with a limited vision of economy, prosperity and society.





6. Annexes

6.1 Annex 1

BUSINESS AND HUMAN RIGHTS & SUSTAINABLE OCEANS SURVEY

SECTION 1: BASIC INFORMATION

1. NAME OF NHRI	
2. COUNTRY	
3. NAME(S) AND TITLE(S) OF RESPONDENT(S)	

4. WHAT IS THE LEVEL OF GANHRI ACCREDITATION OF YOUR NHRI (PLEASE USE "X")		
1. "A" VOTING MEMBER, FULL COMPLIANCE WITH PARIS PRINCIPLES	2. "B" OBSERVER MEMBER, NOT DOCUMENTED FULL COMPLIANCE WITH PARIS PRINCIPLES	3. "C" NON-MEMBER, NO PARIS PRINCIPLES COMPLIANCE

SECTION 2: BUSINESS AND HUMAN RIGHTS

5A. DOES YOUR NHRI CONSIDER THAT YOUR MANDATE ADEQUATELY PERMITS ACTIVITIES ON BUSINESS AND HUMAN RIGHTS? (PLEASE USE "X")	
1. YES	2. NO

5B. PLEASE BRIEFLY EXPLAIN WHY / WHY NOT

6. WHAT TYPES OF BUSINESS AND HUMAN RIGHTS ACTIVITIES IS YOUR NHRI CURRENTLY UNDERTAKING OR HAVE YOU UNDERTAKEN IN THE PAST 5 YEARS? (PLEASE USE "X"; WHERE ACTIVITIES HAVE BEEN UNDERTAKEN, PLEASE PROVIDE A SHORT DESCRIPTION OF THE RELEVANT ACTIVITIES AND ANY LINKS TO PUBLICLY AVAILABLE DOCUMENTS OR WEBSITES)		
A. INTERNAL AND EXTERNAL CAPACITY BUILDING ON BUSINESS AND HUMAN RIGHTS NORMS AND FRAMEWORKS		
B. PROMOTING PUBLIC AWARENESS ON BUSINESS AND HUMAN RIGHTS		
C. PROMOTION OF HUMAN RIGHTS TO THE BUSINESS SECTOR		
D. INVESTIGATIONS CONCERNING BUSINESS RELATED HUMAN RIGHTS ABUSES		
E. PUBLIC INQUIRIES ON BUSINESS AND HUMAN RIGHTS THEMES		
F. COMPLAINTS-HANDLING CONCERNING HUMAN RIGHTS ABUSES IN THE BUSINESS SECTOR		
G. CONCILIATION / MEDIATION CONCERNING HUMAN RIGHTS ABUSES IN THE BUSINESS SECTOR		



H. SUPPORT TO VICTIMS OF BUSINESS HUMAN RIGHTS ABUSES TO REMEDY MECHANISMS, E.G. JUDICIAL OR NON-JUDICIAL		
I. INCLUDING BUSINESS AND HUMAN RIGHTS IN MONITORING AND REPORTING TO INTERNATIONAL OR REGIONAL BODIES		
J. RECOMMENDATION TO GOVERNMENT ON BUSINESS AND HUMAN RIGHTS		
K. ENGAGING BUSINESSES ON CORPORATE SOCIAL RESPONSIBILITY INITIATIVES		
L. LEGAL AND POLICY ANALYSIS ON BUSINESS AND HUMAN RIGHTS		
M. ACADEMIC RESEARCH ON BUSINESS AND HUMAN RIGHTS		
N. INDUSTRY/SECTOR SPECIFIC RESEARCH OR CASE STUDIES		
O. OTHER (PLEASE SPECIFY)		

7. SINCE WHEN HAS YOUR NHRI UNDERTAKEN ACTIVITIES ON BUSINESS AND HUMAN RIGHTS? (PLEASE SPECIFY YEAR)	
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8A. HOW DOES YOUR NHRI ASSESS ITS CAPACITY FOR BUSINESS AND HUMAN RIGHTS ACTIVITIES? (PLEASE USE "X")				
1. WE LACK CAPACITY TO WORK ON BUSINESS AND HUMAN RIGHTS AT ALL	2. IN PRACTICE WE DEAL WITH BUSINESS AND HUMAN RIGHTS ISSUES BUT LACK CAPACITY TO DO SO EFFECTIVELY	3. WE MANAGE TO DEAL WITH INDIVIDUAL BUSINESS AND HUMAN RIGHTS ISSUES IN PRACTICE BUT LACK CAPACITY TO ADDRESS IT SYSTEMATICALLY	4. WE ARE CAPABLE OF WORKING ON BUSINESS AND HUMAN RIGHTS ISSUES BUT LACK EXPERTISE IN SOME AREAS	5. WE HAVE FULL CAPACITY TO WORK ON BUSINESS AND HUMAN RIGHTS AS AN INTEGRATED PART OF OUR GENERAL ACTIVITIES WITH ADEQUATE EXPERTISE IN ALL AREAS

8B. PLEASE BRIEFLY EXPLAIN YOUR ANSWER

9. WHAT ARE SOME OF THE CHALLENGES HINDERING/LIMITING THE WORK OF YOUR NHRI ON BUSINESS AND HUMAN RIGHTS (PLEASE USE "X"; WHERE A CHALLENGE APPLIES IN YOUR CONTEXT PLEASE PROVIDE A SHORT DESCRIPTION)		
A. LANGUAGE DIVIDES		
B. LIMITED INTERNAL UNDERSTANDING/AWARENESS OF BUSINESS AND HUMAN RIGHTS AMONG NHRI STAFF		
C. OTHER THEMES ARE PRIORITISED		
D. FINANCIAL RESOURCES		
E. POWER OF BUSINESSES		
F. CHALLENGING SOCIO-ECONOMIC CONTEXT		
G. OTHER (PLEASE SPECIFY)		



10. TO WHICH EXTENT IS YOUR NHRI FAMILIAR WITH THE FOLLOWING REGIONAL AND INTERNATIONAL BUSINESS AND HUMAN RIGHTS FRAMEWORKS, PROCEDURES, MECHANISMS AND PROJECTS? (PLEASE USE "X")					
	1. TO A VERY HIGH EXTENT	2. TO A HIGH EXTENT	3. TO SOME EXTENT	4. TO A LIMITED EXTENT	5. NOT AT ALL
A. UN GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS					
B. UN GUIDING PRINCIPLES ON BUSINESS AND HUMAN RIGHTS GENDER GUIDANCE					
C. UN GUIDING PRINCIPLES 10+ PROJECT					
D. UN GLOBAL COMPACT					
E. OECD GUIDELINES FOR MULTINATIONAL ENTERPRISES					
F. ILO CORE LABOUR STANDARDS					
G. ILO CONVENTION 169					
H. EXTRACTIVE INDUSTRIES TRANSPARENCY INITIATIVE					
I. VOLUNTARY PRINCIPLES ON SECURITY AND HUMAN RIGHTS					
J. UN ANTI-CORRUPTION CONVENTION					
K. OECD ANTI-CORRUPTION CONVENTION					
L. IFC PERFORMANCE STANDARDS					
M. WORLD BANK OPERATIONAL POLICIES					
N. EQUATOR PRINCIPLES					
O. AFRICAN COMMISSION WORKING GROUP ON THE EXTRACTIVE INDUSTRIES					
P. AFRICAN COMMISSION WORKING GROUP ON INDIGENOUS PEOPLES RIGHTS					



Q.	AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS STATE REPORTING GUIDELINES ON REPORTING ON EXTRACTIVE INDUSTRIES, HUMAN RIGHTS AND THE ENVIRONMENT					
R.	AFRICAN UNION DRAFT POLICY FRAMEWORK ON BUSINESS AND HUMAN RIGHTS					
S.	UN WORKING GROUP ON BUSINESS AND HUMAN RIGHTS					
T.	UN B-TECH PROJECT					
U.	OTHER (PLEASE SPECIFY)					

11A. IS YOUR NHRI SEEKING TO INCREASE ENGAGEMENT WITH REGIONAL AND INTERNATIONAL BUSINESS AND HUMAN RIGHTS FRAMEWORKS, PROCEDURES, MECHANISMS AND PROJECTS? (PLEASE USE "X")	
1. YES	2. NO
11B. IF YES, PLEASE BRIEFLY EXPLAIN WHAT ACTIVITIES SHOULD BE UNDERTAKEN TO INCREASE SUCH ENGAGEMENT	

12. HOW RELEVANT ARE THE FOLLOWING BUSINESS AND HUMAN RIGHTS ISSUES IN YOUR JURISDICTION? (PLEASE USE "X")					
	1. HIGHLY RELEVANT	2. RELEVANT	3. IRRELEVANT	4. HIGHLY IRRELEVANT	5. DON'T KNOW
LABOUR					
A.	FORCED LABOUR/ BONDED LABOUR/ INDENTURED LABOUR				
B.	INFORMAL LABOUR				
C.	GENDER-BASED DISCRIMINATION IN EMPLOYMENT / WORKPLACE				
D.	CHILD LABOUR				
E.	UNSAFE OR UNHEALTHY WORKING CONDITIONS				
F.	FREEDOM OF ASSOCIATION AND COLLECTIVE BARGAINING				
G.	EXCESSIVE WORKING HOURS				



H. PROBLEMS WITH PAY (LOW PAY, LATE PAYMENT, NON-PAYMENT OF WAGES, DEDUCTIONS FROM WAGES)					
I. MIGRANT WORKER ISSUES (E.G. INSECURE WORKING CONDITIONS, POOR ACCOMMODATION, POOR WAGES)					
J. IMPACTS OF LARGE INFLUX OF WORKERS (E.G. PROSTITUTION, CRIMINALITY, HOUSE PRICE INFLATION, ENERGY SCARCITY)					
K. HUMAN TRAFFICKING					
L. ABUSES OF WORKERS BY PRIVATE OR PUBLIC SECURITY GUARDS					
M. ABSENCE OF PARENTAL / MATERNITY LEAVE AND PROTECTION					
N. SEXUAL HARASSMENT					
ENVIRONMENT					
A. WATER POLLUTION BY BUSINESS					
B. AIR POLLUTION BY BUSINESS					
C. OTHER WASTE E.G. REFUSE					
D. CHEMICAL HAZARDS SUCH AS SPILLS					
E. OTHER ENVIRONMENTAL HAZARDS					
F. SAFETY RISKS FROM TRANSPORTATION					
G. NOISE POLLUTION					
H. INADEQUATE ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENTS					
I. LIMITED ENVIRONMENTAL MONITORING					
LAND					
A. LAND GRABBING					
B. FORCED EVICTIONS OR INVOLUNTARY RESETTLEMENT					



C. INADEQUATE COMPENSATION FOR LAND ACQUISITION / USE					
D. LACK OF CONSULTATION OF COMMUNITIES IN LAND USE DECISION-MAKING					
E. RESTRICTIONS TO ECOSYSTEM SERVICES					
F. INTERFERENCE WITH TANGIBLE AND INTANGIBLE CULTURAL HERITAGE					
G. ABUSE OF INDIGENOUS PEOPLES' RIGHTS OR THE RIGHTS OF PASTORAL COMMUNITIES CONNECTED TO LAND					
H. PROBLEMS WITH PUBLIC OR PRIVATE SECURITY GUARDS PROTECTING BUSINESS SITES, EQUIPMENT OR BUSINESS PERSONNEL					
OTHER ISSUES					
A. ANTI-CORRUPTION IN AND CONNECTED TO THE BUSINESS SECTOR					
B. PRIVACY VIOLATIONS RELATED TO TECHNOLOGY COMPANIES					
C. REMOVAL OF ONLINE CONTENT OR COMPLETE SHUTDOWNS OF THE INTERNET					
D. DISCRIMINATION LINKED TO THE USE AND DEPLOYMENT OF ARTIFICIAL INTELLIGENCE (AI)					
E. OTHER ISSUES NOT MENTIONED (PLEASE SPECIFY)					

13. HAVE YOU RECEIVED COMPLAINTS OR ALLEGATIONS WITHIN THE LAST 5 YEARS RELATED TO THE FOLLOWING BUSINESS AND HUMAN RIGHTS ISSUES IN YOUR JURISDICTION? (PLEASE USE "X")					
	1. WE HAVE RECEIVED MANY	2. WE HAVE RECEIVED SOME	3. WE HAVE RECEIVED A FEW	4. WE HAVE NOT RECEIVED ANY	5. DON'T KNOW
LABOUR					
A. FORCED LABOUR/ BONDED LABOUR/INDENTURED LABOUR					



B. INFORMAL LABOUR					
C. GENDER-BASED DISCRIMINATION IN EMPLOYMENT / WORKPLACE					
D. CHILD LABOUR					
E. UNSAFE OR UNHEALTHY WORKING CONDITIONS					
F. FREEDOM OF ASSOCIATION AND COLLECTIVE BARGAINING					
G. EXCESSIVE WORKING HOURS					
H. PROBLEMS WITH PAY (LOW PAY, LATE PAYMENT, NON-PAYMENT OF WAGES, DEDUCTIONS FROM WAGES)					
I. MIGRANT WORKER ISSUES (E.G. INSECURE WORKING CONDITIONS, POOR ACCOMMODATION, POOR WAGES)					
J. IMPACTS OF LARGE INFLUX OF WORKERS (E.G. PROSTITUTION, CRIMINALITY, HOUSE PRICE INFLATION, ENERGY SCARCITY)					
K. HUMAN TRAFFICKING					
L. ABUSES OF WORKERS BY PRIVATE OR PUBLIC SECURITY GUARDS					
M. ABSENCE OF PARENTAL / MATERNITY LEAVE AND PROTECTION					
N. SEXUAL HARASSMENT					
ENVIRONMENT					
A. WATER POLLUTION BY BUSINESS					
B. AIR POLLUTION BY BUSINESS					
C. OTHER WASTE E.G. REFUSE					
D. CHEMICAL HAZARDS SUCH AS SPILLS					
E. OTHER ENVIRONMENTAL HAZARDS					
F. SAFETY RISKS FROM TRANSPORTATION					
G. NOISE POLLUTION					
H. INADEQUATE ENVIRONMENTAL AND SOCIAL IMPACT ASSESSMENTS					
I. LIMITED ENVIRONMENTAL MONITORING					



LAND					
A. LAND GRABBING					
B. FORCED EVICTIONS OR INVOLUNTARY RESETTLEMENT					
C. INADEQUATE COMPENSATION FOR LAND ACQUISITION / USE					
D. LACK OF CONSULTATION OF COMMUNITIES IN LAND USE DECISION-MAKING					
E. RESTRICTIONS TO ECOSYSTEM SERVICES					
F. INTERFERENCE WITH TANGIBLE AND INTANGIBLE CULTURAL HERITAGE					
G. ABUSE OF INDIGENOUS PEOPLES' RIGHTS OR THE RIGHTS OF PASTORAL COMMUNITIES CONNECTED TO LAND					
H. PROBLEMS WITH PUBLIC OR PRIVATE SECURITY GUARDS PROTECTING BUSINESS SITES, EQUIPMENT OR BUSINESS PERSONNEL					
OTHER ISSUES					
A. ANTI-CORRUPTION IN AND CONNECTED TO THE BUSINESS SECTOR					
B. PRIVACY VIOLATIONS RELATED TO TECHNOLOGY COMPANIES					
C. REMOVAL OF ONLINE CONTENT OR COMPLETE SHUTDOWNS OF THE INTERNET					
D. DISCRIMINATION LINKED TO THE USE AND DEPLOYMENT OF ARTIFICIAL INTELLIGENCE (AI)					
E. OTHER ISSUES NOT MENTIONED (PLEASE SPECIFY)					

14. ACCORDING TO YOUR KNOWLEDGE, TO WHICH EXTENT ARE THE FOLLOWING INDUSTRIAL SECTORS INVOLVED IN NEGATIVE HUMAN RIGHTS IMPACTS IN YOUR COUNTRY? (PLEASE USE "X")					
	1. TO A HIGH EXTENT	2. TO SOME EXTENT	3. TO A LIMITED EXTENT	4. NOT AT ALL	5. DON'T KNOW
A. MINING					
B. OIL AND GAS					
C. HYDROPOWER					
D. SOLAR AND WIND					
E. AGRICULTURE					
F. FISHERIES					



G. CIVIL CONSTRUCTION – ROADS, BRIDGES ETC.					
H. UTILITIES					
I. INDUSTRIAL MANUFACTURING					
J. FINANCIAL SERVICES (BANKING, INSURANCE ETC.)					
K. FOOD AND DRINK					
L. IT, ELECTRONICS AND TELECOMMUNICATIONS					
M. PHARMACEUTICAL AND CHEMICAL					
N. RETAIL AND CONSUMER GOODS					
O. TOURISM					
P. HEALTH AND EDUCATION SECTORS					
Q. OTHER (PLEASE SPECIFY)					

15. WITHIN THE LAST 5 YEARS TO WHICH EXTENT HAS YOUR NHRI RECEIVED COMPLAINTS OF HUMAN RIGHTS ABUSES RELATED TO THE FOLLOWING INDUSTRIAL SECTORS? (PLEASE USE “X”)

	1. WE HAVE RECEIVED MANY	2. WE HAVE RECEIVED SOME	3. WE HAVE RECEIVED A FEW	4. WE HAVE NOT RECEIVED ANY	5. DON'T KNOW
A. MINING					
B. OIL AND GAS					
C. HYDROPOWER					
D. SOLAR AND WIND					
E. AGRICULTURE					
F. FISHERIES					
G. CIVIL CONSTRUCTION – ROADS, BRIDGES ETC.					
H. UTILITIES					
I. INDUSTRIAL MANUFACTURING					
J. FINANCIAL SERVICES (BANKING, INSURANCE ETC.)					
K. FOOD AND DRINK					
L. IT, ELECTRONICS AND TELECOMMUNICATIONS					
M. PHARMACEUTICAL AND CHEMICAL					
N. RETAIL AND CONSUMER GOODS					
O. TOURISM					
P. HEALTH AND EDUCATION SECTORS					
Q. OTHER (PLEASE SPECIFY)					



16. HOW HAVE YOU DEALT WITH BUSINESS AND HUMAN RIGHTS RELATED COMPLAINTS THAT YOU RECEIVED? WHAT DID YOU DO?

17. TO WHICH EXTENT HAVE YOU PROVIDED INFORMATION TO, OR RECEIVED INFORMATION FROM, THE FOLLOWING ENTITIES IN RELATION TO BUSINESS AND HUMAN RIGHTS ISSUES (PLEASE USE "X")

	1. TO A HIGH EXTENT	2. TO SOME EXTENT	3. TO A LIMITED EXTENT	4. NOT AT ALL	5. DON'T KNOW
A. MINISTRY OF THE NATIONAL GOVERNMENT					
B. AGENCY OF THE NATIONAL GOVERNMENT					
C. LOCAL GOVERNMENT AUTHORITIES					
D. MULTINATIONAL ENTERPRISES					
E. LOCAL BUSINESS					
F. LOCAL MEDIA					
G. INTERNATIONAL MEDIA					
H. NATIONAL CIVIL SOCIETY ORGANISATION OR NGO					
I. LAWYERS REPRESENTING VICTIMS					
J. FOREIGN GOVERNMENT OR EMBASSY					
K. INTERNATIONAL DONOR ORGANISATION					
L. INTERNATIONAL AGENCY (E.G. UN)					
M. OTHER NHRI					
N. POLICE					
O. MILITARY					
P. PRIVATISED UTILITY COMPANIES					
Q. COMMUNITY LEADERS OR CHIEFS					
R. TRADE OR LABOUR UNION					
S. NATIONAL BUSINESS ASSOCIATIONS					



T. GANHRI					
U. NANHRI					

18. WHAT STAKEHOLDERS HAVE YOU/ARE YOU CURRENTLY WORKING WITH ON BUSINESS AND HUMAN RIGHTS AND HOW?

19. HOW HAS YOUR NHRI REFERRED TO / HIGHLIGHTED HUMAN RIGHTS ABUSES IN THE BUSINESS SECTOR? (PLEASE USE "X"; WHERE ACTIVITIES HAVE BEEN UNDERTAKEN, PLEASE PROVIDE A SHORT DESCRIPTION OF THE RELEVANT ACTIVITIES AND ANY LINKS TO PUBLICLY AVAILABLE DOCUMENTS OR WEBSITES)

A. IN SUBMISSIONS OR REPORTS TO INTERNATIONAL BODIES		
B. IN SUBMISSIONS OR REPORTS TO REGIONAL BODIES		
C. IN NATIONAL REPORTS		
D. IN CONFERENCES, ROUNDTABLES OR WORKSHOPS		
E. IN MEDIA STATEMENTS, INTERVIEWS OR PRESS ARTICLES		
F. IN DIRECT COMMUNICATIONS WITH DUTY-BEARERS		
G. OTHER (PLEASE SPECIFY)		

20A. HAS YOUR NHRI INTEGRATED BUSINESS AND HUMAN RIGHTS INTO YOUR CURRENT STRATEGIC PLAN?

20B. WHAT ARE THE SPECIFIC THEMATIC AREAS OF IMPLEMENTATION ON BUSINESS AND HUMAN RIGHTS THAT HAVE BEEN INCORPORATED INTO YOUR 2021 ANNUAL WORK PLAN?

21A. WHAT IS THE BUDGET ALLOCATED FOR THE IMPLEMENTATION OF BUSINESS AND HUMAN RIGHTS WORK IN YOUR NHRI (PLEASE MENTION THE FIGURE, CURRENCY AND INDICATE WHAT PERCENTAGE THIS IS OF YOUR OVERALL BUDGET)

21B. IS THE BUDGET SUFFICIENT TO IMPLEMENT THE WORK?

21C. IF NO, WHERE HAS YOUR NHRI DRAWN FINANCIAL RESOURCES FROM TO IMPLEMENT BUSINESS AND HUMAN RIGHTS WORK?

22A. DOES YOUR NHRI HAVE A DESIGNATED COMMISSIONER OR OPERATIONAL UNIT ON BUSINESS AND HUMAN RIGHTS?

22B. DOES YOUR NHRI HAVE DESIGNATED STAFF OR FOCAL POINT/S WHO ARE IMPLEMENTING THE WORK ON BUSINESS AND HUMAN RIGHTS?

22C. IF YES, WHAT IS THEIR ROLE AND LEVEL OF TECHNICAL EXPERTISE?

IF NO, WHAT ARE SOME OF THE REASONS FOR LACK OF A SPECIFIC PROGRAMME OR DESIGNATED STAFF IMPLEMENTING BUSINESS AND HUMAN RIGHTS WORK IN YOUR NHRI?



23. PLEASE INDICATE TO WHICH EXTENT CAPACITY BUILDING AND SUPPORT TO USE THE FOLLOWING SPECIFIC TECHNIQUES WOULD BE USEFUL TO YOUR NHRI (PLEASE USE "X")

	1. TO A HIGH EXTENT	2. TO SOME EXTENT	3. TO A LIMITED EXTENT	4. NOT AT ALL	5. DON'T KNOW
A. HOW TO CONDUCT FORMAL INVESTIGATIONS INTO BUSINESS ACTIVITIES					
B. HOW TO UNDERTAKE BUSINESS-RELATED COMPLAINTS-HANDLING					
C. HOW TO DO HUMAN RIGHTS MONITORING OF BUSINESS ACTIVITIES					
D. HOW TO DOCUMENT HUMAN RIGHTS ABUSES					
E. HOW TO INTEGRATE BUSINESS AND HUMAN RIGHTS IN HUMAN RIGHTS REPORTING (NATIONAL AND INTERNATIONAL)					
F. HOW TO ADVOCATE / PROMOTE RESPECT OF HUMAN RIGHTS RELATED TO BUSINESS					
G. HOW TO CONVENE AND CONDUCT MULTISTAKEHOLDERS ROUNDTABLES					
H. HOW TO PRODUCE GUIDANCE FOR BUSINESS ON RESPECT FOR HUMAN RIGHTS					
I. HOW TO CONDUCT HUMAN RIGHTS IMPACT ASSESSEMENT OF BUSINESS ACTIVITIES					
J. HOW TO USE UN OR OTHER INTERNATIONAL PROCEDURES TO ADDRESS BUSINESS ISSUES					
K. HOW TO USE AFRICAN REGIONAL PROCESSES AND MECHANISMS TO ADDRESS BUSINESS ISSUES					
L. HOW TO APPROACH AND CONDUCT DIALOGUE WITH BUSINESSES AND BUSINESS PEOPLE					
M. OTHER (PLEASE SPECIFY)					

24. DO YOU HAVE FURTHER OBSERVATIONS / IDEAS ON HOW CAPACITIES OF NHRIS IN AFRICA COULD BE STRENGTHENED IN RELATION TO HANDLING BUSINESS AND HUMAN RIGHTS ISSUES?



SECTION 3: SUSTAINABLE OCEANS (FISHERIES AND AQUACULTURE, SDG14 AND BLUE ECONOMY)

In the following section we will be looking at “Sustainable Oceans”, which we broadly understand as adopting a human rights-based approach to any engagement within the oceans sector. The oceans sector consists of a broad variety of sub-sectors, such as fisheries (small-scale and offshore), aquaculture, maritime shipping, offshore renewable energy, underwater mining, tourism, etc. In this survey, we will be focusing solely on the **fisheries and aquaculture sub-sector**. This includes the entire value chain, from capture (fishing) over processing to sales. Further, we will be focussing on specific engagement on **Sustainable Development Goal 14** –Conserve and sustainably use the oceans, seas and marine resources for sustainable development (Life below water) – of the 2030 Agenda/Agenda 2063. You can read more about SDG14 [here](#) and the Agenda 2063 [here](#). Finally, we will be focussing on the Blue Economy concept, and the **Africa Blue Economy Strategy** in particular, which you can read more about [here](#).

25A. IN THE LAST THREE YEARS, HAS YOUR NHRI WORKED ON THE FOLLOWING AREAS (PLEASE USE “X”)					
1. THE FISHERIES AND/OR AQUACULTURE SECTORS IN YOUR COUNTRY		2. SUSTAINABLE DEVELOPMENT GOAL 14 ON CONSERVE AND SUSTAINABLY USE THE OCEANS, SEAS AND MARINE RESOURCES (LIFE BELOW WATER)		3. THE BLUE ECONOMY IN GENERAL AND/OR THE AFRICA BLUE ECONOMY STRATEGY 2019 IN PARTICULAR	
1. YES	2. NO	1. YES	2. NO	1. YES	2. NO
25B. IF YES, PLEASE PROVIDE A BRIEF DESCRIPTION OR A FEW KEY WORDS ON THE FOLLOWING AREAS IN THE LAST THREE YEARS					
1. THE FISHERIES AND/OR AQUACULTURE SECTORS IN YOUR COUNTRY		2. SUSTAINABLE DEVELOPMENT GOAL 14 ON CONSERVE AND SUSTAINABLY USE THE OCEANS, SEAS AND MARINE RESOURCES (LIFE BELOW WATER)		3. THE BLUE ECONOMY IN GENERAL AND/OR THE AFRICA BLUE ECONOMY STRATEGY 2019 IN PARTICULAR	
25C. IF YES, PLEASE INDICATE ANY STAKEHOLDERS / PARTNERSHIPS YOU HAVE OR HAVE HAD ON THESE AREAS IN THE LAST THREE YEARS					
		1. THE FISHERIES AND/OR AQUACULTURE SECTORS IN YOUR COUNTRY	2. SUSTAINABLE DEVELOPMENT GOAL 14 ON CONSERVE AND SUSTAINABLY USE THE OCEANS, SEAS AND MARINE RESOURCES (LIFE BELOW WATER)	3. THE BLUE ECONOMY IN GENERAL AND/OR THE AFRICA BLUE ECONOMY STRATEGY 2019 IN PARTICULAR	
A. STATE ACTORS					
B. HUMAN RIGHTS ACTORS / CIVIL SOCIETY					
C. PRIVATE SECTOR					
D. REGIONAL BODIES (E.G. AU, ACHPR)					
E. REGIONAL POLITICAL AND ECONOMIC BODIES (SADC, ECOWAS, EAC)					
F. INTERGOVERNMENTAL ORGANISATIONS					
G. NON-STATE ACTOR PLATFORMS (E.G. SANSIFA, EARFISH)					
H. INTERNATIONAL / MULTILATERAL ORGANISATIONS (E.G. UN BODIES)					
I. OTHER (PLEASE SPECIFY)					



26A. DOES YOUR COUNTRY HAVE A NATIONAL IMPLEMENTATION FRAMEWORK THAT SPECIFICALLY ADDRESSES ANY THESE AREAS (PLEASE USE "X")

1. THE FISHERIES AND/OR AQUACULTURE SECTORS IN YOUR COUNTRY		2. SUSTAINABLE DEVELOPMENT GOAL 14 ON CONSERVE AND SUSTAINABLY USE THE OCEANS, SEAS AND MARINE RESOURCES (LIFE BELOW WATER)		3. THE BLUE ECONOMY IN GENERAL AND/OR THE AFRICA BLUE ECONOMY STRATEGY 2019 IN PARTICULAR	
1. YES	2. NO	1. YES	2. NO	1. YES	2. NO

26B. IF YES, HAS YOUR NHRI CONTRIBUTED TO / PLAYED A ROLE IN THE DEVELOPMENT OF THE NATIONAL IMPLEMENTATION FRAMEWORK (PLEASE USE "X")

1. THE FISHERIES AND/OR AQUACULTURE SECTORS IN YOUR COUNTRY		2. SUSTAINABLE DEVELOPMENT GOAL 14 ON CONSERVE AND SUSTAINABLY USE THE OCEANS, SEAS AND MARINE RESOURCES (LIFE BELOW WATER)		3. THE BLUE ECONOMY IN GENERAL AND/OR THE AFRICA BLUE ECONOMY STRATEGY 2019 IN PARTICULAR	
1. YES	2. NO	1. YES	2. NO	1. YES	2. NO

26C. IF YES, PLEASE PROVIDE A BRIEF DESCRIPTION OF YOUR CONTRIBUTION TO THE DEVELOPMENT OF THE NATIONAL IMPLEMENTATION FRAMEWORK

1. THE FISHERIES AND/OR AQUACULTURE SECTORS IN YOUR COUNTRY		2. SUSTAINABLE DEVELOPMENT GOAL 14 ON CONSERVE AND SUSTAINABLY USE THE OCEANS, SEAS AND MARINE RESOURCES (LIFE BELOW WATER)		3. THE BLUE ECONOMY IN GENERAL AND/OR THE AFRICA BLUE ECONOMY STRATEGY 2019 IN PARTICULAR	

27A. DOES YOUR NHRI HAVE A COMPLAINTS-HANDLING MANDATE AND/OR MECHANISM (PLEASE USE "X")

1. YES	2. NO

27B. IF YES, DOES YOUR COMPLAINTS-HANDLING MECHANISM ALLOW FOR CLASSIFICATION OF COMPLAINTS BY SECTOR (PLEASE USE "X")

1. YES	2. NO

27C. IF YES, HAVE YOU RECEIVED COMPLAINTS SPECIFICALLY RELATING TO THE FISHERIES AND AQUACULTURE SECTOR (PLEASE USE "X")

1. YES	2. NO

27D. IF YES, PLEASE PROVIDE EXAMPLES OF THE TYPES OF COMPLAINTS YOU HAVE RECEIVED RELATED TO THE FISHERIES AND AQUACULTURE SECTOR

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28. WHAT IS YOUR UNDERSTANDING ON THE ROLE OF NHRIS IN THE IMPLEMENTATION AND REALISATION OF THESE AREAS

1. THE FISHERIES AND/OR AQUACULTURE SECTORS IN YOUR COUNTRY		2. SUSTAINABLE DEVELOPMENT GOAL 14 ON CONSERVE AND SUSTAINABLY USE THE OCEANS, SEAS AND MARINE RESOURCES (LIFE BELOW WATER)		3. THE BLUE ECONOMY IN GENERAL AND/OR THE AFRICA BLUE ECONOMY STRATEGY 2019 IN PARTICULAR	

29A. SINCE 2015, HAS YOUR STATE BEEN UP FOR REVIEW IN THE VOLUNTARY NATIONAL REVIEW OR THE UNIVERSAL PERIODIC REVIEW PROCESSES (PLEASE USE "X")

1. YES	2. NO

29B. WHEN WAS YOUR LAST VOLUNTARY NATIONAL REVIEW OR UNIVERSAL PERIODIC REVIEW? AND WHAT CYCLE WAS THIS FOR YOUR STATE?

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29C. WERE THERE ANY COMMITMENTS BY OR RECOMMENDATIONS TO YOUR STATE FROM THESE REPORTING PROCESSES ON THE FOLLOWING AREAS

1. THE FISHERIES AND/OR AQUACULTURE SECTORS IN YOUR COUNTRY	2. SUSTAINABLE DEVELOPMENT GOAL 14 ON CONSERVE AND SUSTAINABLY USE THE OCEANS, SEAS AND MARINE RESOURCES (LIFE BELOW WATER)	3. THE BLUE ECONOMY IN GENERAL AND/OR THE AFRICA BLUE ECONOMY STRATEGY 2019 IN PARTICULAR

29D. IF YES, HOW HAS/CAN YOUR NHRI FOLLOW UP ON THE COMMITMENTS BY YOUR STATE AND RECOMMENDATIONS TO YOUR STATE FROM THESE REPORTING PROCESSES (PLEASE ELABORATE)

1. THE FISHERIES AND/OR AQUACULTURE SECTORS IN YOUR COUNTRY	2. SUSTAINABLE DEVELOPMENT GOAL 14 ON CONSERVE AND SUSTAINABLY USE THE OCEANS, SEAS AND MARINE RESOURCES (LIFE BELOW WATER)	3. THE BLUE ECONOMY IN GENERAL AND/OR THE AFRICA BLUE ECONOMY STRATEGY 2019 IN PARTICULAR

30A. HAS YOUR NHRI INTEGRATED THE WORK ON SUSTAINABLE OCEANS INTO YOUR CURRENT STRATEGIC PLAN (PLEASE USE "X")

1. THE FISHERIES AND/OR AQUACULTURE SECTORS IN YOUR COUNTRY	2. SUSTAINABLE DEVELOPMENT GOAL 14 ON CONSERVE AND SUSTAINABLY USE THE OCEANS, SEAS AND MARINE RESOURCES (LIFE BELOW WATER)	3. THE BLUE ECONOMY IN GENERAL AND/OR THE AFRICA BLUE ECONOMY STRATEGY 2019 IN PARTICULAR			
1. YES	2. NO	1. YES	2. NO	1. YES	2. NO

30B. IF YES, DOES YOUR NHRI HAVE ONE OR MORE DESIGNATED STAFF MEMBERS OR FOCAL POINTS IMPLEMENTING THE WORK ON THE FOLLOWING AREAS WITHIN YOUR INSTITUTION (PLEASE USE "X")

1. THE FISHERIES AND/OR AQUACULTURE SECTORS IN YOUR COUNTRY	2. SUSTAINABLE DEVELOPMENT GOAL 14 ON CONSERVE AND SUSTAINABLY USE THE OCEANS, SEAS AND MARINE RESOURCES (LIFE BELOW WATER)	3. THE BLUE ECONOMY IN GENERAL AND/OR THE AFRICA BLUE ECONOMY STRATEGY 2019 IN PARTICULAR			
1. YES	2. NO	1. YES	2. NO	1. YES	2. NO

30C. IF YES, HOW MUCH IS THE BUDGETARY ALLOCATION TO THE IMPLEMENTATION OF THE FOLLOWING AREAS WITHIN YOUR INSTITUTION (PLEASE INDICATE CURRENCY AND AMOUNT)

1. THE FISHERIES AND/OR AQUACULTURE SECTORS IN YOUR COUNTRY	2. SUSTAINABLE DEVELOPMENT GOAL 14 ON 'CONSERVE AND SUSTAINABLY USE THE OCEANS, SEAS AND MARINE RESOURCES' (LIFE BELOW WATER)	3. THE BLUE ECONOMY IN GENERAL AND/OR THE 'AFRICA BLUE ECONOMY STRATEGY 2019' IN PARTICULAR

IF NO BUDGETARY ALLOCATION, PLEASE EXPLAIN WHY

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31. IN YOUR OPINION, WHAT ARE SOME OF THE EMERGING OPPORTUNITIES FOR YOUR NHRI TO INCREASE YOUR FOCUS ON AND / OR ENGAGEMENT WITH THE FOLLOWING AREAS IN YOUR COUNTRY / AT THE REGIONAL LEVEL (PLEASE ELABORATE)

	COUNTRY LEVEL	REGIONAL LEVEL
A. THE FISHERIES AND/OR AQUACULTURE SECTORS IN YOUR COUNTRY		
B. SUSTAINABLE DEVELOPMENT GOAL 14 ON CONSERVE AND SUSTAINABLY USE THE OCEANS, SEAS AND MARINE RESOURCES (LIFE BELOW WATER)		
C. THE BLUE ECONOMY IN GENERAL AND/OR THE AFRICA BLUE ECONOMY STRATEGY 2019 IN PARTICULAR		



32. BASED ON THE LEVEL OF YOUR ENGAGEMENT ON THE AREAS OF FISHERIES AND AQUACULTURE, SUSTAINABLE DEVELOPMENT GOAL 14, AND THE BLUE ECONOMY, AT THE NATIONAL AND REGIONAL LEVEL, WHAT ARE YOUR TOP PRIORITISED AREAS OF SUPPORT THAT WOULD STRENGTHEN THIS WORK/ ENSURE THAT YOUR WORK IN THESE AREAS IS EFFECTIVE AND VISIBLE? (PLEASE USE "X")

	HIGH PRIORIT	MEDIUM PRIORITY	LOW PRIORITY	NO PRIORITY
A. MORE AND DEDICATED FINANANCIAL REOURCES				
B. MORE AND DEDICATED HUMAN RESOURCES				
C. MORE IN HOUSE TECHNICAL EXPERTISE ON THE FISHERIES AND AQUACULTURE SECTORS				
D. MORE IN HOUSE TECHNICAL EXPERTISE ON THE 2063 AGENDA AND THE SUSTAINABLE DEVELOPMENT GOALS IN GENERAL				
E. MORE IN HOUSE TECHNICAL EXPERTISE ON SUSTAINABLE DEVELOPMENT GOAL 14 IN PARTICULAR				
F. MORE IN HOUSE TECHNICAL EXPERTISE ON THE CONCEPT OF BLUE ECONOMY				
G. MORE EXTERNAL TECHICAL BACKSTOPPING ON THE AREAS (FISHERIES, SDG14, BLUE ECONOMY)				
H. GUIDANCE / GUIDELINES ON THE ROLE OF NHRIS WITHIN THE 2063 AGENDA AND THE SUSTAINABLE DEVELOPMENT GOALS				
I. GUIDANCE/GUIDELINES ON THE ROLE OF NHRIS WITHIN THE NATIONAL IMPLEMENTATION OF A BLUE ECONOMY STRATEGY / POLICY				
J. PEER-TO-PEER LEARNING AND NETWORKING WITH OTHER NHRIS IN THE AFRICAN REGION ON EXPERIENCES AND BEST PRACTICES IN WORKING WITHIN THE FISHERIES SECTOR, WITH SDG 14 IMPLEMENTAION AND/OR DEVELOPMENT / IMPLEMENTATION OF A NATIONAL BLUE ECONOMY STRATEGY/POLICY				
K. ASSISTANCE / FACILITATION TO PARTICIPATE IN REGIONAL EVENTS AND FORA ON SDG14 AND / OR THE BLUE ECONOMY TO ENHANCE CAPACITY FOR NATIONAL LEVEL ADVOCACY AND POLICY DIALOGUE				
L. PRACTIAL CAPACITY BUILDING ASSISTANCE INITIATIVES (WORKSHOPS, TRAININGS, SMALL GRANTS/PROJECTS, ETC)				
M. OTHER (PLEASE SPECIFY)				

33. WHAT ARE YOUR RECOMMENDATIONS ON HOW THE FOLLOWING AREAS SHOULD BE LINKED / INTEGRATED IN MORE COMPREHENSIVE SUSTAINABLE DEVELOPMENT PROJECTS, STRATEGIES AND PLANS TO ENSURE EFFECTIVENESS AND COHERENCE WITH OTHER NHRIS AND IN THE AFRICA REGION?

1. THE FISHERIES AND/OR AQUACULTURE SECTORS IN YOUR COUNTRY	2. SUSTAINABLE DEVELOPMENT GOAL 14 ON CONSERVE AND SUSTAINABLY USE THE OCEANS, SEAS AND MARINE RESOURCES (LIFE BELOW WATER)	3. THE BLUE ECONOMY IN GENERAL AND/OR THE AFRICA BLUE ECONOMY STRATEGY 2019 IN PARTICULAR

34. DO YOU HAVE FURTHER OBSERVATIONS / IDEAS ON HOW CAPACITIES OF NHRIS IN AFRICA COULD BE STRENGTHENED IN RELATION TO HANDLING SUSTAINABLE OCEANS?

*****THANK YOU*****







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