

NETWORK OF AFRICAN NATIONAL HUMAN RIGHTS INSTITUTIONS

ANNUAL REPORT 2022



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About the Network of African Human Rights Institutions

The Network of African National Human Rights Institutions (NANHRI) is a not-for-profit-organisation that brings together 46 National Human Rights Institutions (NHRIs) in Africa. The Secretariat of the Network is hosted by the Kenya National Commission on Human Rights in Nairobi, Kenya. The Network supports the establishment and strengthening of the NHRIs across the continent in addition to facilitating coordination, cooperation amongst members and linking them to other key human rights actors at the regional and international level.

Vision

An African continent with enhanced human rights and justice for all.

Mission

To support the establishment and strengthening of Paris Principles compliant national human rights institutions that effectively discharge their mandate.

Values and Guiding Principles

To achieve its mission and vision, NANHRI is committed to the following: -

Transparency
Accountability
Openness
Cooperation
Professionalism
Gender Equality

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List of Abbreviations

ACERWC	African Committee of Experts on the Rights and Welfare of the Child
ACHPR	African Commission on Human and Peoples' Rights
AfCFTA	African Continental Free Trade Area
APCOF	African Policing Civilian Oversight Forum
ARFSD	Africa Regional Forum on Sustainable Development
ASRHR	Adolescent Sexual and Reproductive Health and Rights
AU	African Union
BHR	Business and Human Rights
CHRAGG	Commission for Human Rights and Good Governance
CHRAJ	Commission on Human Rights and Administrative Justice
CNDH	Commission Nationale des Droits Humains
CNIDH	Commission Nationale Indépendante des Droits de l'Homme
CSO	Civil Society Organisation
DIHR	Danish Institute for Human Rights
ECA	Economic Commission for Africa
ECOWAS	Economic Community of West African States
GANHRI	Global Alliance Of National Human Rights Institutions
HRD	Human Rights Defenders
IMLU	Independent Medico-Legal Unit
IPOA	Independent Policing Oversight Authority
KNCHR	Kenya National Commission on Human Rights
LAV	Laboratory for the Analysis of Violence of the State University of Rio de Janeiro
LGBT	Lesbian, Gay, Bisexual, and Transgender
MSJC	Mathare Social Justice Centre
NANHRI	Network of African National Human Rights Institutions
NAP	National Action Plan
NCP	National Contact Point
NHRI	National Human Rights Institution

List of Abbreviations

OECD	Organisation for Economic Co-operation and Development
OHCHR	Office of the United Nations High Commissioner for Human Rights
RAP	Regional Africa Program
RWI	Raoul Wallenberg Institute of Human Rights and Humanitarian Law
SGBV	Sexual and Gender-Based Violence
SCA	Sub-Committee of Accreditation
SDG	Sustainable Development Goal
SHARP	Solutions for Healthy Adolescents and Rights Protection
SOGIE	Sexual Orientation and Gender Identity Expression
SRHR	Sexual Reproductive Health Rights
TPP	Tripartite Partnership
TRRC	Truth, Reconciliation and Reparations Commission
UNGP	United Nations Guiding Principles on Business & Human Rights
UNICEF	United Nations Children's Fund
UN	United Nations
UNDP	United Nations Development Programme
UPR	Universal Periodic Review
VLR	Voluntary Local Review
VNR	Voluntary National Review
WG	Working Group

Message from the Chairperson

I am indeed grateful for the work that the Network of African Human Rights Institutions (NANHRI) has done in the past year by contributing to the enhancement of human rights system in Africa. The organization has been instrumental in supporting National Human Rights Institutions within Africa to address violations attributed to political instability, corruption, civil war and most importantly, the effects of the recent Coronavirus Pandemic.

Such interventions cannot be implemented by just one institution but through collaborations and partnerships with like-minded stakeholders.



It is also important to note that through the interventions organized by NANHRI, Africa has continued to change its mindset towards issues around human rights like women rights, People Living with Disability Rights and Children's Rights. The African Commission of Human and Peoples' Rights has also made progress in addressing a number of violations like torture, rights of migrants, children and women's rights, economic and cultural rights across the continent. However due to issues such as weak enforcement, limited resources and accountability measures, there's still need for more interventions and implementation of existing policies. I would therefore urge more institutions to join hands with NANHRI for the realization of a stronger human rights system in Africa.

NANHRI Chairperson,

Dr. Elasto Mugwadi

Message from the Executive Director

The Network of African National Human Rights Institutions (NANHRI) has continued to strengthen and enable the implementation of Human Rights policies in the African continent, and especially in its geographical areas of interventions. We have worked hand in hand with the National Human Rights Institutions to effect and create awareness of laws that will enhance human rights in Africa.

Our most recent strategic plan has guided us to effect our mandate in encouraging the establishment and accreditation of National Human Rights Institutions in conformity with the UN Paris Principles, Facilitate coordination, strengthening and effectiveness of NHRIs in Africa and Encourage cooperation among NHRIs and with both governmental and non-governmental institutions.

I am glad that a good number of the NHRIs gained their 'A' status as they now comply fully with the Paris Principles. Our thematic focus last year was on Business & Human Rights, Sexual and Reproductive Health & Rights and Engagement with International Human Rights mechanisms.

Through these interventions, we have been able to coordinate activities in various countries of our NHRI members through accreditation, offering capacity building programs to shed light on unfolding human rights issues.

We hope to do much more in the coming year and coordinate with our stakeholders, who have so far been very helpful in providing support in order to implement our activities.



NANHRI Executive Director,

Mr. Gilbert Sebihogo

Executive Summary

The 2022 report outlines NANHRI, achievements, challenges and innovations as well as lessons learnt where applicable. The activities are based on the three NANHRI strategic objectives to be pursued in the strategic period between 2021-2025. A financial statement is annexed at the end.

NANHRI managed to attain its key points of intervention in the year 2022, with the hope that it effectively strengthens the National Human Rights Institutions in Africa in delivering on their mandates as provided for in the United Nations Paris Principles of 1993. In light of this, it is worth noting that three more NHRIs were granted 'A' Status accreditation, bringing the number of NANHRI members in full compliance with Paris Principles to 28. NANHRI hopes that more NHRIs will comply by ensuring that Human Rights issues are given priority, when it comes to planning.

NANHRI also carried out a successful induction for newly appointed Commissioners, that saw 50 delegates from nine NHRIs in Africa. Apart from enhancing their understanding of the African Human Rights mechanisms we also shed light on programs implemented by the NANHRI secretariat.

As there has been increasing violence on people with diverse sexual orientation, the SOGIE project has continued to enhance protection of such people as outlined in the Universal Declarations on Human Rights and the Resolution 275 of the African Commission on Human and People's Rights. NANHRI also held an inception meeting that brought together 9 NHRIs from different parts of the continent with a goal to engender collaborative initiatives in the protection of SOGIE persons.

Sexual and reproductive health rights of adolescents remain a key challenge, including early pregnancy and parenthood, difficulties accessing contraception and high rates of sexually transmitted infections. The Sharp project has come in handy to convene meetings that tackle issues on financial accountability, reporting requirements, joint advocacy initiatives and knowledge management.

Lastly, NANHRI has also been instrumental in leading the Business and Human Rights agenda and Blue Economy project. This has been through capacity building on Business and Human Rights to NHRIs in Africa. This has included the enhancement of accountability and access to remedy in cases of business-related human rights abuse and to build strategic and impactful BHR engagement, which will in turn foster BHR standards.

PROGRAM UPDATES

Strategic Objective 1: Enhance the Capacity of NHRIs in Africa to Deliver on their Mandate

Accreditation and Re-accreditation of NHRIs

The year 2022 has seen three more NHRIs confirmed to be fully compliant with the Paris Principles in the March 14th-25th, 2022 and granted A status accreditation, bringing the number of NANHRI members in full compliance with the Paris Principles to 28. The National Human Rights Institutions that were granted A status include the National Human Rights Commission of the Gambia, the Commission national des droits de l'homme du Mali and the Commission Béninoise des Droits de l'Homme. NANHRI Secretariat supported the NHRIs with drafting statements of compliance, submission of the documents and coaching missions for interviews ahead of the March, 2022 appearance before the SCA. As an observer in the accreditation process, NANHRI submitted independent assessment statements to the SCA in respect to the four NHRIs.

Upon review of other NHRIs, CNIDH of Madagascar maintained it's a status, while the CNDH Niger and the Human Rights Commission Sierra Leone were re-accredited with A Status. NANHRI Secretariat congratulates the members for acquiring this new status, and hopes that this inspires them to do more in protecting and promoting the human rights of citizens in their respective jurisdictions.

The accreditation process has enabled the institutions to access more funding as well as improve cooperation and coordination even with government agencies and CSOs, making the institutions more effective. The Gambia's involvement with the Truth, Reconciliation and Reparations Commission (TRRC), in launching the Truth and Reconciliation report shows legitimacy of the institution. This report was a second chance for the country to adhere to human rights violations conducted in the previous regime and ensure that victims receive reparations for what they suffered. The Commission Béninoise des Droits de l'Homme also acquired support from donors, depicting increased confidence in the institution and thus statements issued by the NHRI are taken seriously.

After years of persistent advocacy and negotiation by Commission national des droits de l'homme du Mali, the NHRI has been instrumental in the protection of Human Rights Defenders. Specific provisions have also been made in law for women HRDs and HRDs with disabilities, and others include the inviolability of homes and offices of HRDs, the right to receive funding for their activities and the principle of non-refoulement of any HRD to a country where the person could risk torture and inhuman and degrading treatment.

It was observed that the Accreditation rules have become more rigorous. Many NHRIs who were differed during the last session do not do much to work toward pushing the proposed amendments of their enabling laws to be adopted. There is therefore a need to visit them and conduct advocacy missions towards adoption of the proposed amendments and get the national stakeholders especially the government understand the importance of having a Paris Principles compliant national human rights institution.

High-Level Induction for Commissioners and NHRI Staff

NANHRI conducted a high level induction for newly appointed Commissioners, drawn from nine NHRIs including Kenya, Uganda, South Africa, Malawi, Cote d'Ivoire, Liberia, Nigeria, Togo and the Office of the Ombudsman-Namibia in Nairobi, Kenya, on March 29th to 31st, 2022. This induction targeted Chairpersons, Commissioners and the Heads of the Secretariats, and sought to appraise them on their roles and responsibilities, enhance their understanding of Human Rights mechanisms that support the work of NHRIs on the continent, and familiarize them with the current programs implemented by NANHRI Secretariat to secure buy-in.

All the delegates benefitted from the deliberations, which emphasized the functional capacity of the NHRIs for instance, complaints handling, creation of awareness, advisory role to the States, the accreditation process and its significance.

During the meeting the NHRIs realized they face similar challenges in leadership as terms of reference are not always clearly defined. Therefore, commissioners were advised to formulate their own monitoring and evaluation frameworks to improve accountability across all units. There is also need to facilitate more bilateral exchange programs and activities to bridge gaps within NHRIs, like monitoring and evaluation and complaints handling.

“I have attended many conferences and workshops; but this one stood out in quality (of the presentations). It was so impressive. I feel confident and empowered. I will share the information I have gained with other commissioners when I get to South Africa.”

Commissioner Jonas Ben Sibanyoni, South African
Human Rights Commission.



A section of the commissioners and other senior staff of nine NHRIs keenly follow sessions of the induction workshop in Nairobi, Kenya. Photo: Secretariat.



There has been continuous reports on attacks on groups of LGBT people in Africa, where they experience torture and violence, either from fellow citizens as well as law enforcement officials. We have also seen SOGIE institutions being raided and banned, leaving the community with no institution that can protect their rights. However, the SOGIE project has continued to be the wheel when it comes to training NHRIs to adopt laws on protection of minorities and vulnerable defenders in accordance to Resolution 275.

Several meetings have been held in 2022, the first one in May, where nine NHRIs from Cote Divoire, Kenya, Uganda, South Africa, Malawi, Liberia, Nigeria, Togo and the office of the Ombudsman- Namibia attended, to explicate the mandate of the Independent Expert on SOGIE and the Resolution 275 for greater utilization by the NHRIs. These meetings have also fostered ties between the NHRIs and the SOGIE reference groups with a view to engendering collaborative initiatives in the protection of SOGIE persons.

The intersex persons inclusion is one that has come as a result of these meetings, where in February- 2022, we witnessed the first openly intersex person being sworn in as commissioner of the Kenya National Commission on Human Rights. KNCHR, among other NHRIs has also been at the forefront to defend the Intersex Human Rights and freedom by creating public awareness and education.

Solutions for Healthy Adolescents and Rights Protection (SHARP)

Adolescents in many parts of Africa face a myriad of barriers when seeking sexual reproductive health information and/or health services. Despite the legal frameworks and the enactment of evidence-based policies to address this problem, implementation of sexual and reproductive health services has been weak, making adolescents continue to face health problems. According to a 2020 report on Reproductive Health, one setting of particular importance is the informal settlements or slums, that are gradually dominating in urban centres in Sub-Saharan Africa. However, NANHRI in partnership with Health Action International unveiled a new project in 2022 called SHARP, aiming at protecting the sexual and reproductive rights of adolescents. The inception meeting held in July in Nairobi discussed several issues including financial accountability, reporting requirements, joint advocacy initiatives as well as knowledge management. As part of cultivating mutual trust in the consortium, members also developed key guiding principles for collaboration.

What came out of the consortium is that there's a great opportunity for NHRIs to be used as a platform to promote and protect the rights of various stakeholder groups at national level.

As part of the preliminary activities under the SHARP project, NANHRI commissioned a sexual reproductive health policy analysis covering four countries namely Kenya, Tanzania, Zambia and Democratic Republic of Congo. The analysis will bring out the current state of Adolescents SRHR policies to enable the four NHRIs to ensure ASRHR rights protection and implementation in the respective countries. The analysis will review status of Government's regional commitments (Maputo Protocol, Abuja Declaration, ICPD) and other related treaties in the target countries on their provisions around ASRHR, determine the level of capacity/institutionalization of ASRHR within NHRIs, determine the effectiveness of existing SRHR platforms at national and regional level in holding governments accountable and policy influencing to advance access to ASRHR commodities and services, identify gaps that need to be addressed to ensure successful implementation of ASRHR policies and Map out of ASRHR networks, platforms, partners in the target countries/region and focal persons within the NHRIs and networks that work on ASRHR among others.



Strategic Objective 2: Enhance the Promotion, Protection and Fulfillment of Human Rights in Africa

Implementation of the Marrakech Declaration, 2018: Regional Symposium

Human Rights Defenders in many countries have continued to face complex challenges, among them threats to their lives, as a result of promoting good governance, human rights and the rule of law through peaceful means. The situation of human rights defenders is a key element in assessing state achievement of SDG 16 on peace, justice, and strong institutions.

In a bid to reaffirm the contents on the 2018 Marrakech Declaration on expanding civic space and promotion and protection of human rights defenders, NANHRI and other international and regional stakeholders on Human Rights put together the second annual NANHRI-TPP Regional Symposium for African NHRIs, which took place on February 14-15, 2022 under the theme of “sustaining the gains made in implementing the Marrakech Declaration in Africa”. Among the organizers were UNDP, OHCHR, GANHRI, and CHRAGG, the symposium brought together over 100 representatives from NHRIs, governments, civil society, UN entities, and the African Union. This event served as a platform to share lessons learned from implementing the tools developed in 2020 and the National Action Plan in Tanzania and sustain regional attention and knowledge exchange on the Marrakech Declaration on expanding civic space and promotion and protection of human rights defenders, with specific focus on women HRDs, amongst African NHRIs.

Prior to the symposium, NANHRI organized three sub-regional convenings for NHRIs in North and West Africa, East and Central Africa, and Southern Africa before facilitating prior to facilitate a richer discussion. This provided an important opportunity for the NHRIs to discuss the state of human rights defenders in their sub-regions and pre-identify recommendations to share during the regional symposium. Across the three subregions, the majority of NHRIs expressed the need for support in engaging their legislative bodies to pass legislation to protect and defend the work of human rights defenders. NHRIs also highlighted the need to train judicial officers on the work of human rights defenders and strengthen collaboration amongst institutions with a human rights mandate. Further, NHRIs suggested that a solidarity fund for human rights defenders be created since most human rights defenders lack funds to cater for legal representation.

This convention struck media attention and NANHRI Executive Director had the opportunity to emphasize on the role of NHRIs in strengthening protection of HRDs on international media . Since then, different NHRIs within the region have developed National Action Plans for the implementation of the Marrakech Declaration, by coming up with drafted bills on Human Rights Defenders, while some have gone ahead to request for tools to be shared with them.



CHRAGG in Tanzania for example has been instrumental in working with CSOs in Tanzania in laying out the commitments with a specific focus on women. To further support HRDs in acquiring legal representation, which many of them lack, there are already ongoing conversations on joint fundraising. We believe that through these action plans and combined efforts within the region, the Marrakech Declaration will enable states to create safe space for human rights defenders.

Business and Human Rights Activities in Africa

In regards to Business and Human Rights, NANHRI hopes to continue working with NHRIs in Africa to build strategic and impactful BHR engagement within the region, foster the implementation of BHR standards and strengthen accountability for adverse business-related human rights impacts in the African Region. Some of the activities below further explain the implementation of business human rights commitments by NANHRI.

One of our successful ventures has been the publishing of the Baseline survey on Business and Human Rights and Sustainable Oceans in January 2022. This survey built upon the 2013 baseline survey that sought to identify the current BHR activities and priorities for NANHRI members; Establish a baseline on NHRI engagement and entry points on sustainable oceans (SDG 14, Blue Economy Strategy and sustainable fisheries & aquaculture sector); The finalization of this survey provided a basis for selection of the three case studies which were drafted and published. The 3 case studies were drawn from the NHRIs of Liberia, The Gambia and the Democratic Republic of Congo, and focused on engagement of National Human Rights Institutions (NHRIs) in the African region on the topics of business and human rights and sustainable oceans.



These short case studies were developed with a view to sharing learning and stimulating dialogue among NHRIs on how they can apply their Paris Principles mandate in the areas of business and human rights and sustainable oceans.

The survey report has informed the drafting of a guidance note on the engagement of NHRIs in the blue economy. The launch of the survey took place on April 13, 2022, during the NHRIs forum, held on the margins of the 71st ordinary session of the African Commission on Human and Peoples' Rights (ACHPR).

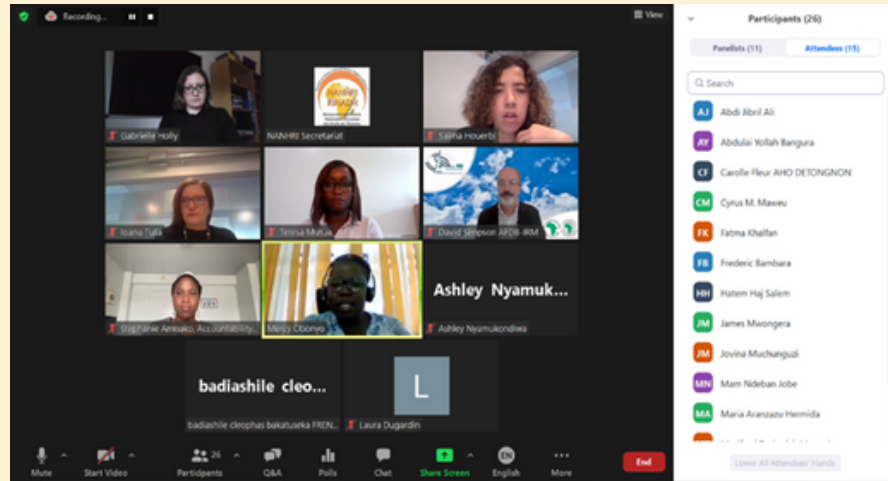
Further, NANHRI has also received invites in different platforms to make presentations on the findings of the survey, which has probed further interest in the dissemination and action planning of the survey.

“Please convey our congratulations to the great NANHRI team on the publication of this report. For the CNIDH of Madagascar, this report will be an essential working tool to develop our activities around this theme”.

Dr. Lova Randriatavy
Commissioner at the CNIDH
Madagascar.

Short Webinar Series on Remedy Mechanisms-24th March, 5th April

To further strengthen the NHRIs in Africa for the uptake of pathways to facilitate remedy for business-related human rights abuse, NANHRI and DIHR conducted a webinar series under the Implementation of the United Nations Guiding Principles on Business and Human Rights Project'. Access to remedy for business related human rights abuse was identified as a critical priority area of follow-up on the basis of the needs-assessment conducted by NANHRI in 2021.



While session 1 of the webinar focused on engagement of NHRIs with Organisation for Economic Co-operation and Development (OECD), National Contact Points; Session 2 of the webinar provided insights into independent accountability mechanisms for projects funded by multilateral development banks.

From the two sessions, participants (NHRI representatives) built collective understanding of National Contact Points (NCPs) as potential agents for remedy provision; gained knowledge and insights on how to interact with NCPs; gained awareness of relevant independent accountability mechanisms of multilateral development banks; understood the benefits, substantive and procedural requirements, and limitations of such independent accountability mechanisms; and reflected on how NHRIs may interact with these mechanisms when monitoring cases of business-related human rights abuse. NHRIs have a duty to defend citizens. We, CSOs, have a duty to support them.

Looking at the impact of the webinar series, 3 NHRIs, namely Nigeria, Cote' Dvoire and Mozambique have already started projects to access remedy and Nigeria is already training regulators.

Synergy between CSOs and the NHRI is very important. I have engaged the national human rights commission of Nigeria and am happy we are together in this meeting. We will find ways of working together to (realize) remedy for the citizens.”

Barrister Williams Chima, a Nigerian lawyer and head of Environmental Rights Action, who represented the Eni community of Nigeria in a case before the OECD.

Fourth NHRIs Forum on the Margins of the 71st Ordinary Session of the African Commission on Human and Peoples' Rights

The 4th NHRIs Forum was conducted on the margins of the 71st Ordinary Session of the ACHPR on 12 and 13 April 2022, in a hybrid format, with the in-person event being at The Sir Dawda Kairaba Jawara International Conference Centre, Banjul, The Gambia.

The theme of the forum was “Integrating a Protect, Respect, and Remedy Approach to Business and Human Rights in Africa, as a Lever towards the Acceleration of Human, Social, and Economic Capital Development”. It focused on 2 main areas which are business and trade and human rights, and sustainable oceans and human rights. The Forum officially launched the Business and Human Rights, and Sustainable Oceans Survey undertaken by the NANHRI in partnership with the Danish Institute for Human Rights (DIHR).

The main recommendations from the different sessions are as follows: NHRIs, within their national jurisdictions and in collaboration with the government, should push for the development of National Action Plans (NAPs) on business and human rights similar to Kenya and Uganda; There is need to go beyond the state to make businesses accountable – it is not only international but also local businesses that are violating human rights and hence NHRIs have to intervene through sensitization, regular monitoring and investigation; NHRIs and other stakeholders to adopt a human rights based approach to the blue economy; NHRIs to ensure data disaggregation to identify who is most likely to be left behind and include a gender lens to business and human rights, and NHRIs to work in collaboration with African regional human rights mechanisms to ensure that victims have access to remedy. Follow-up on the recommendations of the forum, particularly on access to remedy, will continue throughout the next 3 years.

At the end of the forum, members adopted a resolution which was forwarded for consideration at the 71st Ordinary Session of the ACHPR.

NANHRI also coordinated the panel session on human rights and sustainable development during the 71st Ordinary Session of the ACHPR. Going forward, it will be important to sustain follow up with the African Commission on the submitted resolution which could be adopted as soft law on business and human rights in the continent.



"I appreciate the support I have received from KNCHR which has made my work as Commissioner Country Rapporteur for Kenya very easy in evaluation of Kenya's state report". -Hon Dersso, ACHPR Commissioner & Country Rapporteur for Kenya

NANHRI participates in the ARFSD to advocate for NHRI engagement on BHR and the SDGs

The Africa Regional Forum on SDGs was held in Kigali, Rwanda, on March 1-2, 2022. The ARFSD like all other regional forums on sustainable development is mandated by the General Assembly of the United Nations. Unique to Africa, the ARFSD undertakes integrated follow-up and review of the SDGs and goals of the African Union Agenda 2063. This is because for Africa, the two Agenda provide a synergistic framework for achieving inclusive and people-centered sustainable development in the region.

The forum provided a platform for peer learning, including on Voluntary National Reviews (VNRs) and Voluntary Local Review (VLRs) by subnational entities. NANHRI participated in the forum for several reasons including development of summary and key messages to ensure that the roles of interventions and recommendations from African NHRIs are incorporated into the Africa's collective input to the ARFSD.

NANHRI was given the floor during the High-Level sessions to make interventions focusing on the explicit recognition of human rights and the role of National Human Rights Institutions in the acceleration and implementation of SDGs in Africa. The feedback and comments were considered for incorporation into the final key messages and declaration. NANHRI will therefore be monitoring the release of the final documents by the ECA Secretariat to ensure our input was incorporated.

Effective and strengthened partnerships is necessary to ensure success for BHR and SDGs advocacy initiatives. NANHRI will thus push for sustained and continuous partnerships to ensure effective implementation, as well as forging new partnerships to enhance sustainability and advance the work.

A key lesson is the importance of involving other actors at national level in activities such as development of case studies, while also ensuring that the focus on NHRIs remains centric. This ensures that the documents developed are inclusive and rich in providing an accurate context and situational analysis of the subject at hand.

The case studies have now been validated and finalized, and are currently being translated, designed and laid out, after which they will be published and shared among NANHRI members and other partners.

Integrating BHR and the SDGs in the 2022 UPR reporting cycle

Still on supporting NHRIs on implementation of BHR policies, NANHRI, with on-site support from the Commission on Human Rights and Administrative Justice (CHRAJ) of Ghana, held a 3-day in-person capacity building workshop (28th-30th June) on the Universal Periodic Review for two representatives each from the NHRIs of Benin and Zambia, and six representatives from the Host NHRI, CHRAJ. The training also included six representatives from Ghana CSOs whose organizations are involved in the UPR process.

The training's main objectives were to: Support the 3 NANHRI members in the 2022 UPR cycle to integrate BHR and the SDGs into NHRI UPR reporting; build and strengthen the capacity of NHRIs to engage with the mechanism; increase awareness among NHRIs on the UPR and enhance the quality of NHRI engagement in the UPR.

At the end of the training, the participants demonstrated an increased/strengthened awareness on BHR and SDG reporting in the NHRIs' UPR reports by highlighting some of the issues or considerations that they were going to include in the alternative and state reports before submission.

NANHRI and DIHR will hold follow up meetings with the 3 countries after submission of their reports to reflect and discuss the reports and strategic positioning and engagement in the remaining part of the UPR process in the current cycle.

In conclusion, we have seen the uptake of NAP in the region in regards to Business and Human Rights, while some of the countries taking the lead in the process include Ghana, Senegal, Liberia, Mozambique, Zambia and Cote D'Ivoire. Kenya and Uganda have gone ahead to simplify their National Action Plans by translating them to local languages.

Other Activities and Interventions to Further Access Justice and Implementation of Human Rights in Africa

Meeting of the NANHRI Working Group on Migration

Since 2018 and after the adoption of the Global Compact for Safe and Orderly Migration in Marrakech Morocco, NANHRI Working Group on Migration has been organizing meetings and coordinating development of critical review documents for a focused contribution of the NHRIs to the national, regional and international discourse on sustainable migration.

In 2022, the meeting was convened once more by the Chairperson, Ms. Amina Bouayach in Rabat, Morocco, on March 3-4, 2022. The aim of the meeting was to share updates on activities since the last meeting, discuss the NANHRI WG new action plan NHRI WG new action plan 2022-2023 and the NANHRI WG participation in the first International Migration Review Forum (IMRF) ON May 16-20, 2022 in New York.

What resulted from this was a new action plan, which was discussed and adopted by the Working Group. So far, clusters in the Northern and Eastern region monitor developments on migration that led to the Southern Africa convening on xenophobia. Recent reports indicate that xenophobic violence and discrimination have increased in this region but now there's commitment on the Southern NHRIs to form a network. There has also been participation of the Working Group in the 1st International Monitoring Forum 17th-20th May. NANHRI has also been included in the CSOs discussion forum.



NANHRI Working Group on migration meetings

Webinar on the Convergence between the GCM and the CMW, 13 December 2022

The Working Group, in cooperation with the AFCNDH Migration Reflection Commission, organized a webinar on “Convergence between the GCM and the CMW”. The webinar brought together representatives of the NHRI members of the Working Group and the Migration Reflection Commission, alongside chair, a member, and the focal point with NHRIs of the CMW. Participants from several NHRIs that are not members of either working group also attended the webinar.

The webinar presented the draft General Comment No. 6 on Convergence between the GCM and CMW, highlighting the common human rights specified in either instrument and identifying the respective gaps in the two instruments. The discussions revealed the importance of pooling efforts and the different mechanisms of protection. Participants reiterated the need to address the issue of asylum, which is not yet included in the CMW. This issue will be discussed at the Global Refugee Forum (GRF) in Geneva in December 2023.

Guidelines on the Safe Return of Children to School during the COVID-19 Pandemic

The Covid-19 pandemic has had quite a huge impact on children's education globally as well as in Africa. According to a report prepared by UNICEF in 2021 schools were closed for an average of 95 instruction. If that's not enough, the same report found out that schools for more than 168 million children globally closed for almost half a year. When the situation subsided, The Network of African National Human Rights Institutions (NANHRI) and the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) developed guidelines for safe return to school in relation to the ongoing pandemic, which can be accessed on the ACERWC website. In this process, stronger relationships and engagements were fostered with the ACERWC and guidelines were adopted by NHRIs. Key NHRIs that implemented this so well included Morocco, Kenya, Malawi, Ethiopia and Rwanda, which ensured special protection to children living with disabilities and Zimbabwe, which continued with its field activities of monitoring and documenting human rights violations.

SADC NHRIs convening on combating xenophobia; 25-26 August, Harare, Zimbabwe

National Human Rights Institutions in the SADC region convened a regional meeting on violence against migrants, whose participants comprised Chairpersons of National Human Rights Institutions of Comoros, Democratic Republic of the Congo, Eswatini, Madagascar, Malawi, Mozambique, Namibia, South Africa.

This forum was convened following escalating threats of human rights violations for migrants in the Southern Africa region, especially in the Republic of South Africa. Operation Dudula is an indicator of the persistence and systemic nature of the scourge of xenophobia.[1] Participants in the meeting discussed strategies for combating the scourge, which culminated in the Harare Declaration of SADC NHRIs on combating violence against migrants.

The forum also discussed possibility of institutionalising a sub-regional network of SADC NHRIs, whose mandate would be to exchange and deliberate on broader strategies for championing promotion of human rights in their jurisdiction. The sub-regional network would also link and work closely with the NANHRI Working Group on Migration.



Participants of the SADC NHRIs forum on following proceedings

The Use of Lethal Force by the Police in Kenya (2021)



NANHRI Undertakes Study on the Use of Lethal Force by Police in Kenya

The magnitude of civilians killed by police remains a cause of concern. The Network of African National NANHRI conducted a study on the use of lethal force in partnership with the African Policing and Civilian Oversight Forum (APCOF), the Laboratory for the Analysis of Violence of the State University of Rio de Janeiro (LAV), the Kenya National Commission on Human Rights (KNCHR), the Independent Policing Oversight Authority (IPOA) and select CSOs in the country namely the Independent Medico-Legal Unit (IMLU) and the Mathare Social Justice Centre (MSJC).

The aim of the study was to analyze systemic factors contributing to the use of lethal force in Kenya, and purpose reforms at the macro and micro level. The report is already out and set to be launched at a date to be agreed on with partners in March 2023.

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REPORT | OCTOBER 2022



Supporting NHRIs to apply for Affiliate Status with the African Commission on Human and Peoples' Rights & the African Committee of Experts on the Rights and Welfare of the Child

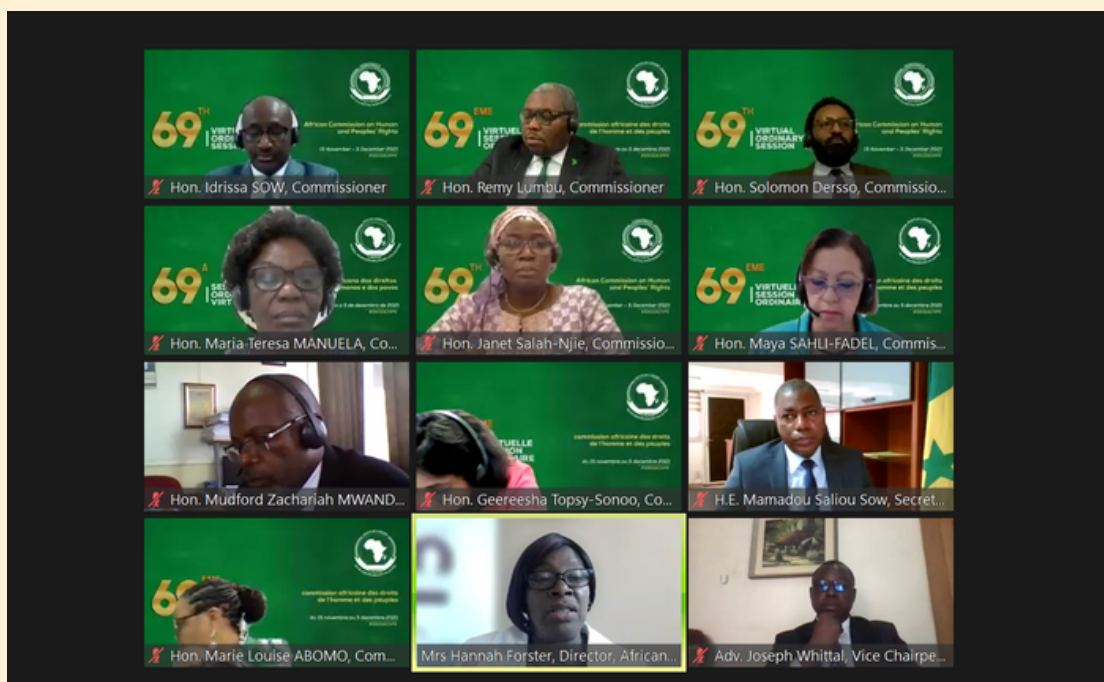
To enhance the cooperation and utilization of the mechanisms to further access to justice and implementation of human rights commitments in Africa, the NANHRI Secretariat followed up with all the 16 NHRIs without affiliate status to submit applications for affiliate status to the African Commission. Five NHRIs applied for affiliate status namely the NHRIs of Egypt, Mozambique, Comoros, Liberia and Madagascar. Hopefully and in due time, they will be able to get feedback from the Secretariat of the African Commission.

Similarly, the NANHRI Secretariat sent requests to 15 NHRIs which already hold affiliate status with the African Commission, to apply for affiliate status with the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) to enhance cooperation in light of the adoption of the Guidelines on Granting Affiliate Status to NHRIs adopted in 2018. So far, the NHRIs of Zambia has applied for affiliate status with the ACERWC while the NHRIs of Kenya and South Africa have undertaken to apply. Active follow-up will continue to enhance the vital cooperation with regional mechanisms.

Training for the Independent Policing Oversight Authority- 12th to 14th July

Ahead of the 2022 General Election in Kenya, NANHRI conducted a training for the Kenya Independent Policing Oversight Authority (IPOA) on mainstreaming human rights protection and promotion in exercising civilian policing oversight during the August polls and beyond. The training was convened in partnership with the African Policing Civilian Oversight Forum (APCOF) and the Kenya National Commission on Human Rights with support from the Open Society Foundations.

The training handled topics such as international, regional, sub-regional and national standards for policing; an overview of the National Police Service Elections Security Management and the IPOA Elections Monitoring Strategy; Standards on the Use of Force by Police; Data Collection and Documentation; Public Order Management; Effective Approaches to Accountability for Police Officers who are alleged perpetrators of Sexual and Gender Based Violence (SGBV), and Forensic Crime Scene Investigation. The 40 participants drawn from IPOA headquarters and regional offices were grateful for the training which enhanced their role in overseeing policing accountability for human rights violations going forward.



NHRIs attending ACHPR 69th online session

Exceptional Participation by NHRIs at the 73rd Ordinary Session of the African Commission on Human and Peoples Rights 20 Oct to 9 Nov 2022, Banjul, The Gambia

The 73rd Ordinary Session of ACHPR commemorated the 35th anniversary of the Commission, and marked the first time the Commission was meeting physically for a Session, since the outbreak of the COVID-19 pandemic in January 2020.

In his opening ceremony speech, Dr. Elasto Mugwadi, Chairperson of NANHRI celebrated the Commission's 35-year dedication to human rights, and for standing as a voice for the downtrodden and marginalised on the continent.



NANHRI Chairperson Dr Elasto Mugwadi addresses the Opening Ceremony of the 73rd OS of the ACHPR

He expressed concerns towards the multiple human rights violations which persist on the continent, particularly the growing issues of unconstitutional changes of government, coups, and armed conflicts, which have defied the AU's call to silencing the guns. He also raised concerns about, the rising refugee challenges, migration issues, epidemics and other diseases, environmental degradation, weak economic structures, and food crises, which continually leave millions in disadvantaged positions in society.

The participation by NHRIs was exceptional as 85 NHRIs delegates attended the session being the highest number of physical participation by NHRIs ever since the ACHPR was established. 22 NHRIs submitted their statements on the situation of human rights in Africa, another record achievement. 20 NHRIs (South Africa, Algeria, Burkina Faso, Burundi, Cameroon, Cape Verde, Ethiopia, the Gambia, Kenya, Malawi, Mali, Mauritania, Niger, Rwanda, the Democratic Republic of the Congo, Sudan, South Sudan, Tanzania, and Zimbabwe) managed to take the floor to address the ACHPR on the situation of human rights in Africa in relation to their countries.

The NHRIs of Ethiopia, Mali, and Tanzania participated in the panel sessions while the NHRIs of Burkina Faso, Cameroon, Cape Verde, and Ethiopia intervened during the presentation of intersessional reports by Commissioners, panel launches, and presentation of studies.

A key success at the 73rd Ordinary Session was the granting of affiliate status to three NHRIs being the NHRIs of Egypt, Liberia, and Madagascar. This brings the total number of NHRIs and specialized institutions holding affiliate status before the ACHPR to 36. The ACHPR and NANHRI will sensitize the 3 institutions on their roles, responsibilities and privileges as affiliates. Member NHRIs without affiliate status are encouraged to apply for affiliate status.



Workshop on Litigation and Follow Up on Implementation of Decisions of Regional Courts, 17-18 Nov 2022, Arusha Tanzania

NANHRI attended the Strategic Planning Workshop for Sustaining Change achieved from the Regional Africa Program's (RAP) work on Regional and Sub-Regional Courts in Africa convened by the Raoul Wallenberg Institute of Human Rights and Humanitarian Law (RWD) in conjunction with the Pan African Lawyers Union. The workshop focused on sustaining the results attained in relation to the work of NHRIs and CSOs in the region with the African Court of Human and Peoples' Rights, the African Commission on Human and Peoples' Rights, the East African Court of Justice and the ECOWAS Community Court of Justice. A key concern was that so far most of the organizations have operated in silos so there is need to enhance synergy as a pathway to sustainability. There was a rallying call for partners to involve NHRIs in advocating for the ratification of regional human rights instruments; following up on implementation of decisions of the organs, and approaching NHRIs to file amicus briefs during litigation before the regional bodies. A significant challenge remains low funding of the final phase of the RAP Program. There is therefore need for innovative fundraising to ensure sustainability of the results going forward.



RAP partners and consultants at the Arusha Workshop

NANHRI Participates at the 40th Ordinary Session of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), The Kingdom of Lesotho, November 23 -26, 2022

The 40th Ordinary Session was attended by the NANHRI Secretariat and the NHRIs of Egypt, Cameroon, Ethiopia and Malawi.

In its opening statement, NANHRI commended the high number of 17 affiliate status applications submitted by NHRIs and called upon development partners, CSOs, and academic institutions to join the Committee and NHRIs in efforts towards strengthening the relationship. NANHRI also raised issues of concern regarding children rights in the continent highlighting the crisis of food insecurity & malnutrition; female genital mutilation and child marriage; conscription of children into military operations; mainstreaming of children rights in the implementation of the AfCFTA; and the issue of child trafficking through recruitment of children to work as domestic workers in the Middle East States. NANHRI reiterated the need for Member States, NHRIs, CSOs, the ACERWC, development partners and all other policy and human rights treaty bodies of the African union and United Nations to work together to address the deteriorating situation of children rights in the continent

The 40th Ordinary Session was a historical one as the first NHRIs to be granted affiliate status by the ACERWC vis the Cameroon Human Rights Commission and the Ethiopian Human Rights Commission took the floor to address the Committee on the situation of children rights in their respective countries. They also participated actively and intervened during panel discussions and study launches.

The Ethiopian Human rights Commission also convened a side meeting with Network of African National Human Rights Institutions (NANHRI) and its members present at the session to discuss strengthening NHRIs engagement in ACERWC's work and sessions. Concrete action points on how to enhance the participation of African NHRIs in the work of the ACERWC, the possibility of holding a NHRIs Forum in the next session of the Committee and also activating the NANHRI Working Group on Rights and Welfare of the Child were explored.

NANHRI co-convenes the Southern Africa National Action Plans Dialogue on Business and Human Rights. 6 - 7 December 2022, Maputo, Mozambique

The main objective of the dialogue was to engage participants on the UNGPs normative framework and good practice guidance on NAPs as a tool of operationalizing the UNGPs at the national level. Nine NHRIs from the Southern Africa Region were supported to participate physically at the meeting. The first two days were convened in a hybrid format and attended by government stakeholders, national human rights institutions, business actors, civil society, and other key actors in the Southern Africa region, that have an interest in, or are actively involved in, the development and implementation of NAPs. The third day presented a deep-dive opportunity for Mozambique and Zambia national dialogues focusing on the next steps to advance the BHR agenda in the country and initiate the development of a NAP.

The dialogue provided practical guidance on the NAP development process, particularly on the initiation and implementation phases, and allowed the NHRIs and other partners to share experiences, good practices and lessons learned between countries. The simulation of NAP development processes helped identify areas of support to countries in the Southern Africa region interested in starting their NAP processes. The dialogue also provided a platform for deliberations on the Draft AU BHR Policy as a framework for NAPs in the region and reiterating the role of NHRIs in the dissemination and domestication of the framework once adopted (projected for 2023). Another major achievement of the dialogue was the presentation of the Mozambique roadmap on the NAP development, and an overview presentation of the ongoing development of the NAP roadmap for Zambia led by the Zambian NHRI.

NANHRI will provide technical support to Mozambique and Zambia in launching their steering committee, adopting the Zambian NAP roadmap, and reviewing the National Baseline Assessment on BHR. NANHRI will also continuously assess and monitor the ongoing NAP processes in the southern African region to provide contextualised support to the different NHRIs.



Strengthening NHRIs and CSOs Collaboration in protection of Human Rights Defenders; 5th to 6th December 2022, Accra Ghana

DefendDefenders/ AfricanDefenders in collaboration with NANHRI convened an NHRIs and CSOs Summit in Accra. The objectives of the meeting were: to provide a platform for reflection and exchange of lessons learnt and good practice on strengthening collaboration between NHRIs and CSOs, to garner NHRIs' commitment to support the formulation of policies that contribute to the protection of HRDs, enhance awareness of national, regional, and African human rights and governance mechanisms for HRDs, including the promotion for the establishment of a coordination committee between the NANHRI and AfricanDefenders to bolster harmonization efforts between NHRIs and CSOs and to proffer recommendations towards possible resolution of the emerging trend of weaponization of the judiciary to impose judicial harassment against HRDs in Africa.

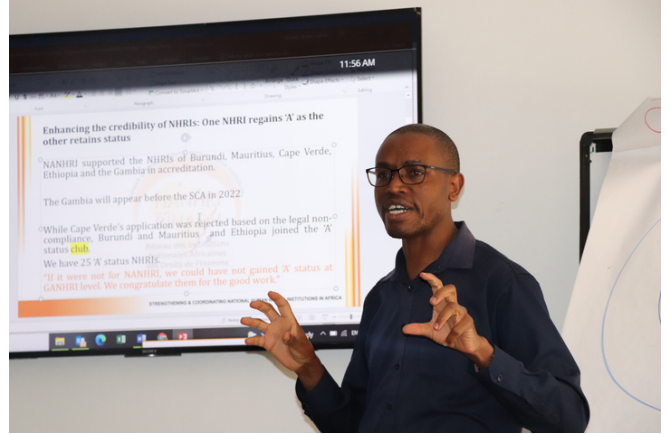
The first day focused on the work of NHRIs and explicating their role in protecting Human Rights Defenders. NANHRI shared a number of documents including the Marrakech Declaration, the Model law and quick reference handbook that expounds on how best to protect human rights defenders. NHRIs present seized the floor to share their experiences including challenges they face while trying to protect Human Rights Defenders. Delegates also developed a plan of action and the Accra Declaration that would facilitate both the NHRIs and CSOs in enhancing protection of Human Rights Defenders.

There is still a big gap in understanding the work of NHRIs by CSOs. Collaboration/working together could enhance the protection of Human Rights Defenders in Africa, but there is need to enhance regular interactions amongst the stakeholders to advance the discourse on protection of human rights defenders in the continent.



Strategic Objective 3: Enhance the organizational development and institutional sustainability of NANHRI

2022 NANHRI Strategic Planning Retreat



Staff of the Secretariat brainstorming on priority areas for NANHRI in 2022 based on the 2021-2025 Strategic Plan during the annual planning meeting.

Last year's planning retreat brought together all NANHRI staff to review and reflect on the programs implemented in the previous year, and plan for the current financial year on January 6-7, 2022 in Machakos, Kenya. The staff comprised of the Executive Director, Senior Programs Officer, Finance and Administration Officer, Communications & Advocacy Officer and Programs Officers.

The Secretariat witnessed a serious challenge of delayed confirmations of available funding from her main funding partners. This caused delays in firming up of the annual work plan.

PLANS TO ESTABLISH A LIAISON OFFICE IN ADDIS ABABA

NANHRI, with the support of the Ethiopian Human Rights Commission has been pursuing registration for a liaison office in Addis Ababa following a resolution by the General Assembly.

Plans are at an advanced stage, with the NANHRI having submitted all the necessary documentation to the Ethiopian authorities to actualize this process.

The AU liaison office will be instrumental in fostering greater collaboration with the AU and other development agencies based in Addis, including embassies.



**Plans to establish
an AU Liaison
Office in Addis
Ababa, Ethiopia**

FINANCIAL HIGHLIGHTS- YEAR ENDED 31 DECEMBER, 2022

Statement of income and expenditure		2022	2022	2021	2021
		KES	USD	KES	USD
Income					
Members contributions	5	19,936,000	169,668	19,931,270	180,701
Grants and donations	6	116,893,322	994,837	122,858,533	1,113,858
Other income	7	29,202,092	248,529	11,764,384	106,658
Total income		<u>166,031,414</u>	<u>1,413,034</u>	<u>154,554,187</u>	<u>1,401,217</u>
Expenditure					
Programme expenses	8 a	91,893,575	782,073	52,013,678	471,566
Administration expenses	8 b	46,323,736	394,244	27,619,046	250,399
Provision for bad debts	10	(8,581,132)	(73,031)	50,283,510	455,880
Total expenditure		<u>129,636,179</u>	<u>1,103,286</u>	<u>129,916,234</u>	<u>1,177,845</u>
Balance for the year		<u>36,395,235</u>	<u>309,748</u>	<u>24,637,953</u>	<u>223,372</u>

Statement of financial position		2022	2022	2021	2021
		KES	USD	KES	USD
Assets					
Non-current assets					
Property and equipment	9	<u>2,375,498</u>	<u>19,313</u>	<u>992,466</u>	<u>8,997</u>
Current assets					
Account receivables	10	43,749,000	355,683	26,613,107	241,279
Cash and cash equivalents	12	158,848,737	1,291,453	154,979,652	1,405,074
		<u>202,597,737</u>	<u>1,647,136</u>	<u>181,592,759</u>	<u>1,646,353</u>
Total assets		<u>204,973,235</u>	<u>1,666,449</u>	<u>182,585,225</u>	<u>1,655,350</u>
Reserves and liabilities					
Reserve funds					
General fund		195,321,867	1,587,983	160,309,663	1,453,397
Capital fund		2,375,498	19,313	992,466	8,997
Restricted fund		1,360,033	11,057	1,360,033	12,330
		<u>199,057,398</u>	<u>1,618,353</u>	<u>162,662,162</u>	<u>1,474,724</u>
Current liabilities					
Other payables	13	<u>5,915,837</u>	<u>48,096</u>	<u>19,923,063</u>	<u>180,626</u>
Total reserves and liabilities		<u>204,973,235</u>	<u>1,666,449</u>	<u>182,585,225</u>	<u>1,655,350</u>


Dr. Elasto Hilarious Mugwadi : Chairperson


Mr. Gilbert Sebihogo : Network Executive Director

NOTES

a) Grants

The NANHRI has received \$ 994,837/- from partners in 2022.

b) Members contributions

This consists of total amount invoiced and receivable from the members during the year. However, the actual amount received from members in 2022 is as per the tabulation below.

Statement of member contributions as at 31 December 2022						
	Member	31 12 2021	Current periods dues	Funds Received	Date Received	Balance
		US\$	US\$			US\$
1	Algeria	0	3,000	2,990	6 June 2022	10
2	Benin	42,000	3,000			45,000
3	Burkina Faso	42,000	3,000			45,000
4	Burundi	29,025	5,000	19,990	27 April 2022	14,035
5	Cameroon	20,433	5,000			25,433
6	Cape Verde	1	3,000	3,052	23 Feb 2022	(51)
7	Central Africa Republic	6,000	3,000			9,000
8	Chad	24,674	3,000			27,674
9	Congo Brazzaville	(168)	3,000			2,832
10	Comoros	24,000	3,000			27,000
11	Cote D'Ivoire	3,440	5,000			8,440
12	Democratic Republic of Congo	4,898	5,000	5,000	23 March 2022	4,898
13	Djibouti	12,000	3,000			15,000
14	Egypt	0	5,000	5,000	14 September 2022	0
15	Ethiopia	15,000	5,000			20,000
16	Gabon	27,015	3,000			30,015
17	Gambia	3,000	3,000	3,000	11 Feb 2022	3,000
				3,000	26 August 2022	0
18	Ghana	5,000	5,000			10,000
19	Guinea Bissau	33,000	3,000			36,000
20	Guinea Conakry	33,000	3,000			36,000
21	Kenya (In kind contribution)	0				0
22	Liberia	36,050	5,000			41,050
23	Libya	21,000	3,000			24,000
24	Madagascar	35,000	5,000			40,000
25	Malawi	5,000	5,000	9,990	08 June 2022	10

2 6	Mali	27,237	3,000	2,928	31 Jan 2022	27,309
2 7	Mauritania	13,219	5,000	13,147	14 April 2022	5,072
				5,083	8 Dec 2022	(11)
2 8	Mauritius	2,500	5,000	5,000	02 March 2022	2,500
2 9	Morocco	0	5,000	5,000	17 March 2022	0
3 0	Mozambique	6	3,000			3,006
3 1	Namibia	10,000	5,000			15,000
3 2	Niger	20,513	5,000	4,967	16 Nov 2022	20,546
3 3	Nigeria	0	5,000			5,000
3 4	Rwanda	153	5,000	4,975	9 March 2022	178
3 5	Senegal	52,000	3,000			55,000
3 6	Sierra Leone	30,055	5,000	30,055	20 May 2022	5,000
3 7	South Africa	0	5,000	5,000	23 September 2022	0
3 8	South Sudan	33,000	3,000	33,000	25 May 2022	3,000
3 9	Sudan	21,193	3,000			24,193
4 0	Eswatini (Swaziland)	3,007	3,000			6,007
4 1	Tanzania	5,025	5,000			10,025
4 2	Togo	25	5,000	4,989	29 March 2022	37
4 3	Tunisia	27,050	3,000			30,050
4 4	Uganda	0	5,000	4,884	14 March 2022	116
4 5	Zambia	7,375	5,000	5,000	17 March 2022	7,375
4 6	Zimbabwe	(4,655)	5,000			345
	Total	669,071	183,000	176,049		676,022

c) Bank Interest Earned

These are earnings on the amounts held with NCBA bank.

d) Administration Expenses

	2022 KES	2022 US\$
Personnel costs	35,686,225	303,713
Office costs	5,997,524	51,043
Other expenses	<u>4,928,200</u>	<u>41,942</u>
Total Administration Expenses	<u>46,611,949</u>	<u>396,697</u>

e) Program expenses

Regional Workshops	60,664,626	516,295
Subregional Workshops	<u>22,359,607</u>	<u>190,295</u>
Total Program Expenses	<u>83,024,233</u>	<u>706,589</u>

f) Exchange Gain or Loss

This is due to the fluctuations in KES against the US\$ and the Euro.

g) Translations of KES to US\$

Income and expenses are translated from KES to US\$ at the rate of \$1-KES117.50 (average for the period) while balance sheet items are translated at \$1-KES123 which was the ruling rate at end of year.

NETWORK OF AFRICA NATIONAL HUMAN RIGHTS INSTITUTIONS

ANNUAL REPORT 2022

