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**COUNTRY RESOLUTIONS ADOPTED AT THE NGOs FORUM PRECEDING THE**  
**81<sup>ST</sup> ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN**  
**AND PEOPLES' RIGHTS**  
**13<sup>TH</sup> – 15<sup>TH</sup> OCTOBER, 2024**

**CRES/001/10/24: REINFORCEMENT OF RESOLUTION 569 ON THE NEED**  
**TO PROTECT CIVIC SPACE, FREEDOM OF ASSOCIATION AND**  
**ASSEMBLY IN AFRICA WITH SPECIFIC FOCUS ON ANGOLA**

We, the participants at the Forum on the Participation of NGOs in the 81<sup>st</sup> Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held in Banjul, The Gambia 13<sup>th</sup> – 15<sup>th</sup> October 2024 resolve as follows:

*Reiterating* the ACHPR's mandate to promote and protect human and peoples' rights in Africa under Article 45 of the African Charter on Human and Peoples' Rights (the Charter)

*Considering* Article 1 of the Charter which calls on State Parties to this Charter to adopt legislative or other measures in order to implement the rights and freedoms guaranteed by the Charter.

**Recalling** Angola's obligation under the African Charter and other regional and international human rights instruments ratified by Angola to cooperate with African Commission in its efforts to execute its mandate promoting and protecting in Africa, through awareness raising, capacity building, promotional missions with state parties ensuring realization of protection of guaranteed rights.

*Seriously concerned* by the continued detention of activists such as Luther King and Tanice Neutro who were arrested, charged and convicted of crimes of criminal association, insult, rebellion and resisting a public official; Zola Álvaro, arrested for allegedly preparing to hold a demonstration to protest the results of the 2022 elections, Eduardo Peres Alberto, and his family, who were victims of persecution and death threats for leading a strike by higher education teachers who demanded better working conditions in higher education schools

across the country;

*Deeply concerned* by the proposed bill on the statute of non-governmental organisations (NGOs) which provides for interference by the executive in the activities of NGOs, allows for arbitrary restrictions and imposes excessive control on NGOs thus significantly compromising the private autonomy of non-governmental organisations, their freedom of association and their ability to promote and protect human and peoples' rights without impediment

**Recalling** the Declaration on Freedom of Expression and access to information in Africa promoting Article 9 of the African Charter on Human and Peoples' rights guaranteeing freedom of expression and access to and dissemination of information.

#### **The NGO Forum:**

- *Calls on* the Commission to condemn the Angolan Government for lack of cooperation with the Commission during an academic visit conducted in the country through prior consultation with the government.
- *Call on the* Government of Angola to respect and protect human and peoples' rights as enshrined in the African Charter particularly the rights to freedom of assembly, freedom of association, freedom of expression and access to information, and to comply with its human rights obligations under the said Charter and other relevant regional and international human rights instruments Angola has ratified;
- Call on Angola Government to amend Article 333 of the Penal Code on Outrage to the State and its symbols and organs -which limits freedom of expression by imposing penalty of up to 3 years imprisonment for exposing bad governance or criticizing corrupt conduct by committed by state organs.
- *Urges* the Government of Angola to dissipate tensions in the country and to pursue a sustainable path towards the rule of law and democracy and to seek ways and public policies that are progressive in the realization of economic, social and cultural rights;
- *Calls* on the Government to refrain from any form of victimization, harassment, intimidation and attack on human rights defenders, political parties, labour organisations, trade unions, peaceful demonstrators, pro-democracy leaders and activists through the arbitrary use of the police and security forces.
- *Recommends* that the government set up an independent panel of inquiry to carry out a thorough, transparent and rapid investigation into the acts of violence committed

against human rights defenders, in particular the murder of Eduardo Alberto Peres and his family, in order to identify the perpetrators and to hold them accountable;

- *Urges* the Parliament to withdraw the Bill Approving the Statute of Non-Governmental Organisations and convene a process of broad consultation with civil society organisations and ensure that any proposal for new laws regulating the registration and operation of NGOs is not implemented retroactively.

Done in Banjul, The Gambia 15th October 2024

**CRES/002/10/24: RESOLUTION ON THE HUMAN RIGHTS SITUATION**

**IN BURKINA FASO**

We, the participants at the Forum on the Participation of NGOs in the 81<sup>st</sup> Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held in Banjul, The Gambia 13<sup>th</sup> – 15<sup>th</sup> October 2024 resolve as follows:

*Recalling* the obligations of the State of Burkina Faso under the African Charter and other relevant regional and international human rights instruments ratified by Burkina Faso

**Noting with concern** the political instability due to two military coups in a short span of time, the security crisis and democratic deficit that resulted in the restriction of civic space, the tweaking of the judicial system, reprisals against the judicial professionals, the challenge to democratic freedoms, and the suspension of political parties and civil society organisations' activities leading to increased arrests and abductions, as well as the forced conscription of human rights defenders, journalists, judicial professionals and political opponents.

**Concerned** by constant security attacks by armed terrorist groups, resulting in numerous casualties and loss of control over a significant part of Burkina Faso territory, as well as mass atrocities and systemic human rights violations in the country that could amount to a war crime.

**Deeply concerned** about the humanitarian crisis, mass displacements, school closures and unoperational health facilities, and limited access to essential social services:

**Hereby call on** the African Commission, in collaboration with the African Union Peace and Security Council, to monitor the current situation of systematic human rights violations, which could constitute war crimes and crimes against humanity

**Request the** African Commission, within the framework of the Addis Ababa Roadmap, to set up a special mechanism on Burkina Faso in collaboration with the United Nations Human Rights Council,

Done in Banjul, The Gambia  
15th October 2024

**CRES/003/10/24: RÉSOLUTION SUR LA RESTRICTION DE L'ESPACE  
CIVIQUE DANS LE CONTEXTE SÉCURITAIRE ET DE L'ÉLECTION  
PRÉSIDENTIELLE DE 2025, FOCALISÉE SPÉCIFIQUEMENT SUR LE  
CAMEROUN**

Nous, les participants au Forum sur la participation des ONG à la 81e session ordinaire de la Commission africaine des droits de l'homme et des peuples (CADHP) tenue à Banjul, en Gambie, du 13 au 15 octobre 2024, décidons ce qui suit :

**La Commission appelle l'Etat du Cameroun à :**

Garantir l'accès à l'information et les libertés d'expression y compris sur tous les sujets d'actualité qui ont trait au développement sociopolitique du Cameroun,

Mettre en œuvre les principes et directives sur les liberté d'expression et dépenaliser les délits de presse,

Garantir des élections libres, pacifiques et transparentes en respectant scrupuleusement la Charte africaine de la démocratie, des élections et de la gouvernance,

Accepter une mission d'établissement des faits de la Commission Africaine des Droits de l'Homme et des Peuples et du bureau de Paix et de sécurité de l'Union Africaine sur la situation des droits de l'Homme au Cameroun,

Libérer tous les journalistes et les prisonniers politiques, notamment ceux du parti politique MRC et les prisonniers d'opinion arrêtés dans le cadre de la crise anglophone pour un apaisement du climat pré-électoral,

Réviser les lois sur la cybercriminalité et la loi réprimant les actes de terrorisme afin de les conformer aux droits humains,

Assurer un procès équitable à toutes les personnes arrêtées et mettre un terme à l'utilisation des tribunaux militaires pour juger des civils,

Garantir la sécurité et la protection des défenseurs des droits humains, en particulier celle des femmes défenseures en adoptant une loi portant protection des défenseurs des droits humains,

Engager un dialogue constructif et inclusif avec l'ensemble des acteurs y compris les acteurs de la société civile, les autorités religieuses et les autorités traditionnelles pour favoriser un environnement pacifique tout au long du processus électoral.

1. **Garantir** une élection présidentielle pacifique, libre et transparente en 2025 afin de

garantir le droit des citoyens à choisir librement leurs représentants ;

2. **Respecter** les obligations en vertu de la Charte africaine à laquelle le Cameroun a librement souscrit, outre les conventions régionales et internationales des droits de l'homme et prendre toutes les mesures nécessaires pour préserver et protéger la crédibilité du processus électoral lors de l'élection présidentielle 2025 ;
3. **Garantir** que tous les partis politiques participant à l'élection, en particulier les partis d'opposition, soient autorisés à mener librement leur campagne ;
4. **Autoriser** la participation d'observateurs des élections (nationaux et internationaux) pour assurer le suivi de l'intégralité du processus électoral ;
5. **Prendre** des mesures en vue de restaurer et préserver l'espace civique camerounais pour une meilleure jouissance des droits de l'homme et des peuples ;
6. **Engager** un dialogue constructif avec la société civile pour favoriser un environnement pacifique et sûr ;
7. **Engager également** un dialogue inclusif avec les autorités traditionnelles et les services déconcentrés des zones en conflit ;
8. **Proposer** une politique de reconversion attractive aux rebelles des zones de conflit afin de réinsérer les acteurs impliqués dans les différents conflits qui affectent directement les populations ;
9. **Reconnaître** dans les textes de lois la spécificité des zones en conflit et établir une politique de mise en valeur des spécificités linguistique et culturelle des populations des zones en conflit ;
10. **Respecter** la sécurité des défenseurs des droits humains impliqués dans les zones de conflit et sur les questions électorales
11. **Respecter** la liberté des journalistes d'exercer leur travail, de commenter et d'informer les citoyens camerounais sur la situation des zones en conflit ;

**La Commission :**

12. **Condamne** l'usage disproportionné de la force par les forces armées camerounaise et les forces de soutien rapide, ainsi que les attaques délibérées contre les civils et le ciblage des biens et des infrastructures civiles ;
13. **Réitère** ses appels à la cessation immédiate et inconditionnelle des hostilités et à cesser d'urgence de prendre délibérément pour cible les civils, et réitère également

ses appels aux États voisins à accueillir les réfugiés camerounais et leur fournir une assistance humanitaire dans la mesure du possible ;

Fait à Banjul, Gambie, le 15 octobre 2024

**CRES/004/10/24 : RÉSOLUTION SUR LA PROMOTION ET LA  
PROTECTION DES DÉFENSEURS DES DROITS DE L'HOMME,  
L'OUVERTURE DE L'ESPACE CIVIQUE, LA PEINE DE MORT, LA  
GARANTIE DE LA LIBERTÉ DE PRESSE ET LE DÉVELOPPEMENT DE LA  
JUSTICE TRANSITIONNELLE EN RÉPUBLIQUE DÉMOCRATIQUE DU  
CONGO**

Nous, les participants au Forum sur la participation des ONG à la 81e session ordinaire de la Commission africaine des droits de l'homme et des peuples (CADHP) tenue à Banjul, en Gambie, du 13 au 15 octobre 2024, décidons ce qui suit :

**Profondément préoccupés** par la situation sécuritaire en République Démocratique du Congo (RDC), où les violations graves des droits humains et les crimes contre l'humanité se poursuivent dans des provinces telles que l'Ituri, le Nord et Sud-Kivu, le Kwilu, le Kwango, le Mai-Ndombe et dernièrement à Kinshasa et dans le Haut Katanga. Ces violences, qui perdurent, constituent une menace mortelle quotidienne pour les populations civiles.

**Saluons** la promulgation de la Loi N° 23/027 du 15 juin 2023 portant "protection et responsabilité des défenseurs des droits humains en RDC". Cette avancée législative représente un progrès considérable en vue de protéger les Défenseurs des Droits de l'Homme contre les arrestations arbitraires, le harcèlement, l'exil forcé et même l'assassinat.

**Reconnaissons** la mise en place des animateurs du Fonds National des Réparations des Victimes de Violences Sexuelles liées aux conflits et autres crimes contre la paix et la sécurité de l'humanité (FONAREV). Cette initiative est un pas important vers la justice pour les victimes de violences sexuelles et d'autres violations des droits humains. Toutefois, l'absence de mécanismes de justice transitionnelle ne fait que renforcer l'impunité au sein des services de sécurité, encourager la prolifération de groupes armés, et freiner l'extradition des auteurs de crimes vers la RDC. Une justice transitionnelle complète doit inclure la vérité, les réparations, ainsi que des réformes institutionnelles.

**Rappelons également** que les victimes de crimes de masse, de violences sexuelles liées aux conflits et les enfants issus du viol attendent toujours que justice leur soit rendue. Il est essentiel que la voix des femmes soit mise au centre des processus décisionnels, garantissant ainsi le respect de leurs droits fondamentaux longtemps bafoués.

**Préoccupés** par le contexte actuel de la RDC, marqué par des violations des droits de l'homme, les Défenseurs des Droits de l'Homme, journalistes, activistes pro-démocratie et opposants politiques continuent d'être la cible de menaces, d'arrestations arbitraires, d'enlèvements et d'intimidations. Les forces de l'ordre orchestrent souvent ces violations, limitant la liberté d'expression et l'espace civique garanti par la Constitution.



Sollicitons la Commission Africaine des Droits de l'Homme et des Peuples (CADHP) pour qu'elle demande à l'Etat de la RDC de :

1. **Vulgariser et garantir** une mise en œuvre effective de la Loi N° 23/027 du 15 juin 2023 portant protection et responsabilité des Défenseurs des Droits Humains, afin d'assurer leur sécurité et d'encourager leur travail sans crainte de représailles.
2. **Envisager la révision** des articles de cette loi qui ne garantissent pas pleinement l'indépendance et la protection des Défenseurs des Droits Humains.
3. **Promouvoir** la liberté d'expression, de réunion et de manifestation pacifique, en assurant une pleine liberté de la presse pour informer et dénoncer les violations des droits humains sans crainte de représailles ou de violences de la part des autorités.
4. **Garantir** l'indépendance et l'impartialité du système judiciaire en renforçant les capacités des institutions et en nommant des animateurs compétents
5. **Adopter** une politique nationale sur la justice transitionnelle, en mettant en place des mécanismes judiciaires et extrajudiciaires afin d'établir un tribunal pénal spécial et de prévoir des réparations collectives et individuelles. La mise en œuvre d'une commission vérité et réconciliation, ainsi que la réforme des institutions sécuritaires et judiciaires, doivent être des priorités absolues.
6. **Réviser** sa législation pour abolir définitivement la peine de mort.
7. **Ratifier** le deuxième protocole facultatif du Pacte international relatif aux droits civils et politiques.

Fait à Banjul, Gambie, le 15 octobre 2024

## **CRES/005/10/24 : RESOLUTION ON THE SITUATION OF HUMAN RIGHTS IN EGYPT**

We, the participants at the Forum on the Participation of NGOs in the 81<sup>st</sup> Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held in Banjul, The Gambia 13<sup>th</sup> – 15<sup>th</sup> October 2024 resolve as follows:

**Recalling** the Arab Republic of Egypt's commitments under the African Charter on Human and Peoples' Rights and other international human rights treaties,

**Deeply concerned** by the ongoing human rights violations, including arbitrary arrests, enforced disappearance and detention of human rights defenders, political activists, journalists, and dissenting voices, which have severely restricted freedoms of expression, association, and assembly,

**Concerned** about the recent amendments to the Egyptian Criminal Procedure Law, which may further undermine the rights of individuals to a fair trial, due process, and protection from arbitrary detention,

**Alarmed** by the deteriorating conditions in Egyptian prisons, marked by overcrowding, inadequate healthcare, torture, and inhumane treatment that often leads to severe health complications or death of detainees,

**Noting** the systematic targeting of civil society organizations and activists with repressive measures, such as travel bans, asset freezes, and legal harassment aimed at silencing any form of criticism against the government,

*We, the participants at the Forum on the Participation of NGOs in the 81st Ordinary Session of the African Commission on Human and Peoples' Rights held in Banjul, The Gambia during the period 13th October – 15th October 2024 call upon the Commission to adopt a resolution on the situation of human rights in Egypt, in which it:*

1. **Strongly condemn** the Egyptian government's continued crackdown on dissent, civil society, journalists, activists, and human rights defenders.
2. **Call** for the immediate and unconditional release of all political prisoners, activists, and prisoners of conscience detained for exercising their legitimate rights to freedom of expression, assembly, and participation in political activities.
3. **Demand** that the Egyptian authorities conduct thorough, independent, and impartial investigations into allegations of torture, ill-treatment, and poor detention conditions, ensuring accountability for perpetrators of such abuses.

4. **Urge** the Egyptian government to lift all restrictive measures against human rights defenders and civil society organizations, including travel bans, asset freezes, and to create a safe and enabling environment for human rights work.

5. **Call on** the African Commission on Human and Peoples' Rights (ACHPR) to closely monitor Egypt's human rights situation, engage in constructive dialogue with the Egyptian authorities, and use all available mechanisms to hold Egypt accountable to its regional and international obligations.

6. **Encourage** international partners, including the United Nations and the African Union, to take a firm stand on Egypt's human rights record, applying diplomatic and economic pressure to ensure compliance with human rights standards.

Done in Banjul, The Gambia 15th October 2024

**CRES/006/10/24 : RESOLUTION ON STRENGTHENING HUMAN RIGHTS PROTECTIONS AND DEMOCRATIC GOVERNANCE IN THE GAMBIA**

We, the participants at the Forum on the Participation of NGOs in the 81<sup>st</sup> Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held in Banjul, The Gambia 13<sup>th</sup> – 15<sup>th</sup> October 2024 resolve as follows:

**Recognizing** the importance of the African Charter on Human and Peoples' Rights (ACHPR) in promoting and protecting human rights across Africa, and acknowledging The Gambia's role as both a signatory to the Charter and as the host country for the African Commission on Human and Peoples' Rights (ACHPR),

**Mindful** of The Gambia's transition to democracy following the peaceful resolution of the 2016 political crisis, which ended two decades of authoritarian rule under former President Yahya Jammeh, and its subsequent commitments to justice, human rights, and institutional reforms,

**Acknowledging** the significant steps taken by The Gambia since 2017 to improve its human rights record, including the establishment of the Truth, Reconciliation and Reparations Commission (TRRC) to address human rights abuses under the former regime,

**Welcoming** the recent constitutional reform efforts, anti-corruption initiatives, and the strides towards implementing key recommendations from the TRRC aimed at ensuring accountability for past abuses, including enforced disappearances, torture, arbitrary detentions, and extrajudicial killings,

However, **expressing concern** over the current challenges The Gambia faces in fully realizing its human rights obligations, including limitations on freedom of expression, persistent gender-based violence, challenges in strengthening rule of law institutions, and delays in bringing to justice those responsible for past human rights violations,

**Deeply concerned** about ongoing threats to press freedom, the treatment of opposition groups and political activists, and the slow pace of reforms in the security sector and the judiciary,

The NGO Forum calls on the ACHPR to ask the Government of The Gambia to address the following issues in the interest of advancing the country's human rights agenda.

**1. On transitional Justice and Accountability:**

- **Calls on** the Government of The Gambia to expedite the full and transparent implementation of the TRRC's recommendations, including the prosecution of those responsible for human rights violations during the Jammeh era.
- **Urges** the government to ensure adequate support and reparations for victims and survivors of human rights abuses and to establish mechanisms for ongoing reconciliation

processes.

- **Encourages** continued collaboration with international bodies, including the International Criminal Court (ICC), to pursue justice for victims where national capacity may be limited.

## **2. Constitutional and Institutional Reforms:**

- **Encourages** the Government of The Gambia to fast-track the constitutional reform process, with a focus on ensuring provisions that safeguard democratic governance, strengthen the rule of law, and guarantee human rights protections for all citizens.
- **Calls** for greater transparency and public participation in the reform process, particularly in the areas of electoral reforms, the independence of the judiciary, and security sector governance.
- **Recommends** that efforts to reform the security sector include human rights training, enhanced oversight, and accountability to prevent future abuses by security forces.

## **3. Freedom of Expression and Media Freedoms:**

- **Strongly urges** the government to guarantee the right to freedom of expression and press freedom, in line with international human rights standards.
- **Calls on** the government to end all forms of harassment and intimidation of journalists, media houses, and human rights defenders, and to repeal laws that unduly restrict freedom of speech, such as the criminal defamation and sedition laws.
- **Encourages** the establishment of an independent media regulatory framework to protect journalists and foster a free and diverse press.

## **4. Gender Equality and Women's Rights:**

- **Calls on** the Government of The Gambia to intensify efforts to combat gender-based violence, including domestic violence, child marriage, and female genital mutilation (FGM), in compliance with international and regional human rights instruments such as the Maputo Protocol.
- **Urges** the government to enhance the participation of women in political and public life by implementing affirmative action policies and ensuring women's equal representation in decision-making bodies.
- **Recommends** that gender mainstreaming be prioritized in all governmental programs, policies, and reforms, with a focus on protecting the rights of vulnerable groups, including women and girls in rural areas.

## **5. Youth Empowerment and Employment:**

- **Calls on** the government to create more opportunities for youth participation in governance and policymaking processes, particularly through the inclusion of youth voices in national development strategies.
- **Urges** the government to address youth unemployment through robust economic policies that promote entrepreneurship, vocational training, and education reforms aimed at equipping young people with the skills needed to thrive in the modern economy.

## **6. Civil Society Participation and Human Rights Defenders:**

- **Encourages** the Government of The Gambia to foster an enabling environment for civil society organizations (CSOs) to operate freely, without fear of reprisal, in accordance with the ACHPR Guidelines on Freedom of Association and Assembly.
- **Calls on** the government to protect human rights defenders from threats, harassment, and arbitrary detention and to ensure that they are able to carry out their work without interference.
- **Recommends** ongoing dialogue between the government and civil society actors to ensure meaningful participation in the development and implementation of human rights policies.

## **7. Economic, Social, and Cultural Rights:**

- **Urges** the government to take concrete steps to address poverty, inequality, and inadequate access to essential services such as healthcare, education, and housing, in line with the Sustainable Development Goals (SDGs).
- **Calls** for targeted efforts to support marginalized communities, particularly rural populations, and ensure their access to basic services and economic opportunities.
- **Recommends** the integration of cultural rights in development policies, ensuring that all citizens are free to express their cultural identities in a way that respects diversity and promotes social cohesion.

Done in Banjul, The Gambia 15th October 2024

## CRES/007/10/24 : RÉSOLUTION SUR LA SITUATION EN REPUBLIQUE DE GUINEE

Nous, les participants au Forum sur la participation des ONG à la 81e session ordinaire de la Commission africaine des droits de l'homme et des peuples (CADHP) tenue à Banjul, en Gambie, du 13 au 15 octobre 2024, décidons ce qui suit :

**Rappelant** les résolutions du Conseil des droits de l'homme 13/21 du 26 mars 2010, 16/36 du 25 mars 2011, 19/30 du 23 mars 2012, 23/23 du 14 juin 2013, 25/35 du 28 mars 2014, 28/33 du 27 mars 2015, et du 31/23 du 24 mars 2016,

**Réaffirmant** que tous les Etats ont l'obligation de promouvoir et de protéger les droits de l'homme et les libertés fondamentales consacrés dans la Charte des Nations Unies, la Charte Africaine des droits de l'homme et des peuples, la Déclaration universelle des droits de l'homme, les pactes internationaux relatifs aux droits de l'homme et les autres instruments pertinents relatifs aux droits de l'homme auxquels ils sont parties,

**Accueillant avec satisfaction** la déclaration commune des détenteurs de mandat des procédures spéciales et des experts Nations Unies sur l'enlèvement et la disparition forcée des défenseurs des droits humains M. Mamadou Billo Bah et M. Oumar Sylla, Alias Foniké Menguè (Responsables du Front National pour la Défense de la Constitution), qui risqueraient d'être torturés, maltraités et exécutés de manière extrajudiciaire en raison de leur travail légitime de défense des droits humains et de la démocratie,

**Préoccupé** par l'absence d'informations et le manque de communication sur la situation et l'état de santé des deux défenseurs des droits de l'Homme enlevés,

**Profondément préoccupé** par les allégations selon lesquelles des détenus seraient décédés en détention en raison de problèmes de santé aggravés dans des conditions de détention et de l'absence de soins médicaux suffisants en temps opportun;

**Condamne** les restrictions de la liberté de réunion et d'association pacifiques et la liberté d'expression, y compris la liberté des médias ;

Le Forum appelle la Commission à:

**Demander** au gouvernement guinéen de la transition d'adopter et réaliser des réformes pour renforcer l'administration de la justice en vue de lutter contre l'impunité et de consolider le respect des droits de l'homme et des libertés fondamentales ;

**Demander** au Gouvernement guinéen de la transition à prendre les mesures supplémentaires suivantes pour :

- La libération immédiate et inconditionnelle des personnes arbitrairement détenues ;
- Le respect de la Charte de la transition pour l'organisation des élections libres et

transparentes permettant le rétablissement de l'ordre constitutionnel ;

- L'indemnisation des familles victimes des événements du 28 septembre 2009 ;
- La création d'un espace de dialogue inclusif avec l'ensemble des acteurs socio-politiques pour la réussite de la transition en Guinée.

Fait à Banjul, Gambie, le 15 Octobre 2024



**CRES/008/10/24 : RESOLUTION ON GRAVE HUMAN RIGHTS VIOLATIONS DURING  
PROTESTS IN KENYA**

We, the participants at the Forum on the Participation of NGOs in the 81<sup>st</sup> Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held in Banjul, The Gambia 13<sup>th</sup> – 15<sup>th</sup> October 2024 resolve as follows:

**Recalling** the ACHPR's mandate to protect and promote human and peoples' rights in Africa under Article 45 of the African Charter on Human and Peoples' Rights (African Charter); Further recalling Article 1 of the African Charter which calls on Member States to adopt legislative and other measures to implement the rights and freedoms guaranteed by the African Charter;

**Bearing in mind** the provisions of the Declaration on Principles of Freedom of Expression and Access to Information in Africa, the Guidelines on Freedom of Association and Assembly in Africa, the Guidelines on Policing by Law Enforcement Officials at Meetings in Africa, and General Comment No. 37 of the United Human Rights Committee on Freedom of Association and Peaceful Assembly;

**Considering** the ACHPR Resolutions on the Situation of Human Rights Defenders in Africa (ACHPR/Res.376(LX)2017), Prohibition of Excessive Use of Force by Law Enforcement Officers in African States (ACHPR/Res. 474 (EXT.OS/ XXXI) 2021), Safety of Journalists and Media Practitioners in Africa, Deployment of Mass and Unlawful Targeted Communication Surveillance and its Impact on Human Rights in Africa (ACHPR/Res.573 (LXXVII) 2023), Need to Protect Civic Space, Freedom of Association and Assembly in Africa (ACHPR/Res.569 (LXXVII) 2023), and Internet Shutdowns and Elections in Africa - ACHPR.Res.580 (LXXVIII)2024;

**Underscoring** Kenya's obligations under regional and international human rights law including the International Covenant on Civil and Political Rights (ICCPR) and the African Charter;

**Underscoring**, in particular, Kenya's obligation to respect, protect and fulfil the rights under the African Charter including the rights to life (Article 4), dignity (Article 5), liberty (Article 6), fair trial (Article 7), expression and access to information (Article 9), association (Article 10), and assembly (Article 11);

**Further emphasizing** Kenya's obligation to respect, protect and fulfil the right to privacy under Article 17 of the ICCPR and Principles 40 and 41 of the Declaration on Principles of Freedom of Expression and Access to Information in Africa;

**Considering** Kenya's good faith obligation to adhere to the International Convention for the Protection of All Persons from Enforced Disappearance to which it is a signatory;

**Recalling** the rights protected under the Constitution of Kenya including the rights to life (Article 26), dignity (Article 28), freedom and security of the person (Article 29), privacy (Article 31), expression (Article 33), media freedom (Article 34), access to information (Article 35), association (Article 35), peaceful assembly, demonstration, picketing and petition (Article 37), fair hearing (Article 50), as well as the rights of arrested persons (Article 49) and persons detained, held in custody or imprisoned (Article 51);

**Concerned** about the grave human rights violations against protestors in Kenya following the wave of demonstrations that began with the June 2024 anti-tax protests, including unnecessary and excessive use of force by security agents, ill treatment, illegal surveillance, abductions, enforced disappearances, and killings;

**Alarmed** about attacks against journalists covering the protests in Kenya by security forces; Further concerned about the internet disruption that occurred during the 25 June 2024 protests;

**Disturbed by** threats by the government to shut down Non-governmental Organisations (NGOs) that allegedly received funding to support the protests;

We, the participants at the Forum on the Participation of NGOs in the 81 Ordinary Session of the African Commission held in Banjul, The Gambia during the period of 13 to 17 October 2024, call upon the Commission to adopt a resolution on human rights violations during protests in Kenya, in which, it:

- **Condemns** the unnecessary and excessive use of force by the police against unarmed protesters in Kenya, as well as abductions and attempted abductions against digital activists, human rights defenders and journalists;
- **Further condemns** the threats to arbitrarily shut down and threats of issuance of criminal sanctions against NGOs that had allegedly been given funding support for organizing protests;
- **Calls on** the Government of Kenya to promptly investigate and prosecute the perpetrators and provide reparations;
- **Further calls on** the Government of Kenya to refrain from disrupting access to the internet;
- **Encourages** the Government of Kenya to ratify the International Convention for the Protection of All Persons from Enforced Disappearance;
- **Encourages** the Government of Kenya to operationalize the National Coroners

Service Act CAP 89 of the Laws of Kenya to give effect to independent investigations of violations especially were committed by State officials; and

- **Further encourages** the Government of Kenya to uphold the rights to freedom of association and peaceful assembly not only in law, but through application of the law by State agents.

Done in Banjul, The Gambia 15th October 2024

**CRES/009/10/24 : RESOLUTION ON THE SITUATION OF HUMAN RIGHTS IN  
TUNISIA**

We, the participants at the Forum on the Participation of NGOs in the 81<sup>st</sup> Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held in Banjul, The Gambia 13<sup>th</sup> – 15<sup>th</sup> October 2024 resolve as follows:

**Recalling** Tunisia's significant achievements in democracy and human rights following the 2011 revolution and its continued obligations under the African Charter on Human and Peoples' Rights.

**Deeply concerned** by the recent regression in Tunisia's human rights situation, marked by restrictions on freedom of expression, arbitrary arrests of political activists, and a crackdown on civil society.

**Noting** the lack of transparency and credibility in recent electoral processes, which raises concerns about the erosion of democratic principles and the exclusion of political opposition.

**Seriously concerned** about the arrest of members of the political opposition and potential presidential election candidates, raising fears of politically motivated repression.

**We, the participants at the Forum on the Participation of NGOs in the 81st Ordinary Session of the African Commission on Human and Peoples' Rights held in Banjul, The Gambia during the period 13th October – 15<sup>th</sup> October 2024 call upon the Commission to adopt a resolution on the situation of human rights in Tunisia, in which it:**

1. **Condemn** the Tunisian authorities' measures that undermine democratic values, including the intimidation of journalists, political figures, and human rights defenders who criticize the government.
2. **Call on** the government of Tunisia to respect the rule of law, safeguard the independence of the judiciary, and refrain from using the legal system as a tool to stifle dissent and political opposition.
3. **Urge** the Tunisian authorities to ensure that any future elections are conducted transparently, fairly, and inclusively, with guarantees for all political parties and candidates to participate without fear of repression.
4. **Encourage** the ACHPR to monitor developments in Tunisia closely and engage with the Tunisian government to restore its commitment to democratic principles and human rights standards.
5. **Recommend** that international partners support efforts to strengthen Tunisia's democratic institutions, enhance electoral integrity, and promote the full participation of civil society in public affairs.

6. **Appeal to** the African Union and the broader international community to closely monitor the human rights situation in Tunisia and to take a proactive stance in addressing any violations that may occur.
7. **Demand** that the Tunisian authorities commit to transparent governance practices and uphold international standards of democratic accountability, ensuring the respect for civil liberties and the rule of law in all state actions.
8. **Strongly Demand** that compensation be provided to all ex-detainees who have suffered arbitrary detention or ill-treatment, ensuring that they receive adequate redress for the violations of their rights.
9. Call for the perpetrators responsible for arbitrary arrests, torture, and other human rights violations to be held accountable, facing prosecution and appropriate legal consequences to prevent impunity and the recurrence of these crimes.

Done in Banjul, The Gambia 15th October 2024

**CRES/010/10/24 : RESOLUTION ON THE SITUATION OF ENVIRONMENTAL  
HUMAN RIGHTS DEFENDERS IN UGANDA**

We, the participants at the Forum on the Participation of NGOs in the 81<sup>st</sup> Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held in Banjul, The Gambia 13<sup>th</sup> – 15<sup>th</sup> October 2024 resolve as follows:

**Recalling** the African Commission on Human and Peoples' Rights (ACHPR) mandate to promote and protect human rights under Article 45 of the African Charter on Human and Peoples' Rights (African Charter);

**Recalling** the obligations of the government of Uganda under regional and international human rights treaties, including the International Convention against Torture and Other Cruel, Inhuman or Degrading Treatment (CAT), the International Covenant on Civil and Political Rights (ICCPR), the International Covenant on Economic, Social and Cultural Rights (ICESCR) and the African Charter on Human and Peoples' Rights, to respect the fundamental rights of its citizens; Recalling in particular Articles 2, 6, 19, 21 and 22 of the International Covenant on Civil and Political Rights (ICCPR), emphasizing respect for rights, including freedom to hold opinions and to freely express oneself, the right of peaceful assembly, freedom of association with others, and the prohibition of arbitrary arrest and detention;

**Further Recalling** relevant provisions of the African Charter that guarantee the right to life (Article 4), the prohibition of torture and cruel, inhuman and degrading treatment (Article 5), the right to liberty and security of the person (Article 6), the right to freedom of expression and access to information (Article 9), the right to freedom of association (Article 10), and the right to freedom of assembly (Article 11);

**Further Recalling** the fundamental rights and freedoms of Ugandan citizens protected in the Ugandan Constitution, in particular, protection from inhuman treatment and any form of torture, freedom of peaceful assembly, association and expression, the right to a clean and healthy environment, and the right to participate in peaceful activities to influence the policies of government (Articles 23, 24, 29, 38 and 39);

**Deeply concerned** about the increased attacks against environmental human rights defenders and project affected persons peacefully exercising their fundamental rights and freedoms in Uganda, particularly those protesting against the construction of the East African Crude Oil Pipeline (EACOP), and other projects that negatively impact the biodiversity of Uganda and the population living in those areas;

**Particularly noting** increased use of judicial harassment, including arbitrary arrests, unlawful detentions, and prosecutions; abductions; use of excessive force, incommunicado detention;

torture and other forms of ill treatment, against activists and environmental human rights defenders in Uganda;

**Condemning** the numerous incidents of reprisals against environmental defenders since 2023, including the arrest of 7 environmental protestors outside the Chinese Embassy in Kampala on two occasions in one week; the arrest of 4 Kikuube community members following a peaceful march against the Chinese-owned Daqing Construction Group; the arrest of 30 anti-oil protestors protesting in front the Chinese embassy; the arrest of 4 peaceful protestors marching to the Chinese Embassy; the arrest of 47 anti-EACOP student activists; and the arrest of 21 protestors delivering a petition to the Ministry of Energy demanding a Fossil Fuel Treaty and an end to EACOP, among many other incidents;

**Further condemning** the recent enforced disappearance of Stephen Kwikiriza, an environmental human rights defender who documented violations in the Kingfisher Development Area and was forcibly disappeared for five days and subjected to ill treatment and brutal treatment before his release;

**Noting** the repeated harassment and ill treatment of environmental defender Bob Barigya, including being beating by 15 Ugandan police officers while attempting to hold a public debate on EACOP in January 2023;

**Condemning** the use of the judicial system to pursue questionable and vague criminal charges against activists, including incitement of violence, common nuisance or obstruction of a police officer, to harass and intimidate them, and effectively criminalizing legitimate protest activities;

*We, the participants in the Forum on NGO Participation in the 81st Ordinary Session of the African Commission on Human and Peoples' Rights call on the Commission to adopt a resolution on the situation of human rights in Uganda to:*

- **Call upon** the government of Uganda to ensure full respect for the rights to freedom of expression, peaceful assembly, protest, and association as guaranteed by the Ugandan Constitution, regional, and international human rights law;
- **Condemn**, and call upon the Ugandan government to cease, the increased attacks, arbitrary arrests, detentions, ill treatment and harassment of activists exercising these fundamental rights and freedoms;
- **Call upon** the government of Uganda to drop all pending criminal charges against individuals arrested for peaceful protest activities;
- **Call upon** the government of Uganda to conduct prompt, thorough, and impartial investigations into all allegations of human rights violations against activists, including cases

of torture and enforced disappearance;

- **Encourage** the government of Uganda to ratify and domesticate the International Convention on the Protection of All Persons from Enforced Disappearances and implement its provisions in domestic law;
- **Conduct** a monitoring visit to review the situation of environmental defenders in Uganda, and make recommendations to the Ugandan government to respect the rights of environmental defenders; and,
- **Develop** the Commission's normative standards on environmental rights, including specific protection for the rights of environmental defenders, and project-affected persons and communities.

Done in Banjul, The Gambia 15th October 2024



**CRES/011/10/24 : RESOLUTION ON THE CRACKDOWN ON POLITICAL  
OPPOSITION MEMBERS AND HUMAN RIGHTS DEFENDERS IN TANZANIA**

We, the participants at the Forum on the Participation of NGOs in the 81<sup>st</sup> Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held in Banjul, The Gambia 13<sup>th</sup> – 15<sup>th</sup> October 2024 resolve as follows:

**Recalling** the mandate of the ACHPR to promote and protect human and peoples' rights in the African continent pursuant to the African Charter on Human and Peoples' Rights (African Charter) and other related international human rights instruments;

**Recalling** Tanzania's obligation under the African Charter and other regional and international human rights instruments ratified by Tanzania and those operating under the doctrine of *ius cogens*, such as the Convention Against Torture and Other Cruel, Inhumane or Degrading Treatment or Punishment of 1984, as well as being a signatory to the International Convention on the Protection of All Persons Against Enforced Disappearances;

**Recalling** particularly the relevant provisions of the African Charter guaranteeing the right to life (Article 4), the prohibition of torture and cruel, inhuman and degrading treatment (Article 5), the right to personal liberty and protection against arbitrary arrest (Article 6), the right to freedom of association (Article 10) and the right to freedom of assembly (Article 11), as well as non-discrimination and the protection of women's rights (Article 18, paragraph 3);

**Recalling**, in particular, Article 14 of the Constitution of the United Republic of Tanzania of 1977 which guarantees the right to life; the right to liberty (Article 15); the right to personal security (Article 16); freedom of movement (Article 17); freedom of expression (Article 18); freedom of association (Articles 20); and freedom to participate in public affairs (Article 21);

**Seriously concerned** about the brutal crackdown on opposition political party members and outspoken critics of the government, with particularly disturbing reports of abductions, enforced disappearances, torture, and summary executions.

**Concerned about** the recent abduction, torture, and killing of a senior opposition party, Chama cha Demokrasia na Maendeleo (CHADEMA), official Mohamed Ali Kibao on or around 6 September 2024, amidst a rise in political tensions, as Tanzania heads to local and general elections, in November 2024 and October 2025, respectively.

**Concerned about** the abduction, torture and enforced disappearance of young people, community leaders, political activists and human rights defenders in Tanzania as widely reported by civil society and human rights groups, including the Tanganyika Law Society; Noting with concern the total crackdown on the opposition's right to convene political rallies, arrests and detention of hundreds of opposition supporters and top leaders; Concerned about the crackdown on access to information, free press and freedom of speech to the extent of

limiting access to the internet and social media platforms such as X (formerly Twitter);

*We, the participants at the Forum on the Participation of NGOs in the 81 Ordinary Session of the African Commission held in Banjul, The Gambia during the period of 13 to 15 October 2024, call upon the Commission to adopt a Resolution on the situation of human rights in the United Republic of Tanzania, in which it:*

- **Condemns** the escalation of human rights violations and retaliations against freedom of expression in Tanzania, particularly against political actors and human rights defenders especially youths, including through enforced disappearances, torture, arrests, detention, and killings.
- **Calls on** the Government of the United Republic of Tanzania to observe its commitments under international human rights law, particularly its obligation under the Charter to protect and promote human and peoples' rights.
- **Calls on** the Government of the United Republic of Tanzania to repeal and/or outlaw all repressive provisions in the laws, such as the Cyber Crimes Act, the Non - Governmental Act, the Media Service Act, the Electronic and Postal Communication (Online Content) Regulations, and the Statistics Act.
- **Calls on** the Government of the United Republic of Tanzania to commission prompt investigation into incidents of abductions, enforced disappearance and killings, and ensure that all citizens who are held incommunicado are found, set free and provide reparations for the violations they have sustained.
- **Encourages** the Government of the United Republic of Tanzania to observe international human rights standards relating to elections towards, during and after political and electoral processes amid local government and general election in November 2024 and October 2025, respectively.
- **Supports** the building of a culture of democracy in Tanzania through human rights promotion and protection missions and election observation.

Done in Banjul, The Gambia 15th October 2024

**CRES/012/10/24 : RESOLUTION ON THE ARRESTS, ABDUCTIONS, TORTURE OF  
HRDS AND TARGETTING OF CSOs IN ZIMBABWE**

We, the participants at the Forum on the Participation of NGOs in the 81<sup>st</sup> Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) held in Banjul, The Gambia 13<sup>th</sup> – 15<sup>th</sup> October 2024 resolve as follows:

**Acknowledging** the ratification of the African Charter on Human and Peoples' Rights by the Government of Zimbabwe GoZ;

**Emphasizing** the importance of the freedoms of association, peaceful assembly, expression and public participation in contributing to the realization of the human rights in the Charter;

**Disheartened** by the GoZ's failure to comply with its obligations under the African Charter on Human and Peoples' Rights, and inadequate implementation of normative standards and guidance such as the African Commission on Human and Peoples' Rights Guidelines on Freedom of Assembly and Association in Africa, which manifests in the:

- (i) Abduction and torture of HRDs by state agents operating with impunity and guaranteed protection by the GoZ;
- (ii) lack of protective and enabling legal frameworks for Human Rights Defenders (HRDs) and Civil Society Organizations (CSOs);
- (iii) increased legislative restrictions on the legitimate work of CSOs and HRDs, including hindering peoples' opportunity to freely interact with CSOs and HRDs and curtailing access to resources for these groups;
- (iv) over-regulation of CSOs under the guise of enforcing anti-money laundering or countering financing terrorism standards as introduced by the Financial Task Force;
- (v) criminalization of the freedoms of expression, assembly and association through arbitrary arrests, denial of bail and extended periods of pre-trial detention of CSO members and HRDs;
- (vi) persecution through prosecution and conviction of HRDS for doing their constitutionally enshrined work; and

**Particularly alarmed** at the government's persistence with the proposed Private Voluntary Organizations Amendment Bill (PVO Bill) which, if passed in Parliament and the President signs it into law, will impose grave harm on the continued existence and operations of CSOs in the country at a time when these organisations are critical;

**Deeply concerned** that these conditions will have a detrimental impact on the ability of civil society in Zimbabwe to effectively carry out their mandates and play a critical oversight role normally associated with such organisations;

*We recommend that the African Commission on Human and Peoples' Rights adopt a Resolution urging the Government of Zimbabwe to:*

1. **Ensure** compliance with its obligations under the African Charter on Human and Peoples' Rights and the Guidelines on Freedom of Association and Assembly in Africa.
2. **Develop** a framework for the protection of HRDs and lawyers who represent HRDs.
3. **Abandon** the PVO Amendment Bill of 2024 in its entirety.
4. **Guarantee** that the laws to combat money laundering and financing terrorism do not lead to over-regulation of CSOs and that all laws imposing restrictions must be proportionate, and instead, ensure and encourage the self-regulation of CSOs.
5. **Create** an enabling environment for CSOs to carry out their critical watchdog role by not hindering the operations of human rights and governance-focused organizations by deploying government officials to disrupt lawful gatherings.
6. **Immediately, unconditionally release** prisoners arrested for exercising their freedom of expression, assembly, and association in the lead-up to the 44th Session of the SADC Summit and ensure that the GoZ respect the separation of powers and uphold judicial independence.
7. **Ensure that** the perpetrators of the abduction and torture of Namatai Kwekweza, Robson Chere, and Samuel Gwenzi at Robert Mugabe International Airport are apprehended and subjected to the law.
8. **Ensure the** release on bail of Tambudzai Makokoro, a victim of torture who is in pre-trial and detention and has been denied bail since June 2024 despite her deteriorating health occasioned by the torture.
9. **Calling** the ACHPR Country Rapporteur and Special Rapporteur on HRDs and Focal Point on Reprisals in Africa intervene by conducting regular country visits and assessment as well as ensuring implementation of ACHPR Resolution 443 and work with the Government of Zimbabwe to end atrocities.
10. **Urge** the Government of Zimbabwe does not amend the constitution resulting in undermining democracy and the rule of law. President Mnangagwa must respect the two-term limit and hand over power peacefully when his term expires in 2028.

Done in Banjul, The Gambia 15th October 2024