I. INTRODUCTION


2. The partners were: The African Commission on Human and People’s Rights, International Center for Not-for-Profit Law (ICNL) and JOINT -Ligas de ONGs em Mocambique. The Training of Trainers (TOT) was an activity under the project ‘Consolidating civil society’s role in the transition from African human rights standards to practice’ to be implemented by the International Commission for Jurists (European Institutions and Kenya branches), Norwegian Refugee Council (NRC) and the African Centre for Democracy and Human Rights Studies (ACDHRS).

3. The Main Objectives of the TOT workshop was to build the capacity of a large group of Lusophony Trainers representing human rights NGOs, Human Rights Practitioners, Journalists and Lawyers to equip them with knowledge and skills for a proper and more effective way to engage with the African Commission on Human and Peoples’ Rights (ACHPR), the Committee of Experts on the Rights and Welfare of the Child (ACERWC) and the African Court on Human and Peoples’ Rights for strategic engagement and litigation by civil society. It will serve as an induction especially for those HRDs with little or no prior experience engaging the African human rights system.

4. The TOT brought together prominent human rights defenders as well as lawyers, journalists, professors and civil society organization representatives.

5. The Training was consisted of about 25 participants from Lusophony countries (Angola, Cape Verde, Equatorial Guinea, Guinea Bissau, Mozambique, & Sao Tome Principe).
6. The Training offered participants the opportunity to:
   - Form a pool of Lusophone Trainers that work on the African human rights system in Africa
   - Be familiar with the African human rights instruments, including theoretical and practical knowledge of the instruments
   - Have more Portuguese speaking countries to be involved in the African Commission Sessions and other Human Rights Forums
   - Enhance their knowledge for advocacy, lobbying, engagement and litigation before the African Commission, the African Court and Committee of Experts on the Rights and Welfare of the Child
   - Create a network with Lusophone civil society organizations on issues of mutual interest
   - Learn and share the best practices for engagement (applying for Observer status, filing communications and complaints, making statements at Commissions Sessions, etc.)

II. KEY NOTES

1. Participants had the opportunity to meet with officials and members African Commission on Human and Peoples’ Rights, as well as with Experts from Organizations such as ACDHRS, ICJ-EI, HURISA, CIDH and local Mozambique civil society representatives.

2. The meeting was devoted, for the most part, to the African Human Rights Systems & Mechanisms with A Special Focus On Freedom Of Association & Assembly.

3. The African Charter on Human and People Rights guarantees to all fundamental rights of existence, thought, expression and realization throughout the continent; these freedoms to be ensured by governments and monitored by the African Commission on Human and Peoples’ Rights.

4. Although many actions have been undertaken, legislations established and bodies and institutions are functional, today, people in Africa continue to face inequalities and multiple forms of human rights violations. We lag behind the most on all indicators for which data are available.

5. Having NGO Observer Status is a useful way to advocate before the African Commission. Reserved for Non Governmental Organizations working in Human
Rights field in Africa, observer status is a formal recognition of NGOs and its authority to participate at the Commission sessions. NGOs seeking observer status should submit a written application to the Secretariat at least three months before the next upcoming session. The application must include:

- statutes of the organization;
- proof of its legal existence;
- a list of members;
- its constituent organs;
- its sources of funding;
- its last financial statement;
- a statement on its activities

6. The NGO Forum is a key venue for NGO engagement with the Commission. Held in advance of the Commission’s Ordinary Sessions, the NGO Forum provides a platform for NGOs to discuss the human rights situation in Africa, exchange information, and build their advocacy networks. Moreover, Commissioners often participate in the NGO Forum and incorporate language from NGO Forum resolutions into Commission resolutions.

   a. **BENEFITS**

   - Provides a good opportunity to network and meet other advocates
   - Creates opportunities to organize
   - Useful to attend side events that address specific issues
   - The Commissioners and the Commission’s staff also attend

7. Participation in the NGO Forum offers many opportunities for engagement. First, participants can attend panel discussions, working groups, and networking events. Panel discussions typically focus on specific human rights issues that the African Commission will hear reports on by its special mechanisms, but the NGO Forum also permits civil society to discuss, and raise awareness of, issues that are
left off the Commission’s agenda or that are of concern in more than one country on the continent. The panel discussions provide an opportunity for NGOs to flag issues not previously raised in State reports to the Commission.

8. Second, since NGO Forum resolutions are drafted during working groups that are also occasionally attended by Commissioners, participants have the chance to urge the Commission to take action on issues it has avoided or not adequately addressed in the past. The final resolutions are subsequently delivered to the African Commission, creating multiple avenues for advocacy.

9. Third, NGOs can organize side events to take place during or after the NGO Forum. These events tend to focus on issues identified as critical by a coalition of civil society groups. As with the NGO Forum, Commissioners and State delegates sometimes attend these events, providing another opportunity for dialogue outside of the Commission Sessions.

10. Lastly, the NGO Forum also provides valuable opportunities for individuals, civil society, NGOs, and Commissioners to network and collaborate with each other. Indeed, networking and collaboration among civil society organizations forms “the core” of the Forum’s objectives. In the past, the NGO Forum has dedicated time to examining the relationships between NGOs as well as between NGOs and the African Commission in order to develop strategies to increase collaboration between these groups.

11. **Registration of Communications to the ACHPR**

   a. Communications meant for the African Commission are usually directed to the Secretariat of the Commission which is based in Banjul, The Gambia. Once a communication is received, it is registered under a file number in the Commission’s Official Register of Communications kept at the Secretariat of the Commission. The Secretariat acknowledges receipt of the author’s letter of complaint. If more information is required, the author will be informed accordingly.

12. **Seizure**

   a. Once a communication has been registered, the Commission has to be seized with it. Article 55 of the Charter provides that "Before each session of the Commission, the Secretary of the Commission prepares a list of all communications submitted to the Secretariat, other than those of State
parties ... and transmits them to the members of the Commission, who shall indicate which communications shall be considered by the Commission”.

13. **Conditions of admissibility of a communication**

   a. Article 56 of the Charter stipulates the admissibility criteria to be applied to individual and similar communications as follows: The communication should indicate the author(s) name even if the latter request anonymity. The person submitting the complaint must, as a matter of principle, indicate his or her name. The communication should be compatible with the Charter of the AU or with the present Charter. The Communication should invoke the provisions of the African Charter alleged to have been violated and/or the principles enshrined in the AU Charter.

   b. The communication should not be written in disparaging or insulting language directed against the State concerned and its institutions or to the AU. The communication is not based exclusively on news disseminated through the mass media. The author must be able to investigate and ascertain the truth of the facts before requesting for the Commission’s intervention. The communication is sent after exhausting local remedies, if any, unless it is obvious that this procedure is unduly prolonged.

   c. The communication should be submitted to the Commission within a reasonable period from the time local remedies are exhausted. After the exhaustion of local remedies, or where the complainant realises that such remedies shall be unduly prolonged, he or she can submit the complaint to the Commission immediately. The Charter does not give a time limit but talks of reasonable time. It is always advisable to submit a complaint as early as possible. The communication does not deal with cases which have been settled in accordance with the principles of the Charter of the UN or the Charter of the OAU or the provisions of the present Charter.

14. According to recent reports by International and Regional Human Rights Organizations on the issue of human rights in Lusophone African countries: some human rights organizations are often blocked and frustrated by the administrative slowness that prevents them from carrying out their work; we recorded women’s rights violations and have not made significant progress in all
regions of the continent; displaced populations are victims of the most atrocious abuses. And the picture is not limited to these violations. One of the most fundamental freedoms, that of freedom of expression, which promotes and guarantees the right to life of populations, is also under attack.

15. The revolutions began with the declarations of rights, they will only end with their application. Because, more than a democratic necessity, the freedoms of association and expression must be a vital need for our societies. We must be free to express ourselves and to meet without fear of reprisals of any kind or of harm to our physical integrity.

16. Presentation of Alternative Reports
   a. States parties must report every two years on the steps they have taken to implement the African Charter. The Commission considers these reports during its Ordinary and Extraordinary Sessions. After considering the reports, the Commission issues Concluding Observations that contain recommendations for the State to achieve further compliance with the Charter. The Commission’s Rules of Procedure provide that any person or group, regardless of whether they hold observer status, may also submit shadow reports to the Commission on the human rights situation in their country.
   b. These shadow reports supplement the State report, thereby providing NGOs the opportunity to bring human rights issues to the Commission’s attention even where the State has failed to adequately engage, or has not engaged at all, with civil society. In addition to discussing human rights issues omitted from the State report or superficially addressed by the State, shadow reports also include questions for the Commission to pose to States and possible recommendations.

17. There is no doubt about the leadership, resilience, courage and innovation of civil society actors, NGOs, and human rights movements have played a major role in these advances. Civil society actors and human rights defenders are key pillars of change at national and local levels; contributing through monitoring and follow-up of the implementation of international human rights standards and the implementation of decisions, judgments and recommendations of African regional human rights mechanisms; strengthening the capacity of governments
to ensure the implementation of these standards; awareness-raising and education of vulnerable populations and training of their members.

18. The 2030 Agenda offers a paradigm shift from the traditional model of development. It provides a transformative vision for people and planet-centred, human rights-based, and gender-sensitive sustainable development. The 2030 Agenda promises “more peaceful, just and inclusive societies which are free from fear and violence” with attention to democratic governance, rule of law, access to justice and personal security (in Goal 16), as well as an enabling international environment (in Goal 17 and throughout the framework). **It therefore covers issues related to all human rights, including economic, civil, cultural, political, social rights and the right to development.**

19. The 2030 Agenda leave no-one behind, envisaging “a world of universal respect for equality and non-discrimination” between and within countries, including gender equality, by reaffirming the responsibilities of all States to “respect, protect and promote human rights, without distinction of any kind as to race, colour, sex, language, religion, political or other opinions, national and social origin, property, birth, disability or other status.” It is to ensure that the 2030 Agenda is implemented with the support of the necessary resources and political commitment.

20. To attain the SDGs, we need:

- Effective accountability mechanisms, addressing the duties of States as well as the private sector, should be established
- Reviews of national and regional SDG progress must be supported by regular global reviews of overall progress at the High Level Political Forum
- Monitoring efforts should assess progress in achieving results for all people (This will require disaggregated data that clearly reveals the situation of the most disadvantaged groups and those groups affected by discrimination)

**Done By Naji Moulay Lahsen**