

Promoting cooperation between the United Nations and African human rights systems

The role of civil society organisations and other monitoring institutions including national human rights institutions

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During the NGO Forum preceding the 52nd Ordinary Session of the African Commission on Human and Peoples Rights, held in Yamoussoro, Cote d'Ivoire, in October 2012, the Community Law Centre (CLC), University of the Western Cape, in conjunction with the United Nations Office of the High Commissioner for Human Rights (OHCHR) held a seminar on the Special Procedures of the United Nations Human Rights Council.

Background

Since its inception in 1945, the UN has remained the custodian of individual and collective human rights all over the world. In 1948 the Universal Declaration of Human Rights (UDHR) was adopted, as have several other human rights instruments since then, to ensure the promotion and protection of human rights irrespective of the gender, race, ethnicity, economic background or religious beliefs of rights holders. In addition to adopting human rights instruments, the UN has made a great effort to strengthen the promotion and protection of human rights through its hu-

man rights mechanisms. One of these is the establishment of Special Procedures by the UN Human Rights Council (HRC). Special Procedures are typically independent experts in charge of monitoring human rights developments, either on a given theme or in a given country. There are currently 48 Special Procedures, of which 36 are thematic and 12 are country-based.

The Special Rapporteurs have continued to play an important role in the advancement of human rights all over the world. Apart from conducting research on certain thematic issues, they conduct country visits on invitation by governments. Special Procedures mechanisms may also take action on individual or group cases of alleged human rights violations, as well as bringing legislation and policies that may potentially affect the human rights of those within their jurisdiction to governments' attention.

Since the establishment of the first thematic Special Procedure in February 1980 – the Working Group on Enforced or Involuntary Disappearances – these mechanisms have become an important part of the UN human rights system. Today there are 48 Special Procedures under the human rights system.

Recently, regional human rights bodies such as the Af-

frican Commission on Human and Peoples' Rights (African Commission) have established special mechanisms similar to those of the UN HRC to strengthen the protection and promotion of human rights at the regional level. Although it is one of the youngest of all the regional human rights systems, the African one has made great progress in the promotion and protection of human rights across the continent.

The African Commission is the body responsible for monitoring the implementation of the African Charter on Human and Peoples' Rights. While it encountered some problems at its formative stage, it has turned out to be bulwark of human rights protection in Africa. Apart from developing progressive jurisprudence to advance both civil-political and socio-economic rights, the African Commission has similarly established special mechanisms to strengthen the promotion and protection of human rights in Africa with a particular focus on specific thematic issues.

The first of these mechanisms, the Special Rapporteur on Extra-Judicial, Summary and Arbitrary Executions in Africa, was appointed as far back as 1994, but has been dormant over the last few years. Today there are about 17 Special Procedures of the African Commission. There has been little opportunity for the UN and the African Commission to strengthen partnerships and build on each other's work. Given the long experience of the UN human rights system, and the specific expertise of the African system, there are some benefits they can derive from working with each other.

In January 2012 the Special Procedures mechanisms of the two systems agreed on a roadmap aimed at strengthening cooperation and coordination between them. Called the Addis Roadmap (as it was developed and agreed upon during a consultation between Special Procedures mandate holders from both systems in Addis Ababa), it identified concrete actions and initiatives with the view of enhancing synergies. One relates to encouraging civil society organisations to support and promote the partnership between the two systems. The following ways in which NGOs can interact with Special Procedures were identified:

- sending information on human rights violations which have occurred, or may occur, which the relevant Special Rapporteur then communicates to government in the form of an allegation letter (on past violations) or urgent appeal (concerning future violations);

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- contributing information to the reports of the Special Rapporteurs;
- lobbying government to invite Special Rapporteurs; and
- meeting with Special Rapporteurs during their country visits.

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For more information on the Special Procedures Mechanisms of the UN Human Rights Council, see:

<http://www.ohchr.org/EN/HRBodies/SP/Pages/Welcomepage.aspx>

<http://www.ohchr.org/EN/News-Events/Pages/DisplayNews.aspx?NewsID=11765&LangID=E>