

**SEVENTH CONFERENCE OF
AFRICAN NATIONAL HUMAN RIGHTS INSTITUTIONS
Rabat, 3-5 November 2009**

RABAT DECLARATION

Participants at the Seventh Conference of African National Human Rights Institutions, convening in Rabat, Morocco, from 3 to 5 November 2009 under the theme: “Peace and Justice: Role of National Human Rights Institutions”, under the auspices of the Advisory Council for Human Rights of Morocco in cooperation with the Network of African National Human Rights Institutions and with the support of the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Organisation Internationale de la Francophonie (OIF), and the Commonwealth Secretariat,

Acknowledging with appreciation the welcome and hospitality of the Government and people of Morocco in the hosting the Seventh Conference,

Expressing their warm gratitude to the Advisory Council for Human Rights of Morocco for its notable organization and hosting of the Conference,

Expressing their appreciation for the presence at the Conference of the Registrar of the International Criminal Tribunal for Rwanda, the representative of the Office of the High Commissioner for Human Rights (OHCHR), and the Chair of the International Coordinating Committee of National Human Rights Institutions,

Noting with gratitude the continued support of the Office of the United Nations High Commissioner for Human Rights (OHCHR) towards the strengthening of the Permanent Secretariat of the Network, and welcoming the assistance given by the Kenya National Commission on Human Rights in hosting it,

Reaffirming their commitment to the Kigali Declaration of 10 October 2007 and its attachment to the values enshrined in the Universal Declaration of Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, the African Charter on Human and Peoples’ Rights, the United Nations Declaration on the Right of Peoples to Peace (1984), the African Charter on Democracy, Elections and Governance (2007), and various other international instruments concerning human rights to which their States have subscribed and ratified,

Recalling the need for all the African national human rights institutions to function independently and in full conformity with the Paris Principles as adopted by the United Nations General Assembly in its resolution 48/134 of 20 December 1993,

Recalling also that the effective promotion of and respect for human rights and fundamental freedoms require that States ratify United Nations instruments concerning

human rights, reinforce them and forward periodically, in conformity with these instruments, reports to the respective monitoring committees,

Noting that the Nairobi Declaration on the role of NHRIs in the Administration of Justice adopted by NHRIs in 2008 underlined the crucial role of NHRIs in relation to access to justice, the judiciary, law enforcement and correctional and detention facilities as part of their contribution to a peaceful and human rights respectful society,

Convinced that justice, peace and democracy are mutually reinforcing imperatives and that accountability is an important aspect for preventing future violations,

Concerned by the recurrence of armed conflict in many African countries, and the crackdowns on democracy resulting from the lack of accountability and existence of impunity which further represent threats against peace,

Recognizing the need for comprehensive approach when addressing the legacy of large scale abuses, comprising of investigations and prosecutions, truth-seeking processes, reparations programs, and vetting processes; and that any such combination must be in conformity with international legal standards and obligations, and take into account national context;

Recognizing the important role NHRIs, especially those in line with the Paris Principles, have been playing in transitional justice processes, in order to ensure accountability, serve justice and achieve reconciliation, and considering that this role could be further strengthened,

Recognizing the need to address the root-causes of conflict, and to ensure the protection and fulfilment of all rights, including economic, social and cultural rights,

Recognizing the need to promote political and economic good governance as the basis of a peaceful democratic society,

Aware of all the above issues concerning human rights,

1. Resolved:

- a) To promote the inter-dependency of peace and justice,
- b) To promote and disseminate relevant international and regional human rights instruments and standards, including the Universal Declaration on Human Rights, the International Covenant on Civil and Political Rights, the International Covenant on Economic, Social and Cultural Rights, and the African Charter on Democracy, Elections and Governance; and to promote their wide implementation,

- c) To raise awareness about international instruments and standards as well as best practices relating to transitional justice and combating impunity,
- d) To raise awareness of transitional justice mechanisms and lessons learned, to engage relevant stakeholders, including civil society and institutional actors in transitional justice discourse, and to mobilize the society's action in this area,
- e) To facilitate the national consultations for the establishment of transitional justice mechanisms in close cooperation with other national and international stakeholders, and ensure participation of victims, and other vulnerable or marginalized groups, and make appropriate recommendations to ensure an open and transparent process,
- f) To engage in information gathering and documenting of human rights abuses, and cooperate with transitional justice mechanisms in investigation of human rights violations,
- g) To ensure preservation and protection of information on human rights abuses, including through appropriate archiving,
- h) To interact with and reinforce the justice mechanisms and ensure that cases of human rights violations are submitted to the justice system and adequately addressed,
- i) To cooperate in the design and, as appropriate, in implementation of transitional justice mechanisms, and to ensure the centrality of victims in such processes,
- j) To ensure that the establishment and operation of any transitional justice mechanism is in compliance with international human rights standards and practices,
- k) To ensure that the rights of those facing transitional justice mechanisms, including alleged perpetrators and victims, are respected,
- l) To promote provision of assistance to victims and witnesses participating to transitional justice processes, so they are informed of their rights and responsibilities and have access to medical and psychosocial care; and to promote provision of victims and witness protection;
- m) To monitor and report on the implementation of the recommendation of transitional justice mechanisms,
- n) To recommend to the relevant authorities legislative and administrative reforms to ensure their compliance with international standards, and to

prevent recurrence of human rights abuses and to restore respect for the rule of law and trust in government institutions,

- o) To engage and interact with international and regional human rights mechanisms, including by submitting reports, and making statements, and following up of recommendations related to transitional justice and human rights in general,
- p) To participate in the development and revision of education programs to include aspects on culture of peace, conflicts prevention, tolerance and fight against discrimination and human rights.

Participants at the Conference:

2. *Call* for direct contributions from African NHRIs and continued assistance, substantive and financial, by international and regional intergovernmental organizations, including OHCHR and OIF, UNDP and other partners to the Permanent Secretariat of NHRIs in Nairobi, Kenya,

3. *Note* that a number of national human rights institutions in Africa have affiliate status with the African Commission on Human and Peoples' Rights and call on others that have not attained such status to do so, and urges the African Commission to expedite the establishment of the Unit on NHRIs as recommended in its meeting last May 2009,

4. *Reaffirm* their commitment to cooperate with the African Commission on Human and Peoples' Rights in the area of the promotion, protection and enforcement of human rights,

5. *Resolve* to work with international and regional organizations, including the African Union through the Peace and Security Council, in the promotion, protection and enforcement of democracy, rule of law and human rights,

Agree to hold their next bi-annual conference in South Africa in 2011.

Adopted in Rabat , 5 November 2009.