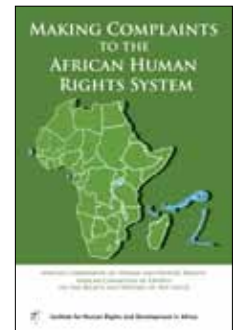
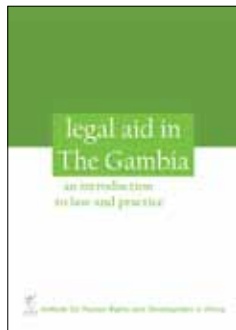




IHRDA

defend.educate.inform.

INSTITUTE FOR HUMAN RIGHTS AND DEVELOPMENT IN AFRICA





The Institute for Human Rights and Development in Africa (IHRDA)
is a pan-African non governmental organisation based in Banjul, The Gambia.

We envision

a continent where all have access to justice, using
national, African and international human rights law and mechanisms to protect their rights.



IHRDA works through:

- **defend:** offering *pro bono* legal counsel for victims of human rights abuses in Africa;
- **educate:** conducting training and other capacity-building efforts on the African Human Rights System and other human rights issues;
- **inform:** publishing and distributing information on the African Human Rights System.

defend.educate.inform

Defend - legal counsel

IHRDA's chief task is to serve as legal counsel for victims of violations of their rights as enshrined in Africa's human rights instruments. In over 30 cases, our clients range from individuals to small groups, to class action suits.

IHRDA chooses cases for: *Breadth of impact*: cases that challenge laws, widespread practices or have potential for widest possible benefit to victims of similar violations; *Role of international law*: IHRDA gives advice on national-level cases relying on international law and may engage in select instances; *Development of new standards*. Many human rights still need litigation to clarify standards in interpretation and enforcement.

Snapshot of IHRDA cases



Citizenship rights in Mauritania



Refugee rights in Guinea



Non-discrimination and right to housing in Nigeria



Detainee rights in Congo-Brazzaville



Right to protection from torture and to life in D.R. Congo



Fair trial rights in Ethiopia



Citizenship and children's rights in Kenya



Migrant rights in Angola



Freedom of Expression in Zimbabwe

Political rights in Swaziland



Defend - "Global first" in children's rights



In March 2009, Nubian children in Kenya filed a case before the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), seeking remedies for systematic discrimination and denial of Kenyan nationality that left them stateless and exposed to numerous other rights violations.

In its first ever decision, 002/Com/002/2009, issued in September 2011, the ACERWC found in favour of the complainants and set out five (5) recommendations to Kenya to implement in order to redress the "multi-general violations" suffered by Nubian children in Kenya. Among these were: all necessary legislative, administrative and other changes; priority recognition of existing Nubian children; adoption of a non-discriminatory birth registration system; adoption

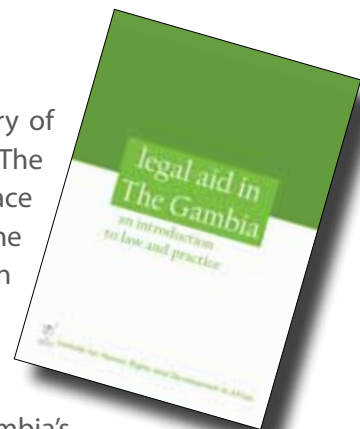
of short,
the beneficiary communities.

medium and long term redress measures for health and education standards in consultation with

This decision makes it the first time that a State has been found in violation of children's rights treaty by an international body. Nubian children in Kenya were represented by IHRDA, Open Society Justice Initiative (OSJI) with support from Centre for Minority Rights Development (CEMIRIDE).

Developing Legal Aid in The Gambia

IHRDA has worked intensively with the Attorney-General's Chambers and the Ministry of Justice, since 2005, for the establishment of a viable and sustainable legal aid system in The Gambia. This project saw the drafting of and enactment the Legal Aid Act 2008, to replace the Poor Persons' Defence Act of 1992. This enactment, in addition to greatly improving the scope, eligibility and administrative framework of legal aid, also fulfils a recommendation of the African Commission on Human and Peoples' Rights decision in the case *Purohit and Moore v The Gambia*. In this case, the African Commission found the Poor Persons' Defence Act inadequate to provide reasonable legal remedies for persons in need and urged appropriate legislative reform. This project in 2011 includes publishing a book on The Gambia's law and practice in legal aid.



Legal aid to children

IHRDA is working with the Judiciary of The Gambia the Gambia Bar Association to provide the legal aid necessary for advancing stalled cases involving children before the Children's Court in The Gambia. 20 children involved in serious or urgent cases have been selected for legal aid. Under the Children's Act of The Gambia, it is mandatory for children charged with criminal offences to be represented in court.

Defend - implementing an African Commission decision in Mauritania

<http://mauritania.ihrda.org>

IHRDA has been involved in the struggle for justice for the victims of the 1989 expulsions since 1999 when it served as legal counsel for the *Collectif des veuves et ayants-droits* in their series of communications 164/97-194/97 before the African Commission. When the celebrated decision *Malawi African Association and Ors v Mauritania* came in 2000, IHRDA role then moved to seeking full implementation of the decision, through lobbying, cooperation with the African Commission, repatriation monitoring, training and Mauritanian civil society mobilisation.



Over the years, IHRDA and Mauritanian civil society have generated an extensive body of knowledge on the human

rights situation, filling the gap between official progress reports and the real situation.

This online resource provides many of these civil society reports for download. A book on the implementation process that has lasted in earnest since 2005, will also be published in 2012.

Inform - Publications



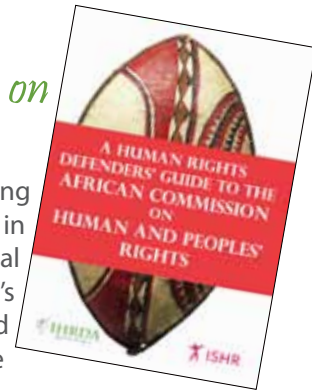
Making Complaints to the African Human Rights System

With over a decade's experience litigating before the African Human Rights System, IHRDA offers this guide to help complainants navigate the procedural rules and ensure a most effective litigation before the system's key instances. The book also offers jurisprudential analysis. To be published in 2012.

Inform - publications

A Human Rights Defenders' Guide to the African Commission on Human and Peoples' Rights

The free functioning of civil society is crucial to the implementation of human rights. By questioning government actions and their impact on human rights, human rights defenders play a crucial role in holding governments accountable for their human rights obligations. In this book, the International Service for Human Rights (ISHR) and IHRDA retrace the evolution of the African Commission's protection of human rights defenders as evident in its case law, soft law, urgent appeals and other actions. It presents an overview of rights of HRDs, with special attention to the rights to free expression, association and assembly.



Decisions of the African Commission on Human and Peoples' Rights on Communications 2002-2007

210mm x 140mm, 456pp. ISBN 9983-9907-1-7

Preface by Dr Mary Maboreke, Secretary to the African Commission

Decisions [...] 2002-2007 - Addendum

210mm x 140mm, 456pp. ISBN 9983-9907-3-3 (Published in 2008)

The present volume collects the decisions extracted from seven African Commission's annual activity reports: namely the 15th, 16th, 17th, 18th [Abuja], 18th [Tripoli], 20th and 21st published between 2002 and 2007 containing 42 separate decisions.



Compilation of Decisions on Communications of the African Commission on Human and Peoples' Rights 1994-2001

210mm x 150mm, 446pp. ISBN 9983-9907-0-9

(Published in 2002)



This compilation is the first collection of African human rights jurisprudence of a continental human rights enforcement body in print. The publishing of these decisions in a single volume is pivotal as the decisions contain key interpretations of the African Charter on Human and Peoples' Rights. This collection contains decisions published between 1994-2001 in the 7th through to 14th annual activity reports of the African Commission.

African Commitments to Human Rights: A Review of Eight NEPAD Countries

107pp. ISBN 1-919913-51-3 (2004) 210mm x 150mm

Th respect for human rights remains at the heart of the search for peace and justice on the African continent. Of much relevance to this search is the concept of human security, which demand, among others, the safeguarding of peoples' vital freedoms. The principal aim of this study is to monitor progress in the field of human rights in Algeria, Ethiopia, Ghana, Kenya, Nigeria, Senegal, South Africa and Uganda.



Recueil africain des décisions des droits humains - 2000

247mm x 153mm, 369pp. ISSN 1817-194-X (Publiée en 2005)

Le *Recueil Africain des Décisions des Droits Humains* contient des décisions:

- des organes des traités des Nations unies relatifs aux droits de l'homme
 - de la Commission africaine des droits de l'homme et des peuples
 - des tribunaux nationaux des pays africains
- Publiée en collaboration avec le Centre for Human Rights, Université de Pretoria



Educate - training

IHRDA provides training with a specific litigation approach as a form of action-oriented training. This approach involves introducing trainees to the African Human Rights System and its procedures *and* specific case identification exercises.

This is geared at developing capacity to understand the System and defining viable cases that can be successfully litigated at the national, regional and continental levels.

IHRDA trains human rights defenders on:

- how to use the African Human Rights System;
- the provisions of the African Charter on Human and Peoples' Rights and the African Charter on the Rights and Welfare of the Child, the Women's Protocol and other relevant human rights instruments;
- the procedures of the African Commission on Human and Peoples' Rights, African Committee of Experts on the Rights and Welfare of the Child and the African Court on Human and Peoples' Rights.

Participants have included human rights defenders of all profession, and organisations, from members of national human rights institutions through state lawyers, judicial and law enforcement officers to hundreds of civil society

HRDs. Many have subsequently litigated cases or written decisions using African human rights treaties.



Friends of IHRDA

Friends of IHRDA is a non-profit organisation registered in the US state of Maryland to: support IHRDA's activities, including distribution of IHRDA's publications in the USA; publicise the work of IHRDA in the USA; act as agent for IHRDA in the USA.

Friends of IHRDA is registered with the Internal Revenue Service (IRS) as a tax-exempt organisation under article 501(c)(3) of the US Internal Revenue Code. This allows US taxpayers to make tax-deductible contributions to IHRDA.

Friends of IHRDA

209 Harrison Street,

Rockville, MD 20850-1829.

For more information, visit our website at www.ihrda.org/friends.

Fellowships and Internships

IHRDA offers fellowships to experienced lawyers aimed at the preparation of specific cases to be brought before the complaint handling bodies of the African Human Rights System.

Fellowships usually last between three months to a year and fellows also participate in other IHRDA activities such as publications and training.

IHRDA also welcomes interns, usually students in law, the arts and social sciences, information technology or administration.

To find out more, please visit us at www.ihrda.org/internships

AFRICAN HUMAN RIGHTS CASE LAW ANALYSER

Collection of decisions from the African Human Rights System

<http://caselaw.ihrda.org>

English

français

português

The African Human Rights Caselaw Analyser is a research friendly online database offering access to high quality, intuitive analysis of the most comprehensive multilingual collection of human rights case law in Africa. Among its features are:

Search

Search functions intuitively anticipate most frequent research problems on online databases and provides useful filtering categories such as country; article alleged, violated and not violated; source publication (activity report); and outcome of case.

Single view of multiple decisions

Researching highly interrelated data can be troublesome as one opens several pages simultaneously. The Analyser solves this problem through inline loading. This feature allows all footnotes, cited decisions and all other secondary material to open in multiple windows within the line.

Jurisprudential value

The Analyser's most intuitive function is an automatic calculation of the most jurisprudentially valuable decisions. To establish this value, the Analyser tracks frequency of citation, both backward and forward in time. This makes the Analyser a powerful and accurate barometer of valuable jurisprudence.

Analyser is personal

You can now register your personal user account which you can then use to login, store your research, bookmark interesting decisions and paragraphs, comment on interesting paragraphs and share them with their Analyser friends, just like Facebook!



African Commission on Human and Peoples' Rights



SADC Tribunal



African Committee on the Rights and Welfare of the Child



African Court on Human and Peoples' Rights



ECOWAS Community Court of Justice



EAC Court of Justice

IHRDA will continue working to bring the Analyser to the service of all the instances of the African Human Rights System



IHRDA
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