



AFRICA LEGAL AID

ACTIVITIES AND RESULTS

2002-2012

General Introduction to Africa Legal Aid (AFLA)

Africa Legal Aid (AFLA) is an influential pan-African entity working to promote accountability and end impunity for gross human rights violations. AFLA provides leadership and support to various human rights and justice sectors in Africa. While not a gender specific organization, AFLA has had a bias for gender equality and gender justice in its work not least because women play a leadership role with the organization. Through its cooperation with the International Criminal Court (ICC) and other key international, regional and national bodies, AFLA has spearheaded contribution of much needed African perspectives to the evolving regime of international justice. Over the years, AFLA has created an extensive and impressive network of human rights and justice advocates, gender advocates, academics, judges of national and international courts, policy makers and opinion leaders. These have become loyal supporters of AFLA and its objectives.

AFLA is extending its human rights and justice expertise into the area of Human Rights and Business: Human Rights are good for Business, if not in the short term then definitely in the long term. Our interest in human rights and business stems from our conviction that economic and social rights, and civil and political rights are two sides of the same coin. Hence we have initiated a Dialogue on African Perspectives on Human Rights and Business and will devise a resulting Best Practices Guidelines emphasizing those issues of special resonance for Africa.

January - May 2012

Activities Concerning (AFLA's) Gender Justice (Campaign)

included Convening of Meeting aimed at

- (i) Commemorating the election of Fatou Bensouda and Julia Sebutinde (to the ICC and ICJ respectively), and
- (ii) Coining of "The Hague Girls" (not limited to women in the international justice community in The Hague but includes women in the remotest places in Africa if they work for peace and justice, because international law begins in the village).

Results

- (i) Raised awareness on the challenges faced by African women in power and decision making at the international justice landscape;
- (ii) Established the so-called “The Hague Girls”, i.e a network of women in human rights and international justice positions which aims to provide mutual support, provide mentorship and encourage each other.

Activities Concerning SADC Project to Revive the SADC Tribunal and Strengthen the Rule of Law in Southern Africa

included

- (i) issuing of AFLA’s Electronic Newsletter on Human Rights and Justice Developments Relating to Africa (“Together we can Save the SADC Tribunal”) and
- (ii) drafting (in cooperation with the Webber Wentzel Law Firm in South Africa) of request for an Advisory Opinion from the African Court on Human and Peoples’ Rights.

Results

- (i) Sensitized human rights and justice actors on the plight of the SADC Tribunal;
- (ii) Mobilized NGO’s and Civil Society groups to increase the pressure on SADC leaders to revive the Tribunal.

Activities concerning the African Human Rights System

included

- (i) Networking with NGOs in Africa and the global north on how best to address the African Union’s (AU’s) stance against the International Criminal Court (ICC),
- (ii) Issuing of two Electronic Newsletters (entitled: “The AU: Its stance against the ICC and Impunity in Africa” and “The proposed Criminal Law Regime For Africa and
- (iii) Application to the African Court on Human and Peoples’ Rights to request Advisory Opinion on the Plight of the SADC Tribunal.

Results

- (i) Built Coalitions with NGOs and Civil Society Groups to promote African Union Cooperation with the ICC;
- (ii) Expanded the way academics and advocates, Africans and non-Africans think about African human rights issues.

Activities concerning Africa and International Criminal Justice

included

- (i) Issuing of electronic News Letters (“Victory for Bensouda, Eboe-Osuji, and Sebutinde”; “ICC confirms charges against four suspects in Kenya post election violence”, and “Charles Taylor Verdict: Victory or Setback for International Criminal Justice”?)
- (ii) Observing the Final Proceedings in the Charles Taylor Trial,

- (iii) Convening an Informal Appraisal on the Charles Taylor Verdict (scheduled for 14th June, The Hague) and
- (iv) Publishing of an edition of the AFLA Quarterly entitled: “Charles Taylor Verdict: its Impact on International Criminal Justice”.

Results

- (i) Raised awareness on unsettling issues of international criminal justice;
- (ii) Contributed to African perspectives on the evolving regime of international criminal justice;
- (iii) Assessed the impact of the Charles Taylor Verdict both on the ground in Sierra Leone and on international justice.

Activities concerning Human Rights and Business in Africa

included

- (i) Preparation for Pan African Conference on *African Perspectives on Human Rights and Business* (Johannesburg, South Africa, from 5th to 6th July) and
- (ii) Publish an edition of the AFLA Quarterly entitled: “Human Rights are Good for Business: an African Perspective”.

Anticipated Results

- (i) Engage African Businesses and Philanthropists in building a human rights and legal culture wherein businesses can flourish and which contributes to development;
- (ii) Sensitize the youth and students on the link between Human Rights and Business;
- (iii) Elaborate contextual analysis of the problems, needs and solutions pertinent in the African setting when it comes to human rights and business.

Other Activity

Participation and Contribution to EU Forum for NGOs

Results

- (i) Increased understanding on EU priorities on Human Rights and International Justice;
- (ii) Enhanced opportunities of accessing EU Funds; and
- (iii) Forged Alliances with other NGOs.

2011

Activities concerning (AFLA’s) Gender Justice (Campaign)

included

- (i) Seminar Commemorating International Human Rights Day (March 8, The Hague) and
- (ii) Publication of double edition of the Africa Legal Aid Quarterly on “Expanding the List of Gender Crimes: an African Perspective”.

Results

Addressed marginalized and undertreated forms of gender based violence thereby sensitizing on the need to expand gender crimes.

Activities concerning Project on *Human Rights and Business from an African Perspective*

included

- (i) Launch of this Human Rights and Business Project with a seminar in South Africa, Business capital of Africa (Pretoria, July 31-1 August) and
- (ii) Organization of a series of Youth side events including an essay competition, a documentary screening, and a debate on human rights and corporate social accountability; and
- (iii) Participation in first Public Session of African Court on Human and Peoples' Rights in Accra

Results

- (i) Initiated a dialogue examining the interface between corporate accountability and human rights on the African continent;
- (ii) Developed a set of Best Practices Guidelines on Human Rights and Business from an African perspective; and
- (iii) Established a network amongst business and NGO's and civil societies
- (iv) Increased understanding of the prospects and challenges of the African Court

Activities concerning *Africa and International Criminal Justice*

included

- (i) Address to Parliament of the European Union (EU) on EU support for the International Criminal Court (ICC) from an African perspective,
- (ii) Participation in dialogue and debates on ICC elections particularly election of the African Deputy Prosecutor,
- (iii) Convening of conference in cooperation with International Legal Assistance Consortium (ILAC) and Commonwealth Secretariat on "ICC in a Politically divided World",
- (iv) Issuing of several (5) electronic newsletters on the 2011 ICC elections and international justice as a whole ("Newest ICC Situation Countries and Upcoming ICC Elections"; "The International Criminal Court (ICC) in a Politically divided World"; "Praise for Africa: Who will be the next Prosecutor of the International Criminal Court?"; "Two Africans and the ICC Prosecutor Position: A mixed Blessing"; "Fatou Bensouda is the Consensus Candidate for the ICC Prosecutor Position"), and
- (v) Published double edition of the Africa Legal Aid Quarterly on "ICC in a Politically divided World"; and
- (vi) Participated in Meeting of the Assembly of State Parties to the International Criminal Court

Results

- (i) Spearheaded contribution of much needed African perspectives in the civil society dialogue on the forthcoming ICC elections;
- (ii) Openly, and unapologetically advocated for an African candidate of merit, Fatou Bensouda;
- (iii) Fatou Bensouda is elected as Prosecutor of the ICC;
- (iv) Promoted support and legitimacy of the ICC in Africa

- (v) Increased understanding on the prospects and challenges of the ICC

Other Activity

Participated in EU Human Rights Lectures

Results

- (i) Increased understanding on EU activities on Human Rights; and
- (ii) Increased Network and consultation with stakeholders on human rights and justice issues.

2010

Activities concerning (AFLA's) Gender Justice (Campaign)

included

- (i) Workshop on the Ghana Domestic Violence Act and Contemporary Forms of Gender based Violence;
- (ii) Gender Component of First ICC Review Conference and
- (iii) Civil Society Meeting on Contribution of Migrant Women to Discourse on Gender based Violence

Results

- (i) Introduced undertreated forms of gender based violence including ICT related violence against women, state implicated violence against women, femicide, violence against women in sports, hate crimes directed against LGBT;
- (ii) Contributed to adopting a holistic, gender inclusive and gender sensitive approach to human rights and international justice;
- (iii) Highlighted the unique experiences of migrant women to enhance advancement of gender equality and gender justice.

Activities concerning International Criminal Justice

included

- (i) Convening of South North Dialogue on “The Al Bashir Arrest Warrant: the World vs. Africa or the African Union vs. the People of Africa;
- (ii) Participated in First ICC Review Conference in Kampala,
- (iii) Convened ICC Complementarity Workshop in Kenya (in cooperation with Kenya Section of the International Commission of Jurists (ICJ Kenya) and other Local groups),
- (iv) Published AFLA Quarterlies on the following themes: “On the Shores of Lake Victoria: Africa and the first ICC Review Conference”; and “Africa and International Justice: After Kampala” and
- (v) Issued E-reporters on “Africa and the ICC: Complementarity in Situation Countries”; “President Omar Al Bashir visits Kenya; Africa and International Justice”.

Results

- (i) Engaged African and Northern stakeholders in dialogue on contemporary international justice issues;

- (ii) Mainstreamed African perspectives in international criminal justice;
- (iii) Promoted ICC complementarity in Kenya;
- (iv) Provided a Forum for dialogue and debate on international justice issues pertaining to Africa.

2009

Activities concerning (AFLA's) Gender Justice (Campaign)

included

- (i) Convening of Gender Forum on “Adopting a Holistic Approach to Gender based Violence (in cooperation with the International Criminal Tribunal for Rwanda (ICTR));
- (ii) Publishing of AFLA Quarterly on “Adopting a Holistic Approach to Genderbased Violence”;
- (iii) Convening of Gender Forum on “Breaking the Silence: Commemorating International Day on the Elimination of Violence against Women”; and
- (iv) Publishing of AFLA Quarterly on “Gender Dialogues”.

Results

- (i) Built capacity of gender groups on gender justice;
- (ii) Networked and shared experiences on gender equality and gender justice among gender groups from Anglophone and Francophone African countries;
- (iii) Built capacity of gender groups in conflict and post conflict countries to carry forward the legacy of the ICTR on Gender Justice; and
- (iv) Provided education to NGO's, gender groups, and civil societies on contemporary forms of violence against women.

Activities concerning International Criminal Justice and Human Rights

included

- (i) Launch of E-Reporter on Africa and International Justice;
- (ii) Publication of AFLA Quarterly on “Strengthening National Human Rights Institutions in Africa;
- (iii) Contribution to Crimes against Humanity Initiative and
- (iv) Engaging the International Crimes Division of the High Court of Uganda

Results

- (i) Publicised Human Rights and Justice Developments Relating to Africa;
- (ii) Mainstreamed African perspectives into international criminal justice;
- (iii) Raised awareness on Uganda's example in complementarity of international justice.

Other Activities

Included upgrading Africa Legal Aid Website

Results

Increased visibility and profile on human rights and justice development relating to Africa

2008

Activities concerning (AFLA's) Gender Justice (Campaign)

included

- (i) Initiated Gender Justice Campaign in cooperation with the International Criminal Tribunal for Rwanda (ICTR);
- (ii) Convened Gender Justice Forum on "Gender Justice and the Legacy of the International Criminal Tribunal for Rwanda (ICTR), in cooperation with the ICTR and the Women's Initiatives for Gender Justice;
- (iii) Published AFLA Quarterly on "Gender Justice and the Legacy of the International Criminal Tribunal (ICTR) on International Justice".

Results

- () Engaged the permanent ICC to carry forward the work of the ad hoc ICTR in Gender Justice;
- (i) Built capacity of gender groups to carry forward the ICTR's contribution to Gender Justice;
- (ii) Raised Awareness on the pioneering work of the ICTR in Gender Justice.

Activities Concerning Human Rights and International Criminal Justice

Included Ghana Judicial Training (in cooperation with the Ghana Judicial Training Institute and the Ghana Commission for Human Rights and Administrative Justice);

Results

Sensitized and built capacity of Circuit and High Court judges across Ghana on accepted human rights standards including fair trial, gender equality and international justice.

Ad Hoc Activities

included

- (i) Supported Supreme Court of Ghana in initiating a Supreme Court Library;
- (ii) Advocated for election of African to position of U.N. Rights Commissioner and
- (iii) Convened the launch of Justice Hassan Jallow's Book on "The Law of the African Charter on Human and Peoples' Rights".

Results

- (i) Ghana Supreme Court receives grant to set up a Library;
- (ii) First African is elected as United Nations Rights Commissioner and
- (iii) Publicized Jallow's book.

Activities concerning Africa's Human Rights System

Included

- (i) Establishment of Gambia Taskforce (in cooperation with Commonwealth Human Rights Initiative, Ghana, established Gambian Taskforce to address and publicize the killing of some 50 West Africans in The Gambia);
- (ii) Submission (in cooperation with the Commonwealth Human Rights Initiative (Gambian Taskforce) of a complaint to the African Commission on Human and Peoples' Rights against The Gambia for the killing of West Africans in Gambia;

- (iii) Made Submissions at the Sessions of the African Commission.

Results

- (i) Called Gambia to account for violations of its obligations under the African Charter on Human and Peoples' Rights;
- (ii) Publicized the extra judicial killing of West Africans in the Gambia; and
- (iii) Increased public scrutiny on atrocities committed by the Gambian government;
- (iv) Forstered cooperation with NGOs monitoring the functioning of the African Commission; and
- (v) Raised Awareness on the African Human Rights System.

2007

Activities concerning International Criminal Justice (Africa and the ICC)
included

- (i) Convened Roundtable Conference at the International Criminal Court (ICC) in cooperation with the Office of the Prosecutor (OTP) of the ICC on "African Perspectives on International Criminal Justice", The Hague;
- (ii) Hosted lecture, in cooperation with the Center for African Renaissance Studies at the University of South Africa, by ICC Deputy Prosecutor, Fatou Bensouda on "Africa and the International Criminal Court", Pretoria, South Africa;
- (iii) Convened, in cooperation with the ICC, a pan-African Dialogue on "the Interface between Peace and International Criminal Justice in Africa", Accra, Ghana; and
- (iv) Published a special volume of Africa Legal Aid Quarterly on "The Interface between Peace and International Criminal Justice in Africa".

Results

- (i) Sensitized the ICC on African perspectives to international criminal justice;
- (ii) Engaged African civic publics in the emerging regime of international criminal justice in Africa;
- (iii) Engaged the African Union in dialogue on the interface between peace and international criminal justice in Africa;
- (iv) Increased understanding that peace and justice are not competing notions but complementary concepts;
- (v) Increased understanding of the ICC in Ghana and South Africa;
- (vi) Promoted the ICC in Africa;
- (vii) Increased ratification of the ICC Statute in Africa;
- (viii) Increased initiatives for adoption of ICC Implementing Legislations in ICC State parties in Africa.

Activities concerning the African Human Rights System & the African Union
included

- (i) Participated in the Session of the African Court on Human and Peoples' Rights, Accra, Ghana;
- (ii) Co-ordinated submissions to the African Commission with NGOs participating in the Session of the Commission;

- (iii) Co-ordinated activities in corporation with the Ministry of Justice of Ghana to build capacity of government officials in Ghana on the African human rights system;
- (iv) Addressed the African Commission on its co-operation with the newly established African Court on Human and Peoples' Rights;
- (v) Co-ordinated submissions to the African Union (AU) with NGOs observing the session of the African Union in Accra;
- (vi) In cooperation with the ICC, made submissions on the need for the AU to assist in facilitating the arrests of ICC fugitives.

Results

- (i) Enhanced alliances and corporation with NGOs and Civil Society groups monitoring human rights protection at the African regional level;
- (ii) Increased capacity of government officials and civil society groups in Ghana on the functioning of the African Commission on Human and Peoples' Rights;
- (iii) Sensitized African Commission on how to increase its impact in view of the establishment of the new African Court;
- (iv) Strengthened cooperation with African Commission on Human and Peoples' Rights;
- (v) Sensitized the African Union on civil society support for the ICC.

2006

Activities concerning the African Human Rights System

included

- (i) Convened pan African Conference to introduce the new African Court on Human and Peoples' Rights to Human Rights and Justice Sectors in Africa;
- (ii) Provided information to newly elected judges of the African Court on the background of the Court *vis a vis* functioning of the African Commission;
- (iii) Made submissions to AU Forum on interface between the mandates of the African Commission and the new African Court and their complementary nature; and
- (iv) Published a special volume of the AFLA Quarterly on the new African Court on Human and Peoples' Rights.

Results

- (i) Sensitized human rights and justice sectors in Africa on the establishment of the new African Court on Human and Peoples' Rights;
- (ii) Built capacity of human rights and justice sectors in Africa on ways to cooperate with the new Court;
- (iii) Educated NGOs and Civil Societies on how to engage the African court despite its seemingly restricted powers, eg. By utilizing the "forgotten power" of the Court to render Advisory Opinions;
- (iv) Sensitized the African Court and the African Commission on the interface between their two mandates and how their impact can be enhanced through the Court's Rules of Procedures and other measures;
- (v) Educated academics and advocates on the role of the new African Court and how to maximize its impact.

Activities concerning Africa and International Justice

included

- (i) Convened Lecture by Judge Akua Kuenyehia, First Vice President of the African Court on Human and Peoples' Rights on the Structures, Mandate, and Functioning of the International Criminal Court, Accra, Ghana;
- (ii) Participated in NGO Fora on the International Criminal Court, The Hague;
- (iii) Disseminated Information on the Functioning of the International Criminal Court;
- (iv) Designed Program for Civil Societies and Legal Fraternities to engage in Dialogue on Peace and International Criminal Justice in The Sudan.

Results

- (i) Sensitized NGOs, Civil Societies, Legal Fraternities, and the Media in Ghana on the mandate of the International Criminal Court;
- (ii) Built alliances and network with NGOs observing and monitoring the activities of the International Criminal Court (ICC);
- (iii) Sensitized the ICC on unsettling issues of international criminal justice;
- (iv) Promoted the need for NGOs and Civil societies to be engaged in advocacy of international justice in The Sudan, and built alliances with advocates and opinion leaders in The Sudan, even though the planned conference in The Sudan was cancelled due to security considerations.

2005

Activities concerning International Criminal Justice

included

- (i) South North Dialogue on Africa and the International Criminal Court (ICC); (meeting convened on premises of Maastricht University, where AFLA had a subsidized office prior to relocating to The Hague);
- (ii) Published volume 3 of Africa Legal Aid Book Series on "African Perspectives on International Criminal Justice" with a Preface by Luis Moreno Ocampo, Prosecutor of the International Criminal Court (ICC).

Results

- (i) Spearheaded a dialogue among stakeholders- ICC, African NGOs, and NGOs from the global north on international justice issues of special resonance for Africa;
- (ii) Provided resource for advocates, academics, civil society groups, the international justice community, and libraries in Africa, Europe, North America and elsewhere on international criminal justice issues emphasizing the African perspective.

Activity

Launching of Africa Legal Aid Lecture Series with Inaugural Lecture by Prof. Ali Mazrui on "The Ethics of Africa's Governance: Rights, Rules, and Relativism".

Results

- (i) Demystified human rights and justice issues by bringing these closer to broader publics;
- (ii) Promoted human rights and justice issues through a multi-disciplinary approach.

Activity

Launching of “Making Human Rights a Reality” Campaign; Addressing contemporary Human Rights and Justice Issues.

Results

- (i) Mainstreamed economic and social rights issues in human rights and justice debates through discussions concerning the AU-Nepad and changing relations with development cooperation countries;
- (ii) Raised awareness on how the media can be both protectors and violators of human rights;
- (iii) Raised awareness on the interface between Human Rights and International Criminal Justice in Africa.

2004

Activity

Capacity Building Training for Human Rights and Justice Advocates in Eastern Africa on the African Human Rights System and International Criminal Justice, Nairobi, Kenya.

Results

Built capacity of human rights and justice actors in Uganda, Tanzania, and Kenya to effectively promote and ensure compliance of the African Human Rights system and the ICC Statute in their respective countries.

Activity

Pan-African judicial training on the African Human Rights system and the International Justice System, Johannesburg, South Africa

Results

Strengthened capacity of judges from 13 African countries including Burundi, Botswana, Ghana, Liberia, South Africa to incorporate the standards and norms in the regional human rights and international justice systems in applying the laws of their respective countries.

Activity

- (i) Convened South North Dialogue on Africa and the AU-Nepad and Changing Relations between Africa and Northern countries;
- (ii) Published and disseminated Proceedings of conference.

Results

- (i) Increased understanding on the prospects and pitfalls of Nepad, the vision behind the Constitutive Act of the African Union (AU);
- (ii) Provide Resource to advocates and academics on AU efforts towards to an African Renaissance.

Activity

- (i) Published AFLA Quarterly on the African Court on Human and Peoples’ Rights;
- (ii) Published volume 2 of Africa Legal Aid Book Series on “Litigating Economic and Social Rights in Africa.”

Results

- (i) Raised Awareness on the entry into force of the Protocol Establishing the African Charter on Human and Peoples' Rights;
- (ii) Provided Resource on the African Human Rights enforcement mechanism;
- (iii) Provided resource on justiciability of economic and social rights in Africa.

2003

Activities on International Criminal Justice/International Criminal Court

Included

- (i) Collaborated with NGOs including the Coalition for the International Criminal Court (CICC) in advocating for equitable regional and gender representation in the election of the first judges to the International Criminal Court (ICC);
- (ii) Advocated, in cooperation with other NGOs, for a transparent selection of candidates at the national level for nomination to the ICC;
- (iii) Advocated at the international level for the non-trading of votes in election of ICC judges, but purely based on merit and other recognized and accepted criteria;
- (iv) Advocated for the election of African candidates to the bench of the International Criminal Court (ICC);
- (v) Participated in the first Resumed Conference of the Assembly of State Parties (ASP) to the International Criminal Court;
- (vi) Observed elections of the first judges to the International Criminal Court;
- (vii) Participated in the Inauguration of the International Criminal Court and observed the first session of the Court;
- (viii) Convened the first major conference to introduce the International Criminal Court to Human Rights and Justice Sectors in Africa;
- (ix) Disseminated and Promoted "The Cairo Arusha Principles on Universal Declaration in Respect of Gross Human Rights Offenses: An African Perspective" adopted under the auspices of AFLA in 2002;
- (x) Published AFLA Quarterly on Africa and the International Criminal Court;
- (xi) Published AFLA Quarterly on the International Criminal Court and Africa.

Results

- (i) Ensured inclusion of Africans and African perspectives in the establishment of the International Criminal Court;
- (ii) Spearheaded inclusion of much needed African perspectives in universal jurisdiction for international crimes;
- (iii) Three African female judges are among the first judges elected to the International Criminal Court;
- (iv) Engaged advocates and civil society groups in Africa in the work of the International Criminal Court;
- (v) Provided resource to advocates, academics and opinion leaders on the newly established ICC;
- (vi) Established a network of African advocates, judges, academics, and legal fraternities to engage in progressive development of international criminal justice.

Activity

- (i) Published AFLA Quarterly on AU Nepad and Changing relations between African and Northern Countries;
- (ii) Published AFLA Quarterly on Women and Conflict Situations in Africa.

Results

- (i) Provided resource to advocates, academics, libraries, students among others on the AU and issues of development in Africa;
- (ii) Provided Resource to the stated target groups and gender advocates on the impact of conflicts on women.

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**Making
Human Rights
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