

# **SUMMARY OF THE MANUAL**

**ON THE PROMOTION AND PROTECTION OF THE RIGHTS  
OF INDIGENOUS POPULATIONS|COMMUNITIES  
THROUGH THE AFRICAN HUMAN  
RIGHTS SYSTEM**



**AFRICAN COMMISSION  
ON HUMAN AND  
PEOPLES' RIGHTS**

# **SUMMARY OF THE MANUAL**

**ON THE PROMOTION AND PROTECTION OF THE RIGHTS  
OF INDIGENOUS POPULATIONS | COMMUNITIES THROUGH  
THE AFRICAN HUMAN RIGHTS SYSTEM**

# **SUMMARY OF THE MANUAL ON THE PROMOTION AND PROTECTION OF THE RIGHTS OF INDIGENOUS POPULATIONS / COMMUNITIES THROUGH THE AFRICAN HUMAN RIGHTS SYSTEM**

Copyrights: ACHPR & IWGIA

Author: Korir Sing'Oei

Proof reading: Elaine Bolton

Cover Design and Layout: Fernanda Valenzuela

Prepress and print: Eks-Skolens Trykkeri, Copenhagen, Denmark



African Commission on Human and Peoples' Rights (ACHPR)

No 31 Bijilo Annex Layout, Kombo North District, Western Region

P.O.Box 673, Banjul, The Gambia

Tel: (220) 441 05 05; 441 05 06 - Fax: (220) 441 05 04

au-banjul@africa-union.org – www.achpr.org



International Work Group for Indigenous Affairs

Classensgade 11 E, DK-2100 Copenhagen, Denmark

Tel: +45 35 27 05 00 - Fax: +45 35 27 05 07

iwgia@iwgia.org - www.iwgia.org

---

This summary has been produced and published with the financial support from the Danish Ministry of Foreign Affairs and the Norwegian Ministry of Foreign Affairs

In Africa, indigenous peoples are mainly different groups of hunter-gatherers and pastoralists. Their culture and way of life differ considerably from the dominant society. The survival of their particular way of life depends on access and rights to their traditional land and resources. Indigenous peoples also suffer from discrimination. They are subject to domination and exploitation within national political and economic structures. They often live in inaccessible regions and suffer from various forms of marginalization. This violates their human rights as peoples.

Over the last two decades, indigenous peoples have made important progress in many areas. The UN Declaration on the Rights of Indigenous Peoples represents a major development in establishing the basic principles of indigenous rights. In the African context, the African Commission on Human and Peoples' Rights has also made important strides. Through its adoption of the Report of the 2003 Working Group of Experts on Indigenous Populations/ Communities in Africa and, more recently, its decision in the case of *Endorois Welfare Council v. Kenya*, the African Commission has recognized that indigenous peoples exist in Africa, that they suffer serious human rights violations, and that the African Charter on Human and Peoples' Rights is an important instrument for protecting their rights. In order to capitalize on this progress, however, indigenous peoples themselves must reinforce their own ability to use these instruments to transform social, political and economic contexts. If the gap between the development of fundamental principles, on the one hand, and improvements in the real lives of indigenous peoples, on the other, is not bridged, inertia may set in amongst African governments, foreclosing the real possibility of equal engagement with indigenous communities.

The purpose of this manual is to address the lack of information that hinders indigenous peoples from taking advantage of the new opportunities in the African human rights system. Although a number of indigenous groups have started to use the African Commission, many more could do so if they had more knowledge of the system. Moreover, very few indigenous organizations know how to use the new African Court on Human and Peoples' Rights. Information per se is not sufficient, however. Indigenous peoples need to further develop practical knowledge on monitoring state compliance with the African Charter through the periodic reporting system as well as the African Commission's special thematic mechanisms. Equally, indigenous people should be confident that their use of the African Commission will make a qualitative difference in the situation of communities. In other words, the cost (time, resources, political strain, etc.) of engaging with the African Commission and African Court should be outweighed by the benefits of such an engagement. Understanding the African system as one advocacy option is a first step in this regard.



**THE AFRICAN CHARTER ON HUMAN AND PEOPLES' RIGHTS**

The main African human rights treaty is the African Charter on Human and Peoples' Rights (African Charter).<sup>1</sup> The African Charter recognizes three categories of rights: civil-political, social-economic and peoples' rights (please refer to the table below). The three categories of rights are of equal legal force; state parties are under an obligation to promote, respect and protect all categories of rights.

Civil and Political Rights	Socio-Economic Rights	Peoples' Rights
<ul style="list-style-type: none"> <li>• Freedom from discrimination (art. 2)</li> <li>• Equality before the law and equal protection before the law ( art. 3)</li> <li>• Right to life (art. 4)</li> <li>• Freedom from torture inhuman and degrading treatment (art. 5)</li> <li>• Freedom from arbitrary arrests, imprisonment or detention (art.6)</li> <li>• Due process rights (art. 7)</li> <li>• Religious freedom (art. 8)</li> <li>• Freedom of expression (art. 9)</li> <li>• Freedom of association, assembly and movement (arts 10, 11 &amp; 12)</li> <li>• Right of citizens to political participation (art. 13)</li> <li>• Right to property (art. 14)</li> </ul>	<ul style="list-style-type: none"> <li>• Right to work under equitable and satisfactory conditions and right to equal pay for equal work (art. 15)</li> <li>• Right to physical and mental health (art. 16)</li> <li>• Right to education (art. 17a)</li> <li>• Right to participate in the cultural life of one's community (Art. 17b)</li> </ul>	<ul style="list-style-type: none"> <li>• The right to family (art. 18a)</li> <li>• Prohibition against any forms of discrimination directed at women (art. 18c)</li> <li>• Right to special measures for the aged and persons with disabilities (art. 18d)</li> <li>• Prohibition of domination of one group by another (art. 19)</li> <li>• Right to self determination (art.20)</li> <li>• Right to sovereignty over natural resources (art. 21);</li> <li>• Right to development (art. 22)</li> <li>• Right to peace (art. 23)</li> <li>• Right to healthy environment (art. 24)</li> </ul>

1 African Charter on Human and Peoples' Rights, adopted 27 June 1981, entered into force 21 October 1986.

**An example of the violation of civil and political rights of indigenous peoples:**

**Freedom of movement (art. 12):**

The nearest city for the residents of Kidal is the town of Tinzawaren in Algeria. But because of the sanctity of borders, nomads who have no identity cards or travel documents suffer harassment when they cross borders to acquire the basic necessities. They are often searched, beaten, imprisoned and bribes are often solicited from them, and failure to pay leads to the loss of resources purchased.<sup>2</sup>

**An example of the violation of socio-economic rights of indigenous peoples:**

**Right to education (art. 17a):**

The Working Group on Indigenous Communities/Populations of the African Commission on Human and Peoples' Rights reported, after a site visit, that the Pygmies in Gabon are facing serious educational deficits. Of the Pygmy children who are eligible to go to school, only about 10% actually do attend. The government and international organizations are initiating programs to help train local Pygmy teachers but government officials themselves cited a lack of political will on the part of the government as an impediment to realizing Pygmy rights.<sup>3</sup>

**Examples of the violation of peoples' and group rights of indigenous peoples:**

**Right to sovereignty over natural resources (art. 21):**

The pastoralist Barabaig community was displaced from their traditional grazing and burial grounds by the development of a large-scale wheat production enterprise. The community suffered severe repercussions as no plans for resettlement were made. Ultimately, the community was scattered across Tanzania. When the community finally sued to claim their rights, the agricultural project was abandoned. Nevertheless, the land was not returned to the Barabaig but has instead reverted to the Tanzanian government.<sup>4</sup>

**Prohibition against any forms of discrimination directed at women (art. 18c):**

Indigenous women suffer many of the same consequences of human rights violations as men

---

2 Report of the African Commission on Human and Peoples' Rights Working Group on Indigenous Populations /Communities, ACHPR/IWGIA, 2005, p. 39

3 Report of the African Commission's Working Group on Indigenous Populations/Communities. Research and Information Visit to the Republic of Gabon, 15-30 September 2007. ACHPR/IWGIA, 2010, p. 29-30

4 Report of the African Commission on Human and Peoples' Rights Working Group on Indigenous Populations /Communities, ACHPR/IWGIA, 2005, p. 31



in their communities. However, women also suffer unique violations that are attributable to their sex and their gender roles in the community. For example, in many pastoralist communities, women are considered the owners of the home structure, and of the furnishings and materials inside. Accordingly, when homes are destroyed during evictions or as a result of displacement and conflict, women suffer violations of their right to property, often losing all their possessions and wealth as a result of the destruction. As a result of displacement and conflict, women are often forced to change their practices for finding food and water and trading for goods. Women often have to travel longer distances in less secure areas and are placed at greater risk of violence, including sexual violence, during these travels. On this issue, it is also important to note the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa,<sup>5</sup> which reinforces the Charter's commitment to women's rights by adding rights that it had previously omitted and by clarifying governments' obligations.

In addition to detailing the rights that are protected, the African Charter also created a specific institution to monitor how governments comply with the treaty and to hear complaints about violations of human rights. That institution is the African Commission on Human and Peoples' Rights.

---

5 Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, adopted 11 July 2003, entered into force 25 November 2005.



**THE AFRICAN COMMISSION ON HUMAN AND PEOPLES' RIGHTS**

The African Commission on Human and Peoples' Rights (the African Commission) created the African Charter. The African Commission has both a protective and a promotional mandate.

African Commission on Human and Peoples' Rights	
Promoting Rights (Promotional Mandate)	Addressing Violations (Protective Mandate)
<ul style="list-style-type: none"> <li>• Public Session of the African Commission</li> <li>• Government Reporting</li> <li>• Thematic Mechanisms</li> </ul>	<ul style="list-style-type: none"> <li>• Receiving Communications from Individuals and Organizations</li> </ul>

**Promotional mandate:**

**Public session of the African Commission**

During public sessions, organizations with observer status have the opportunity to make short statements of three to five minutes before the African Commission. Statements should be clearly focused on a critical issue of concern by presenting a case example, and should ask for specific action that can reasonably be undertaken by the Commission.



**Obtaining Observer Status**

Any organization working in the field of human rights “whose objectives and activities are in consonance with the fundamental principles and objectives enunciated in the African Union Charter and in the African Charter on Human and Peoples’ Rights” can apply for observer status with the African Commission. Organizations wishing to apply for observer status should provide:

- A written application addressed to the Secretariat of the African Commission stating its intentions, at least three months prior to the public session of the African Commission which shall decide on the

application, in order to give the Secretariat sufficient time in which to process the said application.

- Its statutes, proof of its legal existence, a list of its members, its constituent organs, its sources of funding, its last financial statement, as well as a statement on its activities.
- The statement of activities shall cover the past and present activities of the organization, its plan of action and any other information that may help to determine the identity of the organization, its purpose and objectives, as well as its field of activities.

The African Commission Secretariat processes applications and then forwards them to the African Commission for review. The African Commission then approves or declines applications and notifies the applicant.

-----

## **Government reporting to the African Commission**

Article 62 of the African Charter requires every state party to the Charter to submit, every two years, a “ report on the legislative or other measures taken with a view to giving effect to the rights and freedoms recognized...by the charter.” The state reporting exercise brings the African Commission and the government together to dialogue and find solutions to human rights problems in their respective countries.



### **Writing Shadow Reports**

-----

Governments’ assessments of their efforts to comply with the African Charter are generally designed to show the government in the best light. As a result, government reports may be incomplete, tend to minimize problems, and often maximize accomplishments. For this reason, shadow reports from indigenous peoples’ organizations are critically important to ensure that the African Commission has complete information about the human rights situation in a given country.

Shadow reports should be organized to respond to the government report if possible and should also highlight information that relates to each specific article in the African Charter. It is especially important for organizations to emphasize at the beginning of their report the structural issues that impact indigenous

peoples' rights. Indigenous peoples' organizations will want to address all or some of the following in their shadow reports:

- Constitution
- Laws
- Overarching policies that indicate the government's will or lack thereof
- Judicial infrastructure, including fairness in the courts and judicial independence
- Internal processes for monitoring human rights and indigenous peoples' concerns
- Existence of national human rights institutions, their mandate and their activities relating to indigenous peoples' rights
- Remedies for human rights violations against indigenous peoples
- Specific case examples of human rights concerns for indigenous peoples.

Organizations may also wish to present a shorter report focusing on a specific violation. These types of concise reports should be evidence-based, should describe the facts that constitute the violation, should describe the behaviour by the state that shows its responsibility, and should suggest questions for the Commission to ask the state, as well as suggesting a remedy. More information on preparing a shadow/alternative report for the African Commission can be accessed from the Forest Peoples Programme, at <http://www.forestpeoples.org/sites/fpp/files/publication/2011/05/8eng.pdf>.

-----

### **Special Mechanisms**

The African Commission has established a number of processes, called special mechanisms, to monitor thematic issues of concern. Special mechanisms include the appointment of individual

experts or the formation of working groups which include members of the Commission. The current special mechanisms are:

- Special Rapporteur on Prisons and Conditions of Detention in Africa
- Special Rapporteur on the Rights of Women in Africa
- Special Rapporteur on Refugees, Asylum Seekers, Migrants and Internally Displaced Persons in Africa
- Special Rapporteur on Human Rights Defenders in Africa
- Special Rapporteur on Freedom of Expression in Africa
- Working Group on Indigenous Populations/Communities in Africa
- Working Group on Economic, Social and Cultural Rights
- Working Group on Prevention of Torture in Africa
- Working Group on the Death Penalty
- Working Group on the Rights of Older Persons and People with Disabilities
- Working Group on Extractive Industries, Environment and Human Rights Violations in Africa
- Committee on the Protection of the Rights of People Living with HIV (PLHIV)



---

### **The Working Group on Indigenous Populations/Communities**

The Working Group on Indigenous Populations/Communities (WGIP) was established in 2001 by the African Commission. It is made up of three African Commission commissioners, five experts from indigenous communities in Africa and one international expert on indigenous issues.

Its mandate is to:

- Gather, request, receive and exchange information and communications from all relevant sources, including Governments, indigenous populations and their communities and organisations on violations of their human rights and fundamental freedoms;
- Undertake country visits to study the human rights situation of indigenous populations/communities;
- Formulate recommendations and proposals on appropriate measures and activities to prevent and remedy violations of the human rights and fundamental freedoms of indigenous populations/communities;

- Submit an activity report at every ordinary session of the African Commission;
- Cooperate when relevant and feasible with other international and regional human rights mechanisms, institutions and organisations.

Its main activities are:

- Sensitization seminars and training
- Country visits
- Research, publication and information tools
- Participation in important international and regional meetings
- Urgent appeals

For more information please refer to the WGIP website:  
<http://www.achpr.org/mechanisms/indigenous-populations>

---

### **Protective Mandate**

#### **Submitting a Communication**

Organizations wishing to submit a communication about human rights violations to the African Commission may wish to seek advice and input from other organizations that have been through the communication procedure. This type of consultation can provide important insights into what kind of information to include in a communication and how to present the information for maximum utility by the African Commission. All submissions to the African Commission should be forwarded to the Secretariat of the African Commission in Banjul. After processing through the Secretariat, communications will be registered and assigned a unique number and the African Commission may request additional information. Organizations can get more information about the procedure for submitting and handling communications from the African Commission website at <http://www.achpr.org/communications>

## Admissibility

Article 56 of the African Charter lays down the requirements that a communication/complaint must fulfill before it is declared admissible by the Commission:



---

### Communications . . . shall be considered if they:

1. Indicate their authors even if the latter request anonymity: The Commission requires only that the name of the author of the complaint be disclosed; it does not require that the victim of a violation must necessarily be the complainant. Additionally, because the African Charter recognizes not only individual but also group rights, claims by groups can be brought to the African Commission;
2. Are compatible with the Charter of the Organization of African Unity or with the African Charter: A communication must demonstrate some evidence of a violation of the rights in the African Charter or the principles enshrined in the AU Charter. Accordingly, communications should describe which articles of the African Charter or which principles of the AU Charter have been violated and should present a description of how the violations took place;
3. Are not written in disparaging or insulting language directed against the state concerned and its institutions or to the Organization of African Unity;
4. Are not based exclusively on news disseminated through the mass media: The plain meaning of this requirement is that a case before the Commission must be based on primary evidence that can be proven before the African Commission. Primary evidence includes things such as witness statements, photo or video evidence, physical evidence such as scars or injuries or destroyed property, testimony from experts including medical experts, and original documents such as government publications, birth certificates, property deeds, etc.;
5. Are sent after exhausting local remedies, if any, unless it is obvious that this procedure is unduly prolonged and within a reasonable period from the time local remedies are exhausted or from the date



the Commission is seized of the matter. A local remedy has been defined as any domestic legal action that may lead to the resolution of the complaint at the local or national level. The Commission has further explained that a victim of human rights violations is obliged to exhaust a local remedy only if these remedies are available, effective and sufficient. An available remedy is one that a victim can pursue without impediment while a remedy is effective if there is a reasonable chance of success for the victim. Similarly, a remedy is effective if it can fully address the complaint;

6. Do not deal with cases which have been settled by those States involved: This rule is intended to prevent the African Commission from duplicating the efforts of other international bodies. Thus, if a case has been settled by any UN Human Rights treaty body e.g., the Human Rights Committee, the Committee on the Elimination on Racial Discrimination or any other committee, the African Commission will not re-open the case for consideration.
- 

### **Provisional Measures**

Provisional measures are provided for under Rule 98 of the Commission's Rules of Procedure (2010). They are designed as a form of immediate relief available to parties while their case is still under consideration by the African Commission. At any stage of the proceedings before final determination and publication of the decision, the Commission can issue provisional measures to ensure that no victim of human rights violations suffers irreparable harm through ongoing action at the national level taken by the state concerned. Urgent appeals for provisional measures can be made and measures issued even during the inter-session period. When a claimant believes that action adverse to its claim before the African Commission is ongoing, it can request that the African Commission issue provisional measures. Such request is made either in writing or by way of oral submissions.

### **Publication of a decision**

Final decisions on the merits must be adopted by the African Union before being officially transmitted to the government in question. Before the adoption of a decision of the African Commission by the African Union (AU) Assembly of Heads of States and Governments, Article 59(1) of the African Charter requires that such decision be kept confidential. The adoption of this deci-

sion by the AU Assembly of Heads of States and Governments paves the way for the publication and dissemination of the decision. It is after adoption of the decision by the AU Assembly that advocacy for implementation of the recommendations of the African Commission can take place.

### **Friendly settlement**

Under Article 52 of the African Charter and Rule 109 of the African Commission's Rules of Procedure, the African Commission is mandated to use all appropriate means to reach an amicable settlement based on respect for human and peoples' rights. The use of the African Commission's good offices to mediate a dispute is important, even if the African Commission decides against a claimant.

## THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS

The African Union (AU) adopted the Protocol to the African Charter on Human and Peoples' Rights on June 10, 1998 (The Protocol). The Protocol establishes the African Court on Human and Peoples' Rights (African Court) to "reinforce and complement the functions of the African Commission on Human and Peoples' Rights."<sup>6</sup> The Court consists of eleven judges who are nationals of Member States of the AU. Judges are elected by secret ballot by the Assembly of the Heads of State of the AU from among jurists of high moral character and of recognized practical, judicial or academic competence and experience in the field of human and peoples' rights.

The African Court has both an advisory and a judicial mandate. With regard to the African Court's judicial power, Article 5, paragraph 1, of the Protocol states that cases can be submitted by:

- The AU's African Commission on Human and Peoples' Rights;
- The State Party which has lodged a complaint at the Commission;
- The State Party against which the complaint has been lodged at the Commission;
- The State Party whose citizen is a victim of human rights violation;
- African Intergovernmental Organizations.

In addition, Paragraph 3 of Article 5 of the Protocol also states that "the Court may entitle relevant Non-Governmental Organizations (NGOs) with observer status before the Commission, and individuals, to institute cases directly before it, in accordance with Article 34(6)...." Article 34(6) of the Protocol provides that NGOs with observer status with the African Commission or individuals are only able to submit individual petitions in circumstances where the state party lodging a complaint or responding to a complaint has filed a declaration recognizing the African Court's competence to hear and determine individual petitions. In 2012, only Mali, Malawi, Tanzania, Ghana and Burkina Faso had made declarations under Article 34(6) recognizing the competence of the African Court to receive and determine individual complaints.



### Using the African Court

It is significantly more difficult for individuals or advocacy organizations to bring cases to the African Court than to the African Commission. Indigenous

---

6 Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights, June 9, 1998, OAU Doc. OAU/LEG/EXP/AFCHPR/PROT (III).

peoples' organizations should, however, keep in mind the following:

- If governments do not comply with recommendations made in final decisions on the merits from the Commission, indigenous peoples should advocate for the Commission to refer the case to the Court
- Indigenous peoples' organizations in countries that have made declarations under Article 34(6) can take cases directly to the Court.
- Indigenous peoples' organizations can monitor any cases at the Court that touch on the rights of indigenous peoples and work to make friendly submissions to the Court so as to educate the Court about indigenous rights.

Further information: <http://www.african-court.org/en>

-----

## RELEVANT DOCUMENTS FOR INDIGENOUS PEOPLES

- ✓ African Charter on Human and Peoples' Rights, OAU Doc. CAB/LEG/67/3 rev. 5, 21 I.L.M. 58 (1982), entered into force Oct. 21, 1986: [http://www.achpr.org/files/instruments/achpr/banjul\\_charter.pdf](http://www.achpr.org/files/instruments/achpr/banjul_charter.pdf)
- ✓ African Charter on the Rights and Welfare of the Child, OAU Doc. CAB/LEG/24.9/49 (1990), entered into force Nov. 29, 1999: [http://www.achpr.org/files/instruments/child/achpr\\_instr\\_charterchild\\_eng.pdf](http://www.achpr.org/files/instruments/child/achpr_instr_charterchild_eng.pdf)
- ✓ African Union Convention For The Protection And Assistance Of Internally Displaced Persons in Africa, adopted in Kampala October 16, 2009: [http://www.africa-union.org/root/au/Conferences/2009/october/pa/summit/doc/Convention%20on%20IDPs%20\(Eng\)%20-%20Final.doc](http://www.africa-union.org/root/au/Conferences/2009/october/pa/summit/doc/Convention%20on%20IDPs%20(Eng)%20-%20Final.doc)
- ✓ Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa, AU Doc. CAB/LEG/66.6 (Sept. 13, 2000) entered into force Nov. 25, 2005: [http://www.achpr.org/files/instruments/women-protocol/achpr\\_instr\\_proto\\_women\\_eng.pdf](http://www.achpr.org/files/instruments/women-protocol/achpr_instr_proto_women_eng.pdf)
- ✓ Protocol to the African Charter on Human and Peoples' Rights on the Establishment of an African Court on Human and Peoples' Rights: [http://www.achpr.org/files/instruments/court-establishment/achpr\\_instr\\_proto\\_court\\_eng.pdf](http://www.achpr.org/files/instruments/court-establishment/achpr_instr_proto_court_eng.pdf)
- ✓ Rules of Procedure of the African Commission on Human and Peoples' Rights (2010): [http://www.achpr.org/files/instruments/rules-of-procedure-2010/rules\\_of\\_procedure\\_2010\\_en.pdf](http://www.achpr.org/files/instruments/rules-of-procedure-2010/rules_of_procedure_2010_en.pdf)
- ✓ Resolution on the Rights of Indigenous Peoples' Communities in Africa (Resolution 51) <http://www.achpr.org/sessions/28th/resolutions/51>
- ✓ Resolution on the adoption of the "Report of the African Commission's Working Group of Experts on Indigenous Populations/Communities", (Resolution 65): <http://www.achpr.org/sessions/34th/resolutions/65>
- ✓ Resolution on the Protection of the Rights of Indigenous Women in Africa, (Resolution 190): <http://www.achpr.org/sessions/49th/resolutions/190/>
- ✓ Resolution on Climate Change and Human Rights and the Need to Study its Impact in Africa, (Resolution 153): <http://www.achpr.org/sessions/46th/resolutions/153>

- ✓ Resolution on the Protection of Indigenous Peoples' Rights in the Context of the World Heritage Convention and the Designation of Lake Bogoria as a World Heritage Site (Resolution 197): <http://www.achpr.org/sessions/50th/resolutions/197/>
- ✓ African Commission, Comm. No. 276/2003, Centre for Minority Rights Development (CEMIRIDE) on behalf of Endorois Community v Kenya: [http://www.achpr.org/files/sessions/46th/comunications/276.03/achpr46\\_276\\_03\\_eng.pdf](http://www.achpr.org/files/sessions/46th/comunications/276.03/achpr46_276_03_eng.pdf)
- ✓ States Reports and Concluding Observations of the African Commission on Human and Peoples' Rights: <http://www.achpr.org/states/reports-and-concluding-observations>
- ✓ Information and publications of the African Commission's Working Group on Indigenous Populations/Communities in Africa: <http://www.achpr.org/mechanisms/indigenous-populations>
- ✓ The United Nations Declaration on the Rights of Indigenous Peoples (2007): [http://www.un.org/esa/socdev/unpfii/documents/DRIPS\\_en.pdf](http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf)
- ✓ International Labour Organization (ILO)'s Convention 169 on Indigenous and Tribal Peoples (1989): <http://www.ilo.org/ilolex/cgi-lex/convde.pl?C169>
- ✓ World Bank Operational Principles 4.10 on indigenous peoples (2005): <http://web.worldbank.org/WBSITE/EXTERNAL/PROJECTS/EXTPOLICIES/EXTOPMANUAL/0,,contentMDK:20553653~menuPK:4564185~pagePK:64709096~piPK:64709108~theSitePK:502184,00.html>
- ✓ The International Finance Corporation (IFC)'s Performance Standard 7 on Indigenous Peoples (2006): [http://www.ifc.org/ifcext/enviro.nsf/AttachmentsByTitle/pol\\_PerformanceStandards2006\\_full/\\$FILE/IFC+Performance+Standards.pdf](http://www.ifc.org/ifcext/enviro.nsf/AttachmentsByTitle/pol_PerformanceStandards2006_full/$FILE/IFC+Performance+Standards.pdf)
- ✓ IFC Note on ILO Convention 169 and private sector (2007): [http://www1.ifc.org/wps/wcm/connect/cba33980488556edba6515bb18/ILO\\_169.pdf?MOD=AJPERES](http://www1.ifc.org/wps/wcm/connect/cba33980488556edba6515bb18/ILO_169.pdf?MOD=AJPERES)
- ✓ Guiding principles on business and human rights, by the Human Rights Council (2011): <http://www.ohchr.org/documents/issues/business/A.HRC.17.31.pdf>
- ✓ The Forest Peoples Programme's toolkits related to the rights of indigenous women in the African human rights system (2011): <http://www.forestpeoples.org/topics/african-human-rights-system/publication/2011/toolkit-indigenous-women-s-rights-africa>

## Relevant Documents for Indigenous Peoples

- ✓ United Nations Permanent Forum on Indigenous Issues: <http://social.un.org/index/IndigenousPeoples.aspx>
- ✓ Experts Mechanism on the Rights of Indigenous Peoples (EMRIP): <http://www.ohchr.org/EN/Issues/IPeoples/EMRIP/>
- ✓ UN Special Rapporteur on the rights of indigenous peoples: <http://www.ohchr.org/EN/Issues/IPeoples/SRIndigenousPeoples/Pages/SRIPeoplesIndex.aspx>
- ✓ Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprises: <http://www.business-humanrights.org/SpecialRepPortal/Home>
- ✓ Human Rights Council Universal Periodic Review: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/UPRMain.aspx>
- ✓ The United Nations Collaborative Programme on Reducing Emissions from Deforestation and Forest Degradation in Developing Countries (UN-REDD): <http://www.un-redd.org/>
- ✓ Special Thematic Mechanisms of the UN: <http://www2.ohchr.org/french/bodies/chr/special/index.htm>
- ✓ Pan-African Parliament: <http://www.pan-africanparliament.org>
- ✓ New Partnership for Africa's Development (NEPAD): <http://www.nepad.org>
- ✓ African Union ECOSOC Council: <http://www.africa-union.org/ECOSOC/home.htm>
- ✓ Committee of Experts on the Rights and Welfare of the Child: <http://www.africa-union.org/child/home.htm>

