

GICJ AFRICAN NEWSLETTER



25 *Years On*

The Legacy of the Durban Declaration
and Programme of Action



About the GICJ Africa Group

The Africa group at Geneva International Centre for Justice (GICJ) is a coalition dedicated to advocating for human rights, justice, and peace across the African continent and for people of African descent. Operating within the framework of GICJ, the group provides expert analysis and policy recommendations to international bodies, governments, and civil society organisations. Through research, advocacy, and engagement with the United Nations mechanisms, the GICJ Africa Group works to amplify African voices in global discussions on peace, security, and development. The Africa Group is actively engaged in addressing the ongoing issues of racism, racial discrimination, and slavery, with a strong focus on supporting the full and effective implementation of the Durban Declaration and Programme of Action. Recognising the deep historical and structural roots of racial injustice, the team works to expose contemporary forms of discrimination, advocate for reparative justice, and amplify the voices of affected communities. The Africa team continues to push for accountability, equality, and the dismantling of systemic racism in line with the principles of the Durban Declaration & Programme of Action (DPPA)



MARKING 25 YEARS OF THE DDPA

By Patricia Jjuuko



Secretary-General Kofi Annan speaking at the opening of the World Conference Against Racism, Racial Discrimination, Xenophobia and Related Intolerance in Durban. UN

2026 marks the 25th anniversary of the adoption of the Durban Declaration and Programme of Action (DDPA), the landmark outcome of the World Conference against Racism, Racial Discrimination, Xenophobia and Related Intolerance, held in Durban, South Africa, from 31 August to 7 September 2001. The conference was convened following the United Nations General Assembly's 1997 decision to organize a global forum to address racism and related forms of intolerance.

Adopted by consensus, the DDPA remains the most comprehensive international framework for combating racism, racial discrimination, xenophobia, and related intolerance. It sets out far-reaching commitments to strengthen anti-discrimination laws and policies, improve access to education, healthcare, and justice, combat poverty and inequality, enhance remedies for victims of racism, and promote multiculturalism, the rule of law, and respect for human rights.

Twenty-five years later, the DDPA continues to provide a vital roadmap for advancing equality, inclusion, and dignity for all. The 25th anniversary provides an important opportunity not only to reflect on the progress made since Durban but also to acknowledge the persistent and emerging challenges that continue to undermine equality worldwide.

Structural racism, racial discrimination, xenophobia, hate speech, and intolerance remain deeply entrenched in many societies, while new forms of discrimination have emerged in digital spaces and through evolving technologies. This milestone therefore serves as a timely reminder that the commitments made in Durban require renewed political will, effective implementation, and sustained international cooperation to ensure that the vision of equality, justice, and human dignity becomes a reality for all.



THE DURBAN DECLARATION AT 25: IS AFRICA LIVING UP TO ITS PROMISE ?



In 2001, states from all around the world came together in Durban, South Africa, for the World Conference against Racism. The result was the Durban Declaration and Programme of Action (DDPA), a landmark framework that called for renewed efforts to combat racism, racial discrimination, xenophobia, and related intolerance.

Twenty-five years later, the anniversary of the DDPA is an opportunity to not only to reflect on the progress that has been made but also to ask an important question:

‘What do recent xenophobic attacks in South Africa tell us about Africa's commitment to the values the Declaration sought to uphold?’

Over the past two decades, Africa has made great progress. Many states have strengthened their constitutions to ensure better protection against discrimination and adopted laws and policies that promote equality and human dignity. Civil society organisations have also played an important role in challenging discrimination and advocating for the rights of vulnerable groups.

Yet the recent events in South Africa present a troubling contrast. In June and July 2026, anti migrant protests escalated in many parts of the country, with various groups demanding that undocumented foreign nationals leave. Reports from news channels and social media showed migrants being forced from their homes, businesses being targeted, and thousands of people from various countries, including Nigeria, Zimbabwe, Malawi and Mozambique, leaving South Africa out of fear.

While concerns about irregular migration and economic hardship are legitimate, they do not justify intimidation, violence or collective hostility towards people based solely on their nationality.

What makes these events even more troubling is that the people being targeted are, in many cases, fellow Africans. This is not a question of racism in its traditional sense. It is a question of xenophobia and related intolerance, both of which the Durban Declaration explicitly sought to address.



Twenty-five years after its adoption, the persistence of xenophobia reminds us that legal commitments alone cannot curb prejudice; instead, the principles of equality and human dignity must also be reflected in the way societies treat those who seek safety, opportunity or a better life beyond their own borders.

The recent events equally raise severe human rights concerns. Every person, regardless of nationality or immigration status, is entitled to dignity and protection from violence. Many migrants move in search of employment, education or security, exercising rights recognised under international and regional human rights frameworks. When individuals are threatened, displaced or prevented from earning a livelihood because they are perceived as outsiders, those rights are placed at risk.

The twenty-fifth anniversary of the Durban Declaration should therefore be more than a commemoration. It should serve as a reminder that the fight against racism, xenophobia and related intolerance requires continuous commitment. Governments have a responsibility to uphold the DDPA and protect everyone within their borders.

The DDPA envisioned societies where diversity is respected and every person is treated with dignity. Recent events in South Africa show that this vision has not yet been fully realised. However, they also provide an opportunity for reflection. If the promise of Durban is to endure, Africa must continue to confront not only racism but also xenophobia, remembering that the strength of our continent lies not in the shared humanity that unites us.

‘Xenophobia weakens social cohesion and undermines the spirit of African solidarity that has long been central to the continent's vision of cooperation’.



THE DDPA FINANCIAL CHALLENGES: IMPACT ON THE CIVIL SPACE

By Teboho Mosebo

Funding civil society is central to fighting racism. UN reviews of the DDPA urge Member States and international organisations to provide financial support for initiatives that raise awareness and challenge racial discrimination. Some States have responded. The UK, Germany, the Netherlands, Denmark and the US have made voluntary contributions to support DDPA implementation and civil society participation.

Yet the DDPA still faces major funding challenges because it relies on voluntary contributions instead of assessed funding.

These financial constraints are shrinking civic space. Civil society organisations, human rights defenders, and anti-racism initiatives now face restrictive regulations and limited opportunities to participate.

If civil society is limited by the DDPA's financial problems, how will racism, discrimination and xenophobia be combatted effectively? The DDPA repeatedly affirms the importance of a free civic space and the participation of CSOs in human rights advocacy.

The Reality: Funding Shortfalls and a Shrinking Civic Space

The DDPA promised States would dedicate resources to fight racism. In practice, that promise is breaking down.

1. The funding hardly reaches the intended beneficiaries

Only a small fraction of funding reaches partner-country organizations directly, and even less reaches grassroots groups. When money is absorbed by big international NGOs or government channels, local HRDs are left out of DDPA implementation. This directly limits participation.

Moreover, most funding comes as short, complex project grants. They don't cover rent, salaries, or administration costs. Small and medium CSOs can't survive. Consequently, many are forced to close, or they stop advocacy and only do "safe" service delivery. The voices that should monitor racism go quiet.



2 The digital divide deepens the risk for HRDs and CSOs.

Limited core funding exacerbates the digital divide. Organisations lack funds for encrypted tools, VPNs, or cybersecurity audits, leaving HRDs vulnerable to surveillance, malware, and hacks. The high cost of devices and reliable internet, especially in rural areas, limits the ability to document abuses and communicate securely. Budget constraints also block access to digital literacy and security training. To cut costs, many groups rely on free, unencrypted platforms for advocacy and data storage. This endangers whistleblowers and victims, thereby putting grassroots defenders at a disadvantage in digital advocacy.

3 Compliance costs are closing civic space.

In many regions including Africa and the Middle East, governments are tightening financial monitoring to meet global anti-money laundering standards. The issue is not the standards themselves, but how they are applied. Instead of targeted measures, authorities often impose rigid, blanket requirements that overwhelm small, under-funded organizations. When CSOs cannot afford the systems needed for complex reporting, they are flagged as non-compliant and deregistered. This strips them of legal status and funding, forcing closures and leaving communities without vital services while making the broader civil society sector more vulnerable.

Conclusion

While the DDPA called for resources and participation, the reality is a system where funding is voluntary, unpredictable, and does not reach grassroots groups. When funding is absorbed by big NGOs or governments, local HRDs are excluded. When grants don't cover administration and compliance, CSOs close or stop advocacy. When the digital divide blocks access and regulations make compliance unaffordable, organisations are deregistered and civic space shrinks. If civil society cannot participate due to funding shortfalls, digital exclusion, and restrictive regulations, we cannot effectively combat racism, discrimination and xenophobia.

Call to Action

We urge States to honor the DDPA by:

1. Moving from voluntary contributions to sustainable funding for DDPA implementation
2. Ensuring resources reach grassroots human rights defenders directly
3. Designing grants that cover administration, compliance, and digital access
4. Removing regulatory barriers that exclude small CSOs

The DDPA's goals will only be achieved if the people doing the work on the ground are funded, protected, and able to participate in a free civic space.



THE UNFINISHED RECKONING: DURBAN'S LEGACY AND AFRICA'S FIGHT FOR REPARATIONS

By Woko Kwaku Tamakloe



From 1 to 5 June 2026, legal and policy experts met virtually under the African Union Committee of Experts on Reparations (AUCER) and the African Union Reference Group of Legal Experts on Reparations (AULER) to begin drafting what officials are calling a Common African Position on Reparatory Justice. It is a modest gathering set against a much bigger continental project: the AU's Decade of Justice for Africans and People of African Descent Through Reparations, which runs from 2026 to 2036. But almost no one in that virtual room needed reminding that the language driving the whole campaign was not drafted in Addis Ababa. It was written a quarter-century earlier, in Durban, South Africa.

In September 2001, the World Conference Against Racism produced the Durban Declaration and Program of Action, or DDPA - the first time an international forum had described slavery, the slave trade, and colonialism outright as crimes against humanity. The provision nearly did not survive the negotiating table.

Former colonial powers pushed back against any wording that hinted at legal liability, and what emerged was a compromise: no formal apology, but an acknowledgment that the descendants of enslaved and colonised Africans were owed recognition, dignity, and redress.

That compromise has quietly shaped African diplomacy ever since. DDPA did not invent Africa's reparations claim- it drew on decades of earlier advocacy, stretching back to the 1919 Pan-African Congress and the Organisation of African Unity's campaigns under Kwame Nkrumah, and more directly on the 1993 Abuja Proclamation, where African leaders first formally demanded reparations for slavery and colonial exploitation.

What Durban actually did was give those long-standing claims a foothold in binding international human rights language, one the African Union keeps coming back to.

The African Commission on Human and Peoples' Rights cited DDPA directly in its 2022 resolution on Africa's Reparations Agenda, and again in 2024 when it turned its attention to the AU's so-called "*Sixth Region*": the global African diaspora.

All of that groundwork came to a head in 2025, which the AU formally declared the Year of Justice for Africans and People of African Descent Through Reparations, a theme first floated at the 2023 Accra Reparations Conference. That year, the AU Assembly went further than Durban had ever dared, formally classifying slavery, colonialism, and forced deportation not just as crimes against humanity but as genocide against the peoples of Africa. In July 2025, at the AU's Mid-Year Coordination Meeting in Malabo, member states voted to stretch the reparations push into a full Decade of Action running through 2036, naming Ghana as the campaign's lead champion.

Ghana did not waste the title, President John Dramani Mahama took the argument to the United Nations, announcing at the UN General Assembly in September 2025 that Ghana would submit the first formal motion calling the transatlantic slave trade "the greatest crime against humanity" and demanding reparations on behalf of Africans and their descendants worldwide. Six months later, on 25 March 2026, the General Assembly adopted the Ghana-led resolution declaring the trafficking and racialised enslavement of Africans "the gravest crime against humanity." It passed 123 to 3, with 52 abstentions the United States and Israel voted against it, while the United Kingdom and most of the European Union sat it out.

Mahama called the vote "a route to healing and reparative justice," while Foreign Minister Samuel Okudzeto Ablakwa framed it as recognition long overdue for people still living with slavery's afterlife of racism and dispossession. The resolution carries no legal force. But it put, for the first time, a near-unanimous UN body on record about how the world's worst historical crime should be named. Still, ambition and enforcement are not the same thing, and the gap between them is where this story keeps landing. Human Rights Watch's 2026 World Report found that beyond its formal declarations, the AU's actual capacity to pursue reparative justice has remained limited, and noted that some member states privately favour bilateral talks with former colonial powers over any collective legal push. Even as the resolution entered its reparations decade, a genuinely common African position had not been reached. Analysts at the Institute for Security Studies point to a related worry: individual states may be reluctant to press reparations claims on their own, given how lopsided the power dynamics are, and how deep the economic dependencies still run between Africa and its former colonisers. It's the same tension DDPA exposed back in 2001. The continent can force the language of historical accountability onto the world stage, Ghana's UN resolution is proof of that, but converting that language into anything enforceable against wealthier, more powerful states is a far harder climb. Civil society groups at the Pan-African Parliament's 2024 consultations on Gorée Island pushed to close exactly that gap, calling on the Parliament to adopt a model law that would give reparations a clear legal definition, anchored explicitly in the DDPA.



AFROPHOBIA IN SOUTH AFRICA: HOW VIGILANTE GROUPS BECAME THE IMMIGRATION POLICE

By Mildred Asiimwe



*Kenyan nationals upon arrival at Jomo Kenyatta International airport.
Courtesy of the Star newspaper*

Every year South Africa celebrates its first non-racial and democratic elections in the post-apartheid era on Freedom Day, which falls on 27 April.

Ironically, in April 2026, a video took off on social media, showing South Africans harassing a man from Ghana, in which they told him to “go home and fix his country”. In the video, more than ten locals surrounded and heckled the Ghanaian, who was later found to be legally residing in South Africa.

Days after the incident, a citizen-led movement called March and March Movement, which advocates more stringent immigration enforcement in South Africa, organised demonstrations against undocumented migrants in major cities including Pretoria, Johannesburg, and Durban, with violent and sometimes fatal results. The demonstrations lasted throughout April and May; foreigners were given a deadline to return to their countries by 30 June.

The government of Ghana wrote a formal protest to the embassy of South Africa, referring to the incident as dehumanising and later evacuated 300 out of an estimated 25,000 nationals living in South Africa. South African authorities pledged a full investigation into the vigilante behavior, stating that no private citizens have the right to enforce immigration laws or intimidate others. The South African authorities said that on inspection of documents most of the returnees “were found to have overstayed with more than 30 days whilst some overstayed by a year or more”. Ghana disputed this stating that 80% of those who returned to Ghana had legal status in South Africa.



Xenophobic attacks over the years

The first major wave of widespread xenophobic violence happened in 2008 in Alexandra - a township in Johannesburg, in which South Africans rioted due to competition for scarce jobs, housing, and poor service delivery. Residents attacked migrants from Mozambique, Malawi, and Zimbabwe, resulting in over 60 deaths, hundreds of injuries, and the displacement of thousands of foreign nationals across Gauteng, Durban, and Cape Town.

In 2015, the 21st anniversary and commemoration of non-racial and democratic elections day was overshadowed by the news of the fatal xenophobic attacks on immigrants, particularly in Durban, KwaZulu-Natal. This led to the reported deaths of at least seven people, while several others were injured. More than 5,000 people were displaced, and several shops were looted and raided.

In 2021, a vigilante group started a movement called Operation Dudula, which means “to force out” in Zulu dialect. It started in Soweto, Johannesburg, and they raided businesses suspected of employing undocumented foreigners, organised patrols, and even put blockades at healthcare facilities to prevent non-South Africans from receiving medical treatment.

Although human rights groups and President Cyril Ramaphosa condemned the group, it later transitioned into a registered political party and expanded its operations to other provinces.

According to Human Rights Watch, the violent attacks are rarely directed at wealthy white or Asian expats; they are overwhelmingly targeted at black migrants from neighboring African nations like Zimbabwe, Mozambique, Nigeria, and, in some instances, South Asian nationals, specifically Pakistanis and Bangladeshis, in which South Africans attack foreign nationals for “stealing” their jobs. This phenomenon is what critics and human rights advocates have termed Afrophobia.

Despite concerns raised by the citizen-led movements, research has shown that foreign nationals are not collapsing the economy. The World Bank and the Institute for Security Studies (ISS) have reported that many migrants are actually entrepreneurial, creating micro-level employment opportunities even for locals. Highlighting the constructive role of migrants, Kenya’s Prime Cabinet Secretary noted that the country’s estimated 27,000 documented citizens in South Africa are “contributing to the prosperity of both nations”. Indeed, despite recent xenophobic violence, The Daily Nation reported that only 472 Kenyans chose to return home.



AFRICA'S CALL FOR REPARATIVE JUSTICE: INTERNATIONAL LAW AND THE PURSUIT OF HISTORICAL ACCOUNTABILITY

By Itoe Francis Ebongue



The adoption of United Nations General Assembly Resolution A/RES/80/250 marks a significant political and legal milestone by recognising the transatlantic slave trade and the racialized chattel enslavement of Africans as among the gravest crimes against humanity in history. Although the Resolution does not establish a universal legal obligation requiring reparations, it reflects an important evolution in international engagement with the enduring consequences of slavery and colonialism. By encouraging dialogue on reparatory justice, historical accountability, cultural restitution, and measures to address their continuing effects, the Resolution reinforces Africa's longstanding call for justice as a legitimate subject of international law and international diplomacy. Africa's pursuit of reparative justice is frequently misunderstood as a demand for financial compensation. In reality, it is a broader call for recognition that centuries of enslavement, colonial domination, resource exploitation, and racial discrimination deprived African societies of their labor, wealth, cultural heritage, political autonomy, and opportunities for independent development.

These historical injustices established structural inequalities whose effects continue to influence economic development, governance, and access to global opportunities. As a result, Africa's contemporary reparations agenda extends beyond monetary redress to include historical acknowledgment, cultural restitution, equitable economic partnerships, educational and scientific cooperation, institutional reform, and guarantees of non-repetition. Rather than assigning inherited guilt, it seeks to restore dignity, strengthen equality, and promote more balanced international partnerships.

Africa's pursuit of reparative justice should be assessed under contemporary international law rather than through historical debate alone. While the principle of non-retroactivity limits the retrospective application of modern legal standards, international law has evolved considerably since the end of colonial rule. The prohibition of slavery is now recognised as a jus cogens norm from which no derogation is permitted, while obligations erga omnes affirm that certain violations concern the international community as a whole.

Together with the rights of peoples to self-determination and permanent sovereignty over their natural resources, these principles provide a strong legal foundation for continued international engagement with Africa's reparations agenda. These principles are increasingly reflected in contemporary international practice, reinforcing international support for reparative justice through constructive engagement and restorative measures.

This evolving approach is evident not only within the United Nations but also in the practice of African States. Ghana has renewed international discussions on reparations through its advocacy for restorative justice and initiatives linked to the African Union's reparations agenda. Namibia has continued negotiations with Germany on reparative measures for atrocities committed against the Herero and Nama peoples, while South Africa has consistently supported continental efforts to advance acknowledgment of historical injustice through multilateral diplomacy. Kenya has likewise renewed calls for recognition of abuses committed during British colonial rule, reinforcing the broader African position that historical injustice remains relevant to contemporary international relations. Collectively, these initiatives demonstrate that reparative justice is no longer an abstract historical debate but an active diplomatic and policy issue pursued through peaceful engagement and international cooperation.

The work of the United Nations Educational, Scientific and Cultural Organization (UNESCO), the African Union, and regional initiatives such as the Caribbean Community (CARICOM) Reparations Framework illustrates a growing international willingness to engage with the lasting consequences of slavery and colonialism through constructive engagement, partnership, and restorative measures.

This evolving normative environment provides a credible foundation for examining Africa's pursuit of reparative justice within the framework of contemporary international law, setting the stage for the remaining legal question: whether the principle of non-retroactivity limits legal responsibility without diminishing the international community's responsibility to pursue historical redress. The main legal challenge to Africa's claim remains the doctrine of non-retroactivity. Critics argue that much of the transatlantic slave trade and colonial rule predated the codification of modern international human rights and criminal law, making it difficult to establish a universal legal obligation to provide reparations under the current international legal framework. However, this doctrine does not resolve the broader question of whether the international community should continue addressing the enduring consequences of historical injustice. Recent state practice shows that historical accountability can be pursued through dialogue, negotiated settlements, cultural restitution, and international cooperation.

The pursuit of reparative justice reflects the evolving nature of contemporary international law. While contemporary international law has not established a universal obligation requiring former colonial powers to provide reparations, the convergence of legal principles, state practice, and institutional engagement provides a compelling basis for sustained international dialogue. Through historical truth, cultural restitution, equitable partnerships, and respect for human dignity, reparative justice advances the broader objectives of the United Nations Charter and the international human rights system. Continued engagement with Africa's call for reparative justice is therefore consistent with the progressive development of international law and with the collective responsibility of the international community to build a more just, inclusive, and equitable future.



THE FATE OF THE CHAGOS ARCHIPELAGO: WHAT'S NEXT?



By Prishika Adhira Bhoyroo

Nested in the heart of the Indian Ocean, the Chagos Archipelago, to this day, remains trapped in a cycle of unpredictable geographical volatility.

Before the UK unlawfully split the Chagos Archipelago from the Republic of Mauritius in 1965 to form a new colony named the British Indian Ocean Territory (BIOT), 2,000 Chagossians were forcibly displaced in the interest of leasing the largest island, Diego Garcia, as a military base to the United States. In 2019, the International Court of Justice recognised that the decolonisation of Mauritius was not lawfully completed and affirmed that the UK is under an obligation to return the Chagos Islands to Mauritius.

In fact, the transfer of sovereignty of the Chagos Archipelago to Mauritius not only represents a crucial step towards Mauritius' complete decolonisation but also ending decades of human rights injustice. In May 2025, the UK signed a landmark treaty to move forward with the transfer of the Chagos Islands, while maintaining a 99-year lease on Diego Garcia, the UK-US strategic military base.

It was agreed that the UK will pay £101 million annually, totaling roughly £3.4 billion over the 99 years. Most importantly, this deal established a legal pathway for Chagossian resettlement on the islands.

However, nearly a year later, in April 2026, the deal collapsed after Washington withdrew support over concerns that the transfer of sovereignty would lead to Chinese influence. Consequently, the UK deferred consideration of the ratifying legislation, putting a hold on the transfer.

While the fate of the Chagos Archipelago is being juggled between global superpowers, the fundamental right of the Chagossians to return to their home remains disregarded, hanging at the mercy of foreign interests.



THE AFRICAN COURT ON HUMAN AND PEOPLES' RIGHTS: ACHIEVEMENTS AND EMERGING CHALLENGES



By Patricia Jjuuko

The African Court on Human and Peoples' Rights (the Court) is the principal judicial institution of the African Union responsible for interpreting and applying regional human rights law. Established to safeguard the rights guaranteed under the African Charter on Human and Peoples' Rights, the Court strengthens the regional human rights protection system by complementing the work of the African Commission on Human and Peoples' Rights. Its legal foundation is the Protocol to the African Charter on Human and Peoples' Rights, which was adopted by Member States of the then Organisation of African Unity (OAU) in Ouagadougou, Burkina Faso, in June 1998. The Protocol entered into force on 25 January 2004.

To date, 34 African Union Member States have ratified the Protocol. However, only a limited number have deposited the declaration under Article 34(6) of the Protocol, recognising the Court's competence to receive cases directly from individuals and non-governmental organisations. This remains one of the principal obstacles to ensuring broader access to justice before the Court.

The Court has jurisdiction over cases concerning the interpretation and application of the African Charter on Human and Peoples' Rights, the Protocol establishing the Court, and any other human rights instrument ratified by the States concerned.



Over the past two decades, the Court has become a cornerstone of Africa's regional human rights system. It has developed a rich and influential body of jurisprudence, strengthened the protection of fundamental rights, promoted democratic governance and the rule of law, improved access to justice, and encouraged States to align their laws and practices with regional and international human rights standards.

Institutionally, the Court has also enhanced its case management, expanded its outreach and visibility, and increasingly engaged with emerging human rights issues, including through advisory proceedings on matters such as climate change and the abolition of the death penalty.

Among the Court's landmark decisions is *Konaté v. Burkina Faso* (2014), in which it held that imprisonment for defamation constituted a disproportionate restriction on freedom of expression. The Court ruled that custodial sentences for defamation should be imposed only in exceptional circumstances, thereby establishing an important regional precedent for protecting media freedom and freedom of expression across Africa.



The Court has also made a significant contribution to the protection of indigenous peoples' rights through its landmark judgment in *African Commission on Human and Peoples' Rights v. Kenya* (the *Ogiek* case). In its 2017 merits judgment, the Court held that Kenya had violated the rights of the indigenous *Ogiek* community by evicting them from the Mau Forest. The court found breaches of several provisions of the African Charter, including the rights to property, culture, religion, natural resources, and development.

In its 2022 reparations judgment, the Court ordered Kenya to compensate the *Ogiek* community for these historical violations, establishing an important precedent for reparations and the protection of indigenous peoples' rights in Africa.

Beyond protecting individual and collective rights, the Court has strengthened democratic governance through its continued supervision of compliance with its judgment in *Actions pour la Protection des Droits de l'Homme (APDH) v. Côte d'Ivoire* (2016), which required Côte d'Ivoire to reform its electoral commission. This ongoing oversight demonstrates the Court's evolving role in promoting compliance with and implementation of its judgments and ensuring that States fulfil their human rights obligations. As human rights challenges across Africa continue to evolve, the African Court on Human and Peoples' Rights is increasingly called upon to address issues that extend beyond traditional civil and political rights. Among the most pressing concerns are the continued shrinking of civic space, restrictions on freedom of expression and peaceful assembly, attacks on journalists and human rights defenders, internet shutdowns, and the suppression of political dissent. Ongoing armed conflicts and insecurity continue to give rise to serious human rights violations, while climate change, environmental degradation, and large-scale development projects present increasingly complex questions concerning the rights to life, health, land, natural resources, and sustainable development. Growing migration and forced displacement, driven by conflict, persecution, environmental pressures, and economic hardship, further underscore the need for enhanced protection of refugees, asylum seekers, and internally displaced persons. As the Court's jurisprudence continues to evolve in response to these challenges, it will play an increasingly important role in clarifying States' human rights obligations and strengthening accountability under the African Charter and other applicable regional and international human rights instruments.

However, meeting these challenges will depend not only on the continued development of the Court's jurisprudence but also on the willingness of African Union Member States to respect, implement, and give full effect to its judgments.



AFRICAN UNION THEME OF THE YEAR FOR 2026: ADVANCING SUSTAINABLE WATER AND SANITATION FOR AFRICA'S FUTURE

By Jamelia Nampijja Sztuchlik

Water, Dignity and Development: The African Union's 2026 Vision for a Sustainable Future



Since its establishment on July 9, 2002, the African Union (AU) has adopted an annual Theme of the Year to direct continental attention to a priority issue of strategic importance for Africa's development. Chosen by the Assembly of Heads of State and Government, each theme serves as a framework to guide the AU's policies, programmes, and advocacy efforts throughout the year. It also encourages Member States, Regional Economic Communities, civil society, the private sector, and international partners to align their initiatives with a common objective, fostering greater coordination and collective action. The annual themes reflect Africa's evolving priorities and align closely with the aspirations of Agenda 2063: The Africa We Want, the AU's long-term vision for a united, prosperous, and peaceful continent. By dedicating each year to a specific issue ranging from peace and security to education, nutrition, and reparations, the African Union aims to raise awareness, mobilise political commitment, promote policy reforms, and accelerate progress on challenges critical to the continent's sustainable development and the well-being of its people.

Theme

For 2026, the AU adopted the theme: "Assuring Sustainable Water Availability and Safe Sanitation Systems to Achieve the Goals of Agenda 2063." This theme places water security and sanitation at the forefront of Africa's development agenda. The theme was launched during the 39th Ordinary Session of the AU Assembly in Addis Ababa and emphasises that access to safe water and sanitation is not only a fundamental human right but also a cornerstone for sustainable development, public health, economic growth, and regional stability.

Why Water and Sanitation Matter

Water is essential for every aspect of human life. It is necessary for drinking, food production, healthcare, education, energy generation, industry, and environmental sustainability. Similarly, safe sanitation systems are crucial for preventing disease, protecting ecosystems, and ensuring human dignity.

Despite significant progress across the continent, millions of Africans still face limited or unreliable access to safe drinking water and adequate sanitation. These challenges are further intensified by rapid population growth, climate change, urbanisation, pollution, and increasing pressure on freshwater resources. Acknowledging these issues, the African Union has identified water security as a strategic priority vital to economic transformation, climate resilience, food security, and social well-being.

A Human Rights-Based Approach

The theme equally reinforces the understanding that access to water and sanitation is a fundamental human right. Without reliable access to these essential services, communities face increased risks of disease, poverty, food insecurity, displacement, and inequality.

Women and girls are often disproportionately affected, especially in rural and underserved communities, where long journeys to collect water can restrict their access to education, employment, and economic opportunities. Furthermore, inadequate sanitation not only heightens public health risks but also undermines the dignity and safety of vulnerable populations.

By prioritising water and sanitation, the African Union is endorsing a development model that centres on human well-being, equity, and resilience.





Achieving Agenda 2063 Through Collective Action

The African Union's Theme of the Year highlights that ensuring sustainable water availability requires more than just infrastructure. It emphasises the need for stronger governance, better management of water resources, investment in resilient infrastructure, regional cooperation on shared water resources, technological innovation, and active participation from governments, civil society, the private sector, and local communities.

Many of Africa's rivers, lakes, and aquifers cross national borders, making cooperation among Member States essential for equitable and sustainable water management. Therefore, the AU encourages collaborative approaches to managing transboundary water resources while also working to expand access to safe sanitation services across the continent.

Turning Commitments into Action: Implementing the 2026 Theme

To translate the objectives of the 2026 theme into measurable progress, the AU will focus on strengthening continental coordination, supporting Member State action, and improving accountability mechanisms. While the AU does not directly implement water and sanitation projects at the national level, it provides strategic leadership by guiding policies, mobilising political commitment, and supporting cooperation among Member States.

A key aspect of this approach is the implementation of the Africa Water Vision 2063 and associated Policy, which provides a framework for achieving equitable, sustainable, and climate-resilient water management.

Through this framework, the AU encourages Member States to integrate water security and sanitation priorities into national development strategies, strengthen investment, and develop policies to address long-term challenges.

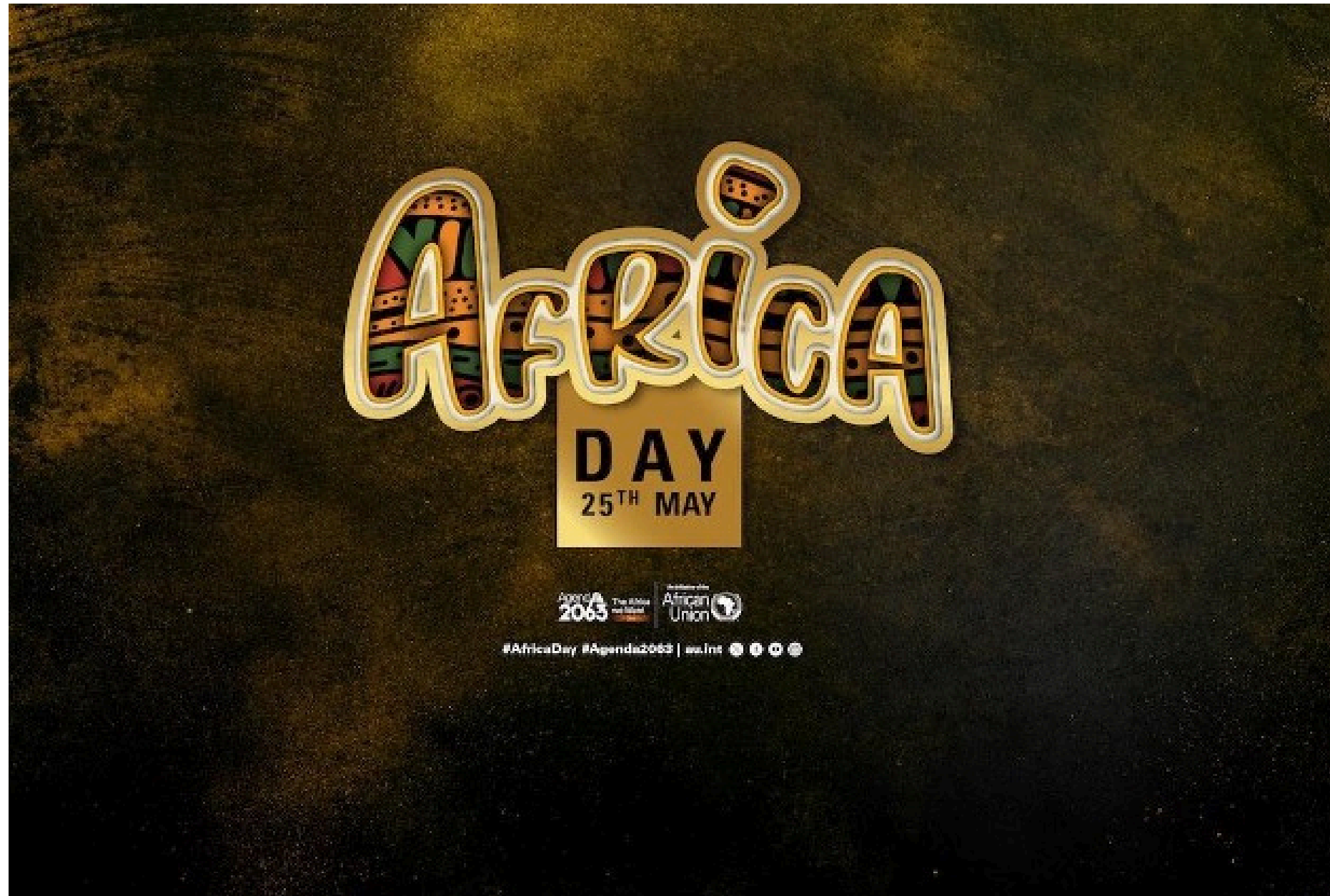
The AU also recognises the importance of improving governance, financing, and innovation. Expanding access to safe water and sanitation requires investment in resilient infrastructure, stronger institutional capacity, improved data systems, and the adoption of technologies that support sustainable resource management. Moreover, regional cooperation remains essential, particularly in managing shared water resources that connect multiple countries.

Progress towards the goals of the 2026 theme will depend on effective monitoring and accountability. The AU aims to strengthen monitoring mechanisms in the water and sanitation sector by supporting the collection of reliable data, tracking implementation indicators, and encouraging regular reporting on progress. These efforts will help identify gaps, measure outcomes, share best practices, and ensure that commitments lead to tangible improvements for communities.

The success of the theme will also depend on meaningful community participation. Local communities are not only beneficiaries of water and sanitation initiatives; they are essential partners in their design, implementation, and long-term management. The AU emphasises the importance of involving women, youth, and marginalised groups in decision-making processes to ensure that interventions reflect local realities and remain sustainable over time.



AFRICA DAY, 25 MAY



By Jamelia Nampijja Sztuchlik

Africa Day is observed annually on 25 May to commemorate the founding of the Organisation of African Unity (OAU) in 1963. It celebrates the unity, diversity, resilience, and achievements of the African continent and its people.

Origins

The origins of Africa Day can be traced to the First Congress of Independent African States, held in Accra, Ghana, on 15 April 1958. Convened by Ghana's first Prime Minister, Dr Kwame Nkrumah, the congress brought together representatives from Egypt, Ethiopia, Liberia, Libya, Morocco, Sudan, Tunisia, the Union of the Peoples of Cameroon, and the host nation, Ghana. The Union of South Africa was deliberately excluded due to its apartheid policies.

The congress marked a historic milestone as the first gathering of independent African states to take place on African soil. While the Pan-African movement had been working towards similar goals since the first Pan-African Congress in 1900, the Accra meeting represented a significant advancement in turning the ideals of Pan-Africanism into coordinated political action by African leaders.

Recognising the momentum of the continent's liberation movements, the congress called for the establishment of African Freedom Day. This day was intended to celebrate the progress of African peoples in their struggle for independence and symbolise their collective determination to end colonialism, foreign domination, and exploitation.

The 1958 congress laid the foundation for a series of subsequent meetings among African leaders, including those of the Casablanca and Monrovia groups. These efforts ultimately culminated in the establishment of the Organisation of African Unity (OAU) on 25 May 1963. To commemorate this landmark achievement, African Freedom Day evolved into Africa Day, celebrated annually on 25 May as a symbol of African unity, solidarity, and the continent's ongoing pursuit of peace, integration, and sustainable development.

Why Africa Day Matters



Despite significant progress in peacebuilding, regional integration, governance, and socio-economic development, millions of people across the continent continue to endure armed conflict, forced displacement, shrinking civic space, discrimination, poverty, and inequality. These are not just development challenges; they are violations of fundamental human rights that require urgent, sustained, and coordinated action.

Africa Day is more than a commemoration of history; it is a celebration of Africa's current achievements and future potential, while reaffirming a shared commitment to inclusive and sustainable development.

1 Celebrating Africa's contributions

Africa is home to the world's youngest population, extraordinary cultural and linguistic diversity, dynamic economies, rich biodiversity, and growing leadership in innovation, entrepreneurship, peacebuilding, and climate action. Africa Day recognises these contributions and the continent's increasing influence in shaping global solutions.

2 Advancing sustainable development

Africa Day highlights the close alignment between Agenda 2063 and the 2030 Agenda for Sustainable Development, emphasising that progress in Africa is essential to achieving the Sustainable Development Goals (SDGs). Investments in health, education, gender equality, climate resilience, digital transformation, and sustainable infrastructure not only contribute to Africa's development but also to global prosperity.

3 Strengthening multilateral cooperation

The United Nations and the African Union maintain a strategic partnership grounded in shared values and common objectives. Together, they work to promote peace and security, prevent conflict, support humanitarian action, strengthen democratic institutions, foster economic development, and address global challenges such as climate change, public health, and migration.

Africa Day underscores the importance of multilateral cooperation in addressing issues that transcend borders and require collective action.

4 Honouring a shared journey

The day also honours the generations of Africans whose leadership and determination helped secure independence, overcome apartheid, and advance regional cooperation. Their legacy continues to inspire efforts to build societies founded on peace, justice, human rights, equality, and opportunity.

AFRICA DAY

Theme



The official theme for Africa Day 2026, commemorated by the African Union, was **"63 Years of Unity, Integration and Development."** The theme marked the 63rd anniversary of the OAU's establishment.

The theme reflects Africa's historic journey toward greater unity and cooperation, acknowledging the progress made in strengthening partnerships among African nations. It celebrates the continent's ongoing efforts to promote regional integration, aligning with the African Union's Agenda 2063: The Africa We Want, a framework for building a more integrated, prosperous, and peaceful Africa.

In addition to commemorating past achievements, the theme also emphasises Africa's commitment to sustainable economic and social development, peace and security, and shared prosperity. It serves as a reminder that continental unity remains central to addressing common challenges and unlocking Africa's full potential.

Africa Day at the United Nations: A Celebration of Partnership and Shared Priorities

In his 2026 Africa Day message, UN Secretary-General António Guterres noted that generations of Africans have "forged unity and purpose out of adversity" in their pursuit of peace, development, and prosperity.

Africa's "abundant strengths, resilience, potential, and growing influence on the world stage." – António Guterres

The Secretary-General emphasised water and sanitation as a critical priority, in line with the African Union's 2026 Theme of the Year. He described these essential services as "the bedrock of public health, human dignity and economic opportunity," highlighting that millions across the continent still lack reliable access to them. In fact, improving water and sanitation is fundamental to advancing health, education, gender equality, climate resilience, and sustainable economic development.



About GICJ

Geneva International Centre for Justice (GICJ) is a non-profit, non-governmental organisation dedicated to promoting and reinforcing commitments to the principles and norms of human rights. GICJ is based in Geneva, Switzerland, and is governed by the Swiss Civil Code and its statutes. GICJ's mission is to improve lives by tackling violations and all forms of violence and degrading or inhumane treatment through the strengthening of respect for human rights: reinforcing the independence of lawyers and judiciaries; consolidating the principles of equality and non-discrimination; ensuring the rule of law is upheld; promoting a culture of awareness of human rights; and combating impunity. GICJ works with a coalition of NGOs on the ground and around the world, which provide accurate, up-to-date information on violations. GICJ also works with networks of academics, lawyers, and experts who contribute their knowledge and expertise on relevant issues and cases



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