



Communique:

ISLA
at the 83rd ordinary
session of The African
Commission on Human
and People's Rights
in Banjul, Gambia from
29 April to 3 May 2025

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Day 1: **29 APRIL 2025**

Side Event: Launch of the ACSE SOGIE Advocacy Working Group Strategy and Operational Guidelines



On 29 April 2025, the African Civil Society Engagement (ACSE) initiative convened a side event at the margins of the 83rd Ordinary Session of the African Commission on Human and Peoples' Rights (ACHPR) to formally launch the ACSE SOGIE Advocacy Working Group Strategy and Operational Guidelines. This event marked a significant milestone in efforts to revitalise and institutionalise SOGIE advocacy within the African human rights system.

The strategy launch comes at a critical juncture. Despite the adoption of Resolution 275 in 2014, the ACHPR has witnessed increasing institutional reticence in advancing SOGIE rights, with incidents such as the withdrawal of observer status from the Coalition of African Lesbians and the denial of applications from other LGBTIQ+ organisations. Simultaneously, the rise of anti-rights actors and populist narratives has emboldened backlash against queer communities across Africa.

The side event brought together representatives from founding organisations of the Working Group, civil society actors, legal practitioners, and regional stakeholders. Panel discussions reflected on the historical evolution of SOGIE advocacy at the ACHPR, the strategic context informing the new strategy, and the thematic pillars guiding its implementation, including governance, advocacy, capacity strengthening, and legal engagement.

Key questions addressed during the event included the challenges of advocating before a mechanism that has struggled to protect LGBTIQ+ rights, the strategic measures needed to counter anti-rights actors, and the partnerships and resources required to sustain impactful engagement. The panelists and participants highlighted the importance of coordinated, intersectional approaches and the need to reclaim African human rights narratives that affirm the dignity and rights of all individuals.

The event underscored that civil society must remain proactive and united in asserting contested rights within regional mechanisms, even in the face of resistance. The Working Group's strategy provides a clear blueprint for this engagement, detailing structures for collective action, mechanisms for accountability, and pathways for amplifying African LGBTIQ+ voices at regional and international levels.

Outcomes of the event included a formal public launch of the strategy, enhanced awareness among ACHPR stakeholders and civil society partners, and renewed commitment to collaborative advocacy efforts. The feedback and insights gathered during the session will inform the Working Group's next steps in operationalising the strategy and expanding its network of allies and supporters.

The ACSE SOGIE Advocacy Working Group remains committed to advancing the rights of LGBTIQ+ persons across Africa, leveraging strategic litigation, advocacy, and movement-building to challenge exclusionary practices and affirm that human rights protections apply to all, without exception.

Day 2: **30 APRIL 2025**

Side Event on Litigating SOGIE Before the African Human Rights System



On 30th April, ISLA alongside the Institute for Human Rights and Development in Africa (IHRDA) Co-convened a side event titled “Litigating SOGIE Before the African Human Rights System: Asserting Contested Rights in a Changing Landscape.” The event brought together legal practitioners, human rights defenders, and civil society partners to engage in an in-depth discussion on advancing SOGIE rights through strategic litigation at the regional level.

The panel explored the growing influence of anti-rights actors who are actively working to undermine LGBTIQ+ rights within African regional mechanisms. Participants unpacked how these actors leverage narratives of cultural essentialism, religious nationalism, and sovereignty to erode non-discrimination protections. The need to counter disinformation, reclaim spaces within the ACHPR, and disrupt the tactics of anti-rights networks was identified as an urgent priority.

Panelists shared reflections on the challenges of sourcing and supporting litigants, particularly in contexts where legal and social hostility persists. Emphasis was placed on the intersection between litigation and advocacy, highlighting the importance of amplifying legal cases through coordinated civil society action to ensure implementation and societal impact.

The discussion also underscored the need for contextualized strategies that account for the legal and political nuances of Francophone and Lusophone Africa, recognizing that a one-size-fits-all approach is insufficient. Collaborative approaches with local actors and regional networks were deemed essential for effective engagement with the African human rights system.

A key outcome of the event was the recognition that asserting contested rights requires not only legal action but

also narrative reclamation and movement building. The African Charter on Human and Peoples' Rights, though often contested, remains a powerful instrument for advancing equality and dignity.

ISLA reaffirmed its commitment to strategic litigation as a catalyst for social change and to working closely with civil society partners to build resilient, intersectional movements capable of resisting regressive forces and affirming the rights of all people, regardless of sexual orientation, gender identity, or expression.

The insights gathered during the side event will inform ISLA's ongoing litigation strategy under its Asserting Contested Rights thematic area, with a focus on countering anti-rights actors and ensuring that African regional mechanisms fulfill their mandate to protect all rights-holders.

Day 3: **3 MAY 2025**

Side Event on Article 59(1) Reclaiming the People's Mechanism : Confronting the Disappearing Records at the ACHPR



ISLA as a member of the Article 59(1) Campaign and the Litigants Group, facilitated a side event titled “Reclaiming the People’s Mechanism: Confronting the Disappearing Records at the ACHPR.” The session interrogated the Commission’s increasingly regressive interpretation of Article 59(1) of the African Charter, which has enabled a blanket policy of confidentiality that delays or entirely withholds communications related documents such as pleadings and final decisions from parties and the public.

The event featured interventions from litigants, legal scholars, and civil society advocates who unpacked how this interpretation has undermined transparency, delayed justice, and effectively disabled meaningful third-party participation, such as amicus curiae submissions. Drawing on direct experiences of procedural opacity, speakers traced the erosion of previously accepted practices, such as sharing decisions upon

adoption, and warned that the Commission’s current approach contradicts both its founding protective mandate and broader international standards.

A key moment in the discussion focused on the way Commissioners have publicly justified their inaction through flawed understandings of the Charter. Civil society participants raised alarm about the internalization of state-centric narratives by some Commissioners, including the belief that the ACHPR is merely a technical organ of the AU with no independent protective mandate.

Multiple proposals were raised for consideration, including the pursuit of an advisory opinion from the African Court, civil society-led publication of a public case list, and diplomatic engagement with supportive AU member states. Participants also debated the risks of treaty amendment

and reaffirmed that the solution lies not in altering the Charter, but in reasserting its correct interpretation.

The event concluded with a call to action: civil society must lead by example, through transparency, collaboration, and sustained pressure, to restore the credibility of the ACHPR's communications procedure. Article 59 (1) Campaign members reaffirmed their commitment to this effort, recognizing that the right to a remedy is inseparable from the right to information, and that transparency is foundational to effective human rights protection on the continent.

For further enquiries, kindly contact:

Mai Aman

mai@the-islam.org

Legal Officer, ISLA