



ACHPR

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Human Rights our
Collective Responsibility

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INTERSESSION REPORT

By

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Rights

&

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Persons and Migrants in Africa

An Organ of the



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I. INTRODUCTION

1. Pursuant to Rules 25 (3) and 64 of the Rules of Procedure (2020) of the African Commission on Human and Peoples' Rights (the Commission), this Report provides an account of human rights promotion and protection activities carried out during the intersession period, since the 83rd Ordinary Session of the Commission held in Banjul (The Gambia) from 2 to 22 May 2025.
2. The Report covers the activities undertaken in my capacity as Commissioner and member of the African Commission on Human and Peoples' Rights, including those carried out pursuant to the mandate entrusted to me as Special Rapporteur on Refugees, Asylum Seekers, Internally Displaced Persons and Migrants in Africa, in accordance with Resolution ACHPR/Res.577 (LXXVII) 2023 on the appointment of the Special Rapporteur on Refugees, Asylum Seekers, Internally Displaced Persons and Migrants in Africa. .
3. It also provides an overview of the status of ratification of the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention), as well as the status of the Protocol to the African Charter on Human and Peoples' Rights on the Specific Aspects of the Right to Nationality and the Eradication of Statelessness in Africa.
4. It contains an analysis of the situation of refugees, asylum seekers, internally displaced persons and migrants across the continent, as well as of the human rights situation in the countries for which I am Commissioner-Rapporteur, namely Libya, Niger, Senegal and Tunisia. The report concludes with recommendations addressed to the various stakeholders.

II. ACTIVITIES OF THE SPECIAL MECHANISM

A. PROTECTION ACTIVITIES

5. Pursuant to the protection and promotion mandate entrusted to me as Country Rapporteur and as Special Rapporteur on Refugees, Asylum Seekers, Internally Displaced Persons and Migrants in Africa, I undertook the following actions:
 - 1) **Urgent appeals**
 - Joint urgent appeal letter concerning the dissolution of trade unions in the judicial sector and the dismissal of two magistrates who were leaders of the Autonomous Union of Magistrates in Niger. **(Niger, 23 August 2025)**
 - Joint urgent appeal letter regarding the situation of displaced persons in Khar Yalla, Senegal. **(Senegal ,11 September 2025)**

- Joint urgent appeal letter addressed to Senegal, in collaboration with the African Committee of Experts on the Rights and Welfare of the Child (Country Rapporteur for Senegal), concerning the death of the young *talibé* Abdou Khadr Seck and the protection of *talibé* children in Senegal. **(Senegal, 30 September 2025)**
- Joint urgent appeal letter addressed to Chad concerning the deprivation of Chadian nationality of Mr Charfadine Galmaye Saleh and Mr N’Guebla Makaila. **(Chad, 2 October 2025)**

2) Statements and Press Releases

- Press release on the situation in the State of Libya **(Libya, 17 May 2025)**¹
- Joint press release on the discovery of several mass graves and unidentified bodies in the locality of Abu Salim, Tripoli, State of Libya **(Libya, 31 May 2025)**²
- Press release on the disappearance of more than sixty (60) migrants off the coast of Libya **(Libya, 19 June 2025)**³
- Statement by the African Commission on Human and Peoples’ Rights on the occasion of the commemoration of World Refugee Day **(20 June 2025)**⁴
- Statement by the Platform of Independent Experts on Refugee Rights (PIERR) on the occasion of World Refugee Day, entitled “Now Is the Time to Uphold the Rule of Law for Refugee Protection: UN and Regional Experts” **(20 June 2025)**⁵
- Press release on the recent incidents of police violence in the Republic of Senegal **(Senegal, 10 July 2025)**⁶
- Press release on the expulsion of African and non-African migrants by the United States of America to African States **(4 August 2025)**⁷
- Press release on the shipwreck off the coast of Nouakchott resulting in the death of more than seventy (70) migrants and dozens reported missing **(Mauritania, 1 September 2025)**⁸
- Press release on the continuation of migration agreements between certain African States and the United States of America **(1 September 2025)**⁹
- Press release on the massacre of twenty-two (22) villagers in the Tillabéri region of the Republic of Niger **(Niger, 18 September 2025)**¹⁰

¹ <https://achpr.au.int/en/news/press-releases/2025-05-17/communique-de-presse-sur-la-situation-dans-letat-de-libye>

² <https://achpr.au.int/en/news/press-releases/2025-05-31/mass-graves-discovery-libya>

³ <https://achpr.au.int/en/news/press-releases/2025-06-19/disappearance-migrants-libyan-coast>

⁴ <https://achpr.au.int/en/news/press-releases/2025-06-19/world-refugee-day-20-june-2025>

⁵ <https://www.pierr.org/post/now-is-the-time-to-uphold-the-rule-of-law-for-refugee-protection-un-and-regional-experts>

⁶ <https://achpr.au.int/en/news/press-releases/2025-07-10/communique-de-presse-sur-les-violences-policieres-survenues>

⁷ <https://achpr.au.int/fr/news/communique-de-presse/2025-08-04/communique-de-presse-sur-lexpulsion-de-migrants-africains-et>

⁸ <https://achpr.au.int/index.php/fr/news/communique-de-presse/2025-09-01/nauffrage-au-large-de-nouakchott-deces-de-plus-de-70-migrants>

⁹ <https://achpr.au.int/index.php/en/news/press-releases/2025-09-01/accords-migratoires-entre-certains-etats-africains-et-les-etats-unis>

¹⁰ <https://achpr.au.int/en/news/press-releases/2025-09-18/presse-sur-le-massacre-de-22-villageois-dans-la-region-de-tillaberi>

- Press release on the death of at least fifty (50) Sudanese migrants off the coast of Tobruk, in the eastern part of the State of Libya (**Libya, 18 September 2025**)¹¹
- Joint press release issued within the framework of PIERR and the Inter-American Commission on Human Rights, entitled “IACHR and United Nations Experts: States Must Protect the Rights of Persons in Situations of Human Mobility” (**18 September 2025**)¹²

3) Letters of commendation

- Letter of commendation to the Republic of Cameroon on its accession to the two United Nations Conventions relating to the Status of Stateless Persons and to the Reduction of Statelessness, adopted respectively on 28 September 1954 and 30 August 1961 (**Cameroon, 8 May 2025**)
- Letter of commendation to the Republic of Zimbabwe on the ratification of the United Nations International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (1990) (**Zimbabwe, 12 May 2025**)
- Letter of commendation to Her Excellency Ambassador Amma Twum-Amoah on her election as Commissioner for Health, Humanitarian Affairs and Social Development of the African Union Commission, expressing the Commission’s readiness, through my mandate, to strengthen and expand cooperation with the AUC within the framework of joint initiatives for the benefit of refugees, asylum seekers, internally displaced persons and migrants across the continent. (**3 July 2025**)

4) Other correspondences

- Letter to Her Excellency Ambassador Amma Twum-Amoah, Commissioner for Health, Humanitarian Affairs and Social Development of the African Union Commission, to arrange a meeting to discuss the issue of missing migrants in Africa (**31 July 2025**)

B. PROMOTION ACTIVITIES

Status of Ratification of the Conventions and Protocols falling under the purview of the Mandate

- a) African Union Convention for the protection and assistance of internally displaced persons in Africa (Kampala Convention)**

¹¹ <https://achpr.au.int/en/news/press-releases/2025-09-18/50-migrants-soudanais-au-large-de-tobrouk-dans-lest-de-letat-de>

¹² https://www.oas.org/en/iachr/jsForm/?File=/en/iachr/media_center/preleases/2025/190.asp&utm_term=class-dc

6. To date, thirty-four (34) States have ratified the Kampala Convention,¹³ ten (10) States have signed but not yet ratified it,¹⁴ and eleven (11) States have neither signed nor ratified it.¹⁵ It should be noted, moreover, that to date only three (3) States have submitted their initial reports under Article 14(4) of the Kampala Convention, in fulfilment of the general obligation set out in Article 62 of the African Charter on Human and Peoples' Rights, namely the Republic of Cameroon, Angola and Burkina Faso.
7. We commend these States and urge the others to take similar action in order to comply with their obligations under the Kampala Convention and to ensure more effective monitoring of its provisions, with a view to improving the situation of internally displaced persons in Africa.

b) Protocol to the African Charter on Human and Peoples' Rights on the Specific Aspects of the Right to a Nationality and the Eradication of Statelessness in Africa

8. Adopted at the 37th Ordinary Session of the Assembly of Heads of State and Government of the African Union, held from 17 to 18 February 2024 in Addis Ababa, the Protocol marks a historic milestone and a major legal breakthrough for Africa. It provides the continent with a binding instrument ensuring the promotion, protection and respect of the right to nationality for every individual, a fundamental prerequisite for the protection and effective enjoyment of all other human rights, including the issuance of identity documents, access to education, health, employment, social protection and political rights (such as voting and standing for election). It also aims at the prevention and eradication of statelessness, which is incompatible with the right to dignity inherent in the human person and the recognition of legal personality. Indeed, prior to the adoption of this Protocol, the right to nationality was not fully recognised across the continent as a fundamental human right, and the existing framework does not allow individuals to enjoy effective protection.
9. As we commemorate the first anniversary of its adoption this year, the Protocol has still **not recorded any signatures or ratifications**. We therefore reiterate our call to the African Union Commission, UNHCR, civil society organisations and all other partners to provide their support and contribution towards conducting effective advocacy for the ratification of this fundamental instrument, thereby contributing to

¹³ To date, thirty-four (34) States have ratified it. These are: Angola, Benin, Burkina Faso, Cameroon, Central African Republic, Chad, Congo, Côte d'Ivoire, Democratic Republic of the Congo, Djibouti, Equatorial Guinea, Eswatini, Ethiopia, Gabon, The Gambia, Guinea-Bissau, Lesotho, Liberia, Malawi, Mali, Mauritania, Mozambique, Niger, Nigeria, Rwanda, Sahrawi Arab Democratic Republic, São Tomé and Príncipe, Sierra Leone, Somalia, South Sudan, Sudan, Togo, Uganda, Zambia and Zimbabwe.

¹⁴ Namely: Burundi, Comoros, Eritrea, Ghana, Guinea, Madagascar, Namibia, Senegal, Tanzania and Tunisia.

¹⁵ These are: Algeria, Botswana, Cabo Verde, Egypt, Kenya, Libya, Mauritius, South Africa, the Kingdom of Morocco and Seychelles.

the realisation of the Global Alliance to End Statelessness, launched on 14 October 2024.

C. OTHER ACTIVITIES

1) Participation in in-person meetings, conferences and seminars

10. **12 June 2025, Brussels, Belgium** - Participation, in my capacity as Country Rapporteur, in the International Conference on the Right to a Fair Trial, dedicated this year to Tunisia, organised by International Fair Trial Day (IFTD). I delivered the keynote address at this conference, reaffirming that the right to a fair trial is the cornerstone of the rule of law and a prerequisite for the effective enjoyment of all fundamental rights. I emphasised its key pillars (independence and impartiality of the courts, rights of the defence, presumption of innocence, right to be tried within a reasonable time, publicity of proceedings, and equality of arms) as well as its legal foundation, notably under the African Charter on Human and Peoples' Rights (Articles 7 and 26). The role of the ACHPR was highlighted, in particular : the Principles and Guidelines on the Right to a Fair Trial and Legal Assistance in Africa (2003), which strengthen and complement the provisions of the African Charter; its rich jurisprudence arising from individual communications denouncing unfair trials in several cases concerning Nigeria, The Gambia, Zimbabwe, Democratic Republic of Congo and other countries; its alert and urgent appeal mechanism directed to States that flagrantly violate the right to a fair trial; and, more recently, the appointment of a Focal Point on Judicial Independence in Africa (ACHPR/Res.570/2023). I drew attention to the recurrent violations observed across Africa (including political trials, interference of the executive branch, obstacles to access to legal counsel, and excessive delays) citing concerns in Tunisia as an illustrative example. Finally, I called for reforms grounded in the separation of powers, the establishment of impartial and accessible institutions, the fight against impunity, and effective access to justice, so that the right to a fair trial remains a safeguard against arbitrariness and a vehicle for human dignity.
11. **23 June 2025, Geneva, Switzerland** - Participation in a roundtable on "Unlocking Rights: Due Process and Human Rights of Refugees Deprived of Liberty", co-organised by the Platform of Independent Experts on Refugee Rights (PIERR) and the Geneva Graduate Institute (Global Migration Centre), Geneva. The roundtable provided an opportunity for exchanges with academics, UNHCR representatives, United Nations Special Rapporteurs and members of PIERR on the issue of the detention of refugees and asylum seekers. I took the floor during the roundtable to present the trends observed in Africa regarding the deprivation of liberty of refugees and asylum seekers, as well as the concerns raised in this regard. Several aspects were highlighted, including the growing criminalisation of irregular migration and the tightening of border controls by African States, often justified on grounds of sovereignty, national security, public order or the fight against terrorism - measures that, in turn, heighten the risks faced by refugees and asylum seekers, such as

trafficking, smuggling, enforced disappearance and stigmatisation. Attention was also drawn to the excessive use of detention as a primary response to mass arrivals and migratory flows. Detention is applied as an automatic, systematic, repressive and preventive measure – often prolonged and arbitrary – and is used even against women and separated or unaccompanied children, with little or no resort to alternatives to detention. Moreover, detention conditions frequently fail to meet international and regional standards. I highlighted the various African instruments on the issue of detention of refugees, whether of a general or more specific nature, including the African Charter on Human and Peoples’ Rights and the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (1969). I also referred to soft law instruments adopted by the ACHPR, in particular General Comment No. 5 on the Right to Freedom of Movement (Article 12), the African Guiding Principles on the Human Rights of All Migrants, Refugees and Asylum Seekers (2023), the Luanda Principles (2014) on the Conditions of Arrest, Police Custody and Pre-Trial Detention, which contain specific provisions for refugees and asylum seekers given their vulnerability, as well as the Study on the Impact of Law Enforcement on the Human Rights of Refugees, Asylum Seekers and Migrants in Africa (2024). . Finally, I concluded on a positive note by sharing a number of good practices from several African countries that have adopted laws and policies on alternatives to the detention of refugees and asylum seekers, in some cases even for those who entered irregularly, (Uganda, Ethiopia, Kenya, Zambia and Cameroon) and by presenting a forward-looking vision grounded in the protection of the rights of refugees and asylum seekers.

12. **24 June 2025, Geneva, Switzerland** – Participation in a side event organised by PIERR on the margins of the 59th Session of the Human Rights Council, on the theme “Rule of Law, Human Rights and the Protection of Refugees.” During this side event, I presented the perspectives of the Africa region on the issue, beginning by recalling that Africa is a continent of origin, transit and also of destination, hosting nearly eight million refugees, often in countries with very limited resources and facing economic, political and security challenges. I also emphasised that, despite a robust and diverse legal corpus on refugee protection, including the African Charter, the 1969 OAU Convention, and the African Guiding Principles on the Human Rights of All Migrants, Refugees and Asylum Seekers (2023), reinforced by a solid institutional framework, implementation on the ground remains inconsistent. Numerous breaches of the rule of law continue to be committed to the detriment of the rights of refugees, such as : the absence of asylum laws in some African countries, particularly in the North, resulting in unequal access to justice; unfair and discriminatory asylum procedures, sometimes even marked by xenophobic practices; the increasing criminalisation of irregular migration; and the widespread use of immigration-related detention, without distinction of status and including women and children, with very limited access to effective remedies, legal representation and a fair trial, all of which are often compounded by language barriers. I reiterated once again that the detention of refugees and asylum seekers should only be an exceptional and last-resort measure, and should be replaced wherever possible by alternatives to detention that are more

humane and respectful of human dignity. I also underscored the excessive and discretionary powers granted to law enforcement officials, which often lead to refoulement and collective expulsions. In conclusion, I highlighted a number of good practices adopted by African States that are strengthening their legislation to protect the rights of refugees on the basis of respect for the rule of law, notably through the improvement of asylum procedures and socio-economic inclusion, in full alignment with Resolution 565 on the Inclusion of Refugees, Asylum Seekers, Internally Displaced Persons and Stateless Persons in National Socio-Economic Systems, Services and Economic Opportunities in Africa (ACHPR/Res.565 (LXXVI) 2023).

13. **24 June 2025, Geneva** – Participation in a meeting on the establishment of the Friends of PIERR initiative. The meeting was attended by members of PIERR and United Nations agencies (OHCHR, IOM), as well as the Ambassadors and State representatives of Chile, Spain, Japan and Colombia. No African State was represented. The meeting focused primarily on the best strategies for engaging with States on various issues related to the protection of refugees, and on the importance of dialogue among the different stakeholders.
14. **24 June 2025, Geneva, Switzerland** – Participation in an internal meeting of PIERR members. The meeting focused primarily on strengthening the Friends of PIERR initiative, particularly through the involvement of African and European States. The discussion also covered PIERR’s upcoming activities and a number of priority issues.
15. **9–10 July 2025, Banjul, The Gambia** – Participation in the Thematic Meeting “Joining Efforts: Advancing Cooperation on the Issue of Missing Migrants within the Framework of the Rabat Process.” This thematic meeting, co-chaired by The Gambia and Switzerland with the active support of the International Committee of the Red Cross (ICRC), brought together more than 100 participants from 27 European and African countries, including National Focal Points (NFPs) of the Network on Missing Migrants, as well as experts from national, regional and international organisations, civil society organisations, and family members of missing migrants. Delivering the keynote address during Session 1, devoted to the theme “Missing Migrants in the Rabat Process Region: Understanding the Context,” I shed light on the growing crisis of missing migrants along African and European migration routes, a transnational human tragedy and humanitarian emergency that endangers the rights to life, security and dignity, and, in some cases, the principle of non-refoulement. I further recalled that each year thousands of people go missing or lose their lives along perilous migration routes in Africa or en route to Europe – at sea, in the desert, or in remote transit areas – where their fate often remains unknown. Behind these figures lie interrupted lives and families left in prolonged distress, often unable to begin their grieving process in the absence of information about their loved ones.
16. I further stressed that these disappearances are not only individual tragedies; they also reflect a broader collective failure; that of contemporary migration governance, which continues to fall short in ensuring protection, dignity and human rights for all.

Migration policies remain largely dominated by security-driven approaches, often at the expense of solidarity, protection and accountability.

During this meeting, I called for shared and collective responsibility among countries of origin, transit and destination, and urged a shift towards migration governance frameworks underpinned by solidarity, cooperation and the primacy of the dignity and security of migrants, regardless of their legal status. The following key references were highlighted:

- Resolution 486 (2021) of the African Commission on Missing Migrants and Refugees in Africa and the Impact on Their Families, recognised as an important milestone in regional efforts to address this crisis.
- The African Guiding Principles on the Human Rights of All Migrants, Refugees and Asylum Seekers (2023), with particular emphasis on Principle 9, which specifically addresses missing migrants and enforced disappearances.

These instruments draw their foundation from the African Charter on Human and Peoples' Rights, in particular Article 4 (right to life and integrity of the person), Article 5 (dignity), Article 6 (liberty and security) and Article 18 (protection of the family). Fruitful discussions, conclusions, good practices and key recommendations emerged from this meeting, centred on one clear and overarching objective: to ensure that no migrant is forgotten, no family is left without answers, and no effort is spared to prevent future tragedies. The meeting also underscored the need to strengthen regional and national systems and encouraged partner countries in the Dialogue to join the Network of National Focal Points on Missing Migrants.

17. **27-28 September 2025, Accra, Ghana** – Participation in the Conference on Advocacy for the Continental Ratification and Implementation of Treaties under the Supervisory Mandate of the ACHPR, held on the theme “Towards the Universal Ratification and Implementation of All African Human Rights Treaties.” I took part in the conference proceedings, particularly in the segment devoted to mapping the progress achieved and the challenges encountered in the implementation of the instruments under the ACHPR’s supervisory mandate. In my capacity as Special Rapporteur on Refugees, Asylum Seekers, Internally Displaced Persons and Migrants in Africa, I presented the status of ratification and implementation of the Protocol on the Right to Nationality and the Eradication of Statelessness, the Kampala Convention on Internally Displaced Persons, and the OAU Convention on Refugees. I emphasised the need to accelerate pending ratifications, to strengthen the domestication of ratified treaties, and to consolidate national follow-up mechanisms. The discussions made it possible to identify concrete avenues for advocacy and technical assistance to States, with a view to enhancing the protection of refugees, displaced persons and stateless persons across the African continent.

2) Participation in webinars, conferences and other meetings

18. **28 May 2025** – I took part in an online meeting of the Platform of Independent Experts on Refugee Rights (PIERR). The meeting brought together the various members of the

Platform, along with representatives of UNHCR. The meeting aimed primarily at introducing the new members, notably the expansion of the Platform to the European region, with the participation of the Council of Europe through the Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT). The various members subsequently provided an overview of their activities and missions, and it was an opportunity for me to share a wide range of reports, press releases and meetings related to refugees and asylum seekers. The discussion also touched on the refugee protection policy of the United States, and I highlighted the potential repercussions of this policy on the human rights of refugees and migrants, particularly in the context of the various agreements concluded between a number of African States and the United States concerning the expulsion of African and non-African migrants from the United States to African countries. Finally, the meeting provided an opportunity to present PIERR's upcoming actions and activities, including the signing of MoUs with universities and the launch of the "Member States Friends of the PIERR Group" initiative.

19. **26 June 2025** – Online participation in a hybrid meeting on the "Missing Migrants" initiative, implemented in collaboration with the **African Union Commission (AUC)**, the **ICRC** and the **IOM**. The meeting was attended by representatives of IOM offices in Addis Ababa and Berlin, as well as the ICRC. The objective of the meeting was to provide an update on the Missing Migrants initiative, highlighting the transition from a Common African Position on the issue to a draft set of Guidelines aimed at supporting States. I recalled the ACHPR's actions on the issue of missing migrants, notably Resolution 486 (2021) and the African Guiding Principles on the Human Rights of All Migrants, Refugees and Asylum Seekers (2023), which include Principle 9 dedicated to this theme. The next steps were discussed in order to effectively plan the ACHPR's participation in this initiative.
20. **27 June 2025 and 2 July 2025** – Online participation in coordination meetings held in preparation for the thematic meeting on missing migrants, organised within the framework of the Rabat Process, scheduled for 9–10 July 2025 in Banjul, The Gambia.
21. **15 July 2025** – Online participation in a meeting with Cornell Law School, whose main objective was to discuss the dissemination of the African Guiding Principles on the Human Rights of All Migrants, Refugees and Asylum Seekers, launched by the ACHPR in 2023. Various avenues were explored, including a proposed collaboration with the International Institute of Humanitarian Law (IIHL) in San Remo and colleagues from Pretoria to organise a webinar promoting the Guiding Principles, as well as possible side events on the margins of the ACHPR's 85th Ordinary Session.
22. **16 July 2025** – Online participation in a meeting with the International Institute of Humanitarian Law (IIHL) in San Remo to explore collaboration in the 45th Online Course on International Refugee Law, scheduled to take place from 29 September to 24 October 2025, notably through participation in the session entitled "The Protection of Refugees in Africa: Practical Challenges and Legal Responses."

23. **30 July 2025** – Online participation in a roundtable organised by Amnesty International to mark the launch of its research report entitled “Even Here We Are Suffering: The Struggle for the Human Rights of People Internally Displaced by Climate Change in Southern Madagascar,” with a particular focus on the Antandroy population. The roundtable brought together Malagasy civil society organisations, Amnesty International, and the African Committee of Experts on the Rights and Welfare of the Child. My intervention during the roundtable focused on the ACHPR’s strategy on internal displacement, which is primarily based on the Kampala Convention. I also recalled that the Commission is in the process of finalising a study on human rights and climate change, as well as Resolution 628 (2025), which provides for the drafting of a study aimed at establishing a specific legal framework for the protection of persons forcibly displaced in Africa as a result of climate change, in order to ensure access to climate justice. This is particularly relevant in light of developments in international jurisprudence on the matter, notably following the Advisory Opinion of the ICJ and the request for an advisory opinion before the African Court on Human and Peoples’ Rights on the obligations of African States regarding the protection of human rights in the context of a climate crisis. Finally, I highlighted the various tools used by the Commission to advocate for the protection of internally displaced persons as a result of natural disasters caused by climate change, including State reports (notably through Part C), press releases and urgent appeals, and advocacy for the ratification and implementation of the Kampala Convention, particularly through the adoption of national laws based on the 2018 AU Model Law on Internal Displacement. In conclusion, I invited the Government of Madagascar to ratify and implement the Kampala Convention, and to pursue sustainable solutions for persons displaced by climate change, ensuring their meaningful participation in decision-making processes. I also encouraged the NGOs present to engage more closely with the ACHPR in order to share the challenges faced by affected communities and to raise awareness on the issue of displacement caused by climate change.
24. **7 August 2025** – Online participation in a meeting with Human Rights Watch for a briefing on the situation of climate-displaced persons in Saint-Louis, Senegal, followed by a discussion on possible avenues for the Commission to raise the issue with the Senegalese Government.
25. **4 September 2025** – Online participation in a meeting of African Union Member States on the issue of missing migrants in Africa. The meeting was organised by the African Union, in collaboration with the International Organization for Migration (IOM) and the International Committee of the Red Cross (ICRC). It brought together experts, policymakers and key stakeholders to share experiences, best practices and strategies aimed at preventing migrant disappearances and supporting affected families. I highlighted Resolution 486 of the African Commission on Human and Peoples’ Rights (ACHPR), adopted in July 2021, which addresses the issue of missing migrants and refugees in Africa and the impact on their families. The Resolution urges AU Member

States to take measures to prevent disappearances, protect human rights during migration, coordinate efforts to identify missing persons, and provide support to affected families. I also recalled the African Guiding Principles on the Human Rights of All Migrants, Refugees and Asylum Seekers (2023), in particular Principle 9, which focuses on the issue of missing migrants. The meeting concluded with a strong recommendation to the African Union Commission to expedite the adoption of a continental directive on missing migrants, aimed at strengthening coordination among AU Member States, RECs and other key stakeholders, as well as enhancing search and rescue operations, data collection and information sharing, and the protection of affected persons and their families.

26. **17 September 2025** – Online participation in a meeting with Human Rights Watch for a general discussion on the organisation’s report on the situation of migrants in Mauritania, entitled “‘They Accused Me of Trying to Reach Europe’: Abuses Linked to Migration Control in Mauritania and the EU’s Externalisation Policy.”¹⁶
27. **22 September 2025** – Online participation in a meeting with the European Union Agency for Asylum (EUAA). The purpose of the meeting was to establish initial contact with the ACHPR with a view to future collaboration and cooperation. Following a brief exchange on the mandates of the two institutions, the EUAA presented its Regional Protection Project for the Southern Neighbourhood (RPSN), which aims to support partner countries in strengthening the protection environment for asylum seekers and refugees in the Southern Neighbourhood and along migration routes, with particular focus on vulnerable groups and in accordance with international law and EU standards. The RPSN seeks to further consolidate an exchange platform between non-EU+ countries (those having confirmed their participation being Algeria, Egypt, Libya, Mauritania and Morocco) and participating EU+ Member States (Austria, Belgium, Czechia, Denmark, Germany, Greece, Italy, Malta, the Netherlands, Slovakia, Slovenia and Sweden) in order to support the identification of tailored solutions to improve the management of asylum procedures, taking into account regional and national contexts as well as the needs of vulnerable groups. The official launch of the RPSN project is scheduled for 26–27 November 2025.
28. **23 September 2025** – Participation via a recorded video message in the 45th Online Course on International Refugee Law, scheduled to take place from 29 September to 24 October 2025, organised by the International Institute of Humanitarian Law (IIHL) in San Remo. In my contribution, I recalled the role and nature of the mandate of the Special Rapporteur on Refugees, Asylum Seekers, Internally Displaced Persons and Migrants in Africa, noting that it is an independent, time-bound function aimed at promoting, protecting and advancing the fundamental rights of the persons concerned. I also emphasised the importance of this mandate in today’s African context, which continues to be marked by persistent challenges related to migration, forced displacement and human rights violations. In my intervention, I shared several

¹⁶ <https://www.hrw.org/fr/news/2025/08/27/mauritanie-des-annees-dabus-lies-aux-contrôles-des-migrations>.

experiences, including missions and situations monitored, that concretely illustrated the scope and impact of the work undertaken. I also referred to the advocacy actions undertaken with Member States through the presentation of reports, the issuance of recommendations, and the publication of public statements. I further stressed the close monitoring of critical situations, such as disappearances, expulsions and other serious human rights violations. Finally, I highlighted the importance of direct engagement with refugees and migrants through consultations and exchanges aimed at capturing their concerns, as well as the need for close coordination with governments, African mechanisms and international partners to strengthen the protection of human rights across the continent.

3) Participation in Sessions and Other Meetings of the African Commission on Human and Peoples' Rights

29. **2-3 June 2025** – Online participation in a retreat with the African Court on Human and Peoples' Rights, focusing on complementarity between the two institutions. The retreat reviewed the progress made by the two organs in strengthening their relationship and assessed the status of implementation of the Roadmap on Complementarity, adopted during the first retreat held in Addis Ababa, Ethiopia, from 10 to 14 October 2022. It culminated in the adoption by both organs of the "Guidelines on the Submission of Cases by the Commission to the Court and on the Transfer of Cases by the Court to the Commission."
30. **17 June 2025** – Participation in a preparatory meeting of the ACHPR ahead of the consultative session with the African Union Peace and Security Council, scheduled for 19 June 2025.
31. **19 June 2025** – Online participation in a consultative meeting with the African Union Peace and Security Council. The discussions between the two organs focused on several key issues, namely: (i) **strengthening institutional synergies** and regular information exchange between the PSC and the ACHPR; (ii) **embedding a human rights-based approach** at all stages of the conflict cycle (early warning, prevention, management, resolution and reconstruction); (iii) addressing the **root causes** of conflict (denial of rights, inequalities and discrimination) and ensuring the protection of **vulnerable groups** (women, children, IDPs, refugees, migrants, persons with disabilities, etc.); (iv) ensuring **respect for IHL and IHRL** by parties to conflicts; (v) the role of the ACHPR in **transitional justice**, particularly in providing technical support to States; and (vi) the **financial challenges** facing the ACHPR and possible avenues for more predictable **funding**, including the proposal to **institutionalise an annual PSC-ACHPR consultation** and to call on States to **fully cooperate**, notably by implementing the decisions of AU policy organs, in order to facilitate the ACHPR's work.(see Final Communiqué).
32. **21-30 July 2025** – Participation in the 84th Ordinary (Private) Session of the ACHPR. (see Final Communiqué).

33. **19 September 2025** – Participation in the 38th Extraordinary Session of the ACHPR, held virtually on the same date. The Session focused primarily on technical matters, including the adoption of the Terms of Reference for the Pre-Session Forum of States Parties and the consideration of the document outlining the proposed grounds for referral to the African Court. The Session also provided an opportunity for discussions on the modalities for the publication of the report of the Joint Fact-Finding Mission on the Human Rights Situation in Sudan, as well as on the planning and alignment of the dates of the next Session with the various preparatory activities, including the Forums of States, NHRIs and NGOs¹⁷. (see Final Communiqué).
34. **7-15 October 2025** – Participation in the private segment of the 85th Ordinary Session of the ACHPR (see Final Communiqué).

III. ACTIVITIES UNDERTAKEN AS MEMBER OF THE WORKING GROUP ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS IN AFRICA

35. **25-26 September 2025, Accra, Ghana** – Participation, in my capacity as Vice-Chairperson of the ACHPR Working Group on Economic, Social and Cultural Rights in Africa, in a continental workshop on the socio-economic rights of women, including in the context of extractive industries. The workshop brought together ACHPR Commissioners, as well as representatives of States, NHRIs, AU organs, UN mechanisms, civil society organisations, academia, and the extractive industry’s private sector. On this occasion, I moderated Session 4, entitled “Education as a Catalyst for Change”, which focused on the progress, challenges and solutions related to women’s and girls’ access to quality education, in connection with CESA 16-25 and the Education 2030 Framework for Action. The session featured contributions from academics and NHRIs addressing socio-cultural barriers and proposing practical avenues for action. In my introductory remarks, I underscored the interlinkages between education, health and social protection, and emphasised the need to align AU frameworks (the Charter, the Maputo Protocol, and social protection instruments) with national policies; to accelerate ratification and domestication; to adopt an intersectional approach; and to establish a monitoring mechanism with gender-sensitive indicators, including in areas where women are active in the extractive industries. The workshop produced a set of operational recommendations, including: budgetary prioritisation of education (quality, abolition of school fees, teacher training, and EdTech solutions); investment in SRHR and inclusive health systems; reforms in property and labour rights (harmonisation of laws, protection of the informal sector, and gender parity); and governance of extractive industries based on community participation, transparency (particularly regarding illicit financial flows), and corporate accountability. It was also recommended that the ACHPR develop

¹⁷<https://achpr.au.int/en/news/final-communicues/2025-09-23/final-communicue-38th-extraordinary-session-achpr>

guidelines or model laws, hold periodic hearings on transnational corporations, and undertake country visits to affected States.

36. **3–4 October 2025, Cape Town, South Africa** – Participation, in my capacity as Vice-Chairperson of the ACHPR Working Group on Economic, Social and Cultural Rights, in a consultation meeting on the ACHPR study on the mainstreaming of economic, social and cultural rights into national development plans in Africa. The meeting was attended by the ACHPR’s partners on the project, namely the Network of African National Human Rights Institutions (NANHRI), the Centre for Human Rights (University of Pretoria), and the Danish Institute for Human Rights (DIHR). The objective of the meeting was to present a new draft following comments on the first draft presented in Dakar in December 2024, as well as to introduce new case studies. The meeting concluded with the adoption of a roadmap for the continuation of the process leading to the adoption of the study.
37. **5–7 October 2025, Cape Town, South Africa** – Participation, in my capacity as Vice-Chairperson of the ACHPR Working Group on Economic, Social and Cultural Rights, in a series of meetings held on the margins of the XXV FIGO World Congress (International Federation of Gynecology and Obstetrics), including: a launch meeting on the drafting of Guidelines for the Elimination of Obstetric Violence and the Promotion of Maternal Health Care in Africa, co-organised with the Center for Reproductive Rights; and a consultative meeting between the ACHPR and FIGO, with the support of the Center for Reproductive Rights and the International Childbirth Initiative, aimed at informing the Commission about the systemic challenges faced by practitioners in maternal health, and gathering recommendations for the promotion of quality, rights-based maternal health care for women and girls.

IV. ASSESSMENT OF HUMAN RIGHTS SITUATIONS MONITORED UNDER THE MANDATE IN AFRICA

Analysis of the situation of refugees, asylum seekers, internally displaced persons and migrants in the intersession period

38. The persistent combination of armed conflicts, sociopolitical violence, socioeconomic decline and climate change continues to trigger massive population displacement across Africa. In April 2025, the United Nations High Commissioner for Refugees (UNHCR) estimated the total number of forcibly displaced persons, including refugees, internally displaced persons and asylum seekers, at 122.1 million.¹⁸ In this context, people on the move are regularly subjected to serious human rights violations, including abductions, arbitrary executions, extortion, gender-based violence, and precarious living conditions in both formal and informal camps. Many among them, particularly children, are deprived of effective access to fundamental rights such as education and health care.

¹⁸ UNHCR, *Global Trends Report 2025*. <https://www.unhcr.org/fr/tendances-mondiales>.

39. This crisis is further compounded by severe humanitarian underfunding: according to the Global Humanitarian Overview 2025, by mid-year only 18.5% of the USD 29.1 billion required had been mobilised, while needs continue to rise.¹⁹ These challenges are particularly acute in countries such as Sudan, South Sudan, the Democratic Republic of Congo, Somalia and Ethiopia, where displacement crises persist and grow increasingly complex under the combined effect of multiple factors.

1) Refugees

40. During this intersession period, the situation of refugees and asylum seekers across the continent remains a matter of concern, owing to the persistence of armed conflicts, the deterioration of socioeconomic conditions, and chronic humanitarian underfunding. The United Nations High Commissioner for Refugees (UNHCR) reported in 2025 that more than 44 million forcibly displaced persons are living on the African continent, including nearly 12 million refugees and over 30 million internally displaced persons (IDPs).²⁰

41. In West Africa, the situation continues to be characterised by new waves of cross-border displacement. The influx of Ghanaian refugees into northern Côte d'Ivoire has exacerbated local tensions: more than 13,000 people, mainly women, children and older persons from the Birifor ethnic group, fled Ghana's Savannah Region following intercommunal clashes between the Birifor and Gonja communities.²¹ These new arrivals add to the presence of approximately 30,000 Burkinabè refugees already settled in villages in northern Côte d'Ivoire, overstressing housing capacities and exacerbating the social and economic vulnerabilities of host communities.

42. In Mali, the Bandiagara region continues to experience a massive influx of Burkinabè refugees, estimated at up to 1,500 people per day at the height of the August 2025 crisis. Between 5 and 31 August, the number of registered refugees rose from 1,733 to over 12,000, mainly women and children. These arrivals add to the 83,417 refugees already present, bringing the displaced population to more than 100,400 persons.²²

43. The conflict in Sudan that broke out in April 2023 has intensified over the past few months, forcibly displacing millions of people. By August 2025, nearly 4 million Sudanese refugees²³ had fled to Egypt, Ethiopia, Libya, Uganda, the Central African Republic, South Sudan, and Chad.

¹⁹ OCHA / Global Humanitarian Overview 2025 – only 18.5% of the required funding had been mobilised by mid-year.

²⁰ UNHCR – Global Trends 2025: Forced Displacement in Africa, June 2025.

²¹ UNHCR / Ghana Red Cross – Displacement from the Savannah Region (Ghana) to Côte d'Ivoire, August–September 2025 [Le Monde, 5 September 2025: The arrival of thousands of Ghanaian refugees heightens tensions in northern Côte d'Ivoire.](#)

²² <https://news.un.org/fr/story/2025/09/1157393> ; <https://news.un.org/fr/story/2025/08/1157304>

²³ https://news.un.org/fr/story/2025/08/1157370?_gl=1*18pmt8g*_ga*MjM3NzU4MDk0LjE3NjEwMjkwNjQ.*_ga_TK9BQL5X7Z*czE3NjEwMjkwNjMkbzEkZzAkDDE3NjEwMjkwNjMkajYwJGwwwJGgw

44. In Chad, the spread of cholera in camps hosting Sudanese refugees from Darfur has worsened the public health situation: as of 20 August 2025, 821 suspected cases and 56 deaths had been reported, representing a case fatality rate of 6.8%. Heavy rainfall and overcrowding in the camps have contributed to the spread of the epidemic.²⁴
45. In Niger, the Agadez humanitarian centre continues to host several hundred to a few thousand refugees, the vast majority of them Sudanese, in a context of limited resources and severe administrative constraints.²⁵ Living conditions there are marked by limited access to health and education services, food assistance reduced to minimal rations, and significant legal insecurity stemming from the absence of clear prospects for relocation or voluntary return.²⁶ In August 2025, authorities in Niger reportedly arrested six Sudanese refugees, accused of organising peaceful demonstrations to demand better living conditions.²⁷
46. In Kenya, over the past five years, the number of refugees and asylum seekers has increased by more than 70%, rising from around 500,000 to 843,000 persons, fleeing conflict and drought in neighbouring countries such as Somalia and South Sudan.²⁸ In this context, underfunding has severely impacted humanitarian assistance. The World Food Programme (WFP) has reduced food rations in the Dadaab and Kakuma camps (Kenya) to only 28% of required needs, with no complementary cash distributions, directly affecting about 720,000 refugees and increasing the risks of acute malnutrition and famine.²⁹
47. The humanitarian situation of Sahrawi refugees in the camps remains critical and constitutes one of the longest-standing protracted refugee crises in Africa and worldwide, persisting for nearly half a century. Despite sustained humanitarian efforts, the population remains heavily dependent on international assistance in a context of chronic underfunding: the Sahrawi Refugee Response Plan³⁰ has covered only about 34% of identified needs, resulting in a worsening of malnutrition (13.6%), anaemia rates reaching up to 69% among women of reproductive age and 65% among children, and food insecurity affecting nearly 80% of households.³¹ The under-resourced health and education systems struggle to meet essential needs, while extreme climatic conditions further exacerbate the vulnerability of women and

²⁴ <https://news.un.org/fr/story/2025/08/1157343>

²⁵ UNHCR, "Agadez Map Population of Concern" (July 2025), https://data.unhcr.org/fr/documents/details/118709?utm_source=chatgpt.com.

²⁶ DNHR — « Sudanese Refugees Face Desperation in Niger's Agadez Camp » (25 April 2025), https://dnhr.org/2025/04/25/sudanese-refugees-agadez-niger/?utm_source=chatgpt.com.

²⁷ The New Humanitarian — "Niger arrests six Sudanese refugees in raid on Agadez camp" (27 August 2025), https://www.thenewhumanitarian.org/news/2025/08/27/niger-arrests-six-sudanese-refugees-raid-agadez-camp?utm_source=chatgpt.com.

²⁸ <https://news.un.org/fr/story/2025/05/1155786>

²⁹ <https://news.un.org/fr/story/2025/05/1155786>

³⁰ <https://webarchive.archive.unhcr.org/20250602101338/https://reporting.unhcr.org/algeria-sahrawi-refugee-response-plan>.

³¹ <https://algeria.un.org/fr/296887-les-niveaux-de-malnutrition-atteignent-un-niveau-alarmant-dans-les-camps-de-r%C3%A9fugi%C3%A9s>.

children. The protracted nature of this forced displacement raises serious concerns regarding the respect of fundamental rights, including dignity, health, education and an adequate standard of living, as guaranteed by the African Charter on Human and Peoples' Rights and the 1969 OAU Refugee Convention. The Commission calls on Member States and the international community to intensify their efforts towards lasting and equitable solutions, grounded in human dignity, solidarity and the sharing of responsibilities, in order to ensure effective protection and bring an end to this protracted situation.

48. These developments confirm the persistent vulnerability of refugees and asylum seekers on the continent and underscore the urgent need to strengthen international solidarity, in accordance with the principles of burden- and responsibility-sharing and the obligations enshrined in the 1951 Refugee Convention, the 1969 OAU Refugee Convention, and the 2018 Global Compact on Refugees.

2) Migrants

49. During the present intersession period, the situation of migrants in Africa remains particularly concerning. The observed trends point to the continuation and intensification of migration externalisation policies, particularly involving the European Union and certain European States; a proliferation of bilateral migration agreements between some African States and external partners, notably the United States of America; and a worsening of fundamental rights violations against migrants, asylum seekers and refugees, including an increase in cases of abuse and arbitrary detention, especially in certain transit countries. Finally, this intersession period was marked by numerous shipwrecks and disappearances of migrants, particularly along the maritime routes to Europe, confirming the persistently deadly nature of irregular migration.

50. These developments once again call for a rigorous assessment of State practices in light of international and regional obligations, as well as the strengthening of monitoring and accountability mechanisms to ensure the primacy of human rights in migration governance across the continent.

a) Externalisation of Migration Management³²

51. In 2025, externalised migration cooperation between African countries and their external partners has further intensified. The European Union³³, in the wake of its

³² This process involves shifting functions normally carried out by a State within its own territory so that they are performed, in whole or in part, outside its borders. It is a generic term referring to cooperation aimed at preventing migration, conducting administrative procedures beyond national borders, and facilitating the return of migrants to third countries.

³³ For example, the European Union concluded cooperation arrangements with Morocco (2023), Tunisia (2023) and Egypt (2024).

Pact on Migration and Asylum, together with certain European States³⁴ and the United States of America, continue to promote bilateral agreements aimed at the reception, temporary detention or transfer of migrants to African States, often without sufficient guarantees of transparency or compliance with international human rights standards. Thus, the European Union provides African States with funding and equipment, enabling them to strengthen their capacities and, more broadly, to benefit from various forms of support and incentives. The European Border and Coast Guard Agency (Frontex) assists African States in preventing migrants from reaching the European Union, often by intercepting them at sea³⁵ or carrying out pullback operations.³⁶

52. In a related development, in August 2025, Rwanda received a first group of seven irregular migrants of various nationalities expelled from the United States, under an agreement providing for the reception of up to 250 persons.³⁷
53. In Ghana, fourteen West African nationals, including Nigerians and one Gambian, expelled from the United States were placed in military detention and, in some cases, returned to Togo following legal proceedings initiated by their counsel.³⁸
54. In Eswatini, an agreement was concluded with the United States allowing for the expulsion of persons originating from third countries (including Viet Nam, Jamaica, Laos, Cuba, and Yemen). The Government has officially confirmed that several individuals have already arrived and others are expected in October, noting that they are or will be held in detention pending their repatriation.³⁹
55. At the same time, in Mauritania, various analyses and investigations have documented the tightening of controls, maritime interceptions and forced

³⁴ European Union Member States have also concluded bilateral arrangements with third countries, often with the support of the European Union; for example, the agreements signed between Morocco and Spain (A/HRC/50/31, paras. 50 and 55), as well as the Memorandum of Understanding signed between Italy and Libya (available at: www.asgi.it/wp-content/uploads/2017/02/ITALY-LIBYA-MEMORANDUM-02.02.2017.pdf)

³⁵ A boat carrying 171 migrants, including women and minors, bound for the Canary Islands, was intercepted at sea by Mauritanian security forces. In Libya, according to the IOM, between 28 September and 4 October 2025, 753 migrants were intercepted and returned to Libya. https://x.com/IOM_Libya/status/1975196044553261078.

³⁶ Pullback operations aim to physically prevent migrants from leaving the territory of their country of origin or a transit State, or to forcibly return them before they reach the territory of their destination State. These operations are carried out by States that detain migrants at the request and on behalf of destination States (A/HRC/37/50, para. 54).

³⁷ Jeune Afrique – “Migrants deported from the United States arrive in Rwanda” (29 August 2025). <https://www.jeuneafrique.com/1717986/politique/des-migrants-expulses-des-etats-unis-sont-arrivees-au-rwanda/>

³⁸ RFI – “Ghana: West African nationals deported from the United States sent to Togo, according to their defence” (23 September 2025): <https://www.rfi.fr/fr/afrique/20250923-ghana-expulsés-des-états-unis-des-ressortissants-ouest-africains-envoyés-au-togo-selon-leur-défense>; Le Monde – “Ghana sends at least six Africans deported by the United States to Togo” (24 September 2025): https://www.lemonde.fr/afrique/article/2025/09/24/le-ghana-renvoie-vers-le-togo-au-moins-six-africains-expulses-par-les-etats-unis_6642783_3212.html

³⁹ <https://www.times.co.sz/news/readmore.php?bhsadjfoh=11+more+immigrants+from+USA+arrive+today&yiphi=1288&bvhdgsj=News>.

transfers, within the framework of security and financial cooperation with the European Union.⁴⁰

56. South Sudan has also officially announced the arrival of several third-country migrants expelled from the United States, within the framework of bilateral cooperation arrangements.⁴¹

57. Several organisations and independent mechanisms have condemned these externalisation agreements. The United Nations High Commissioner for Human Rights has warned of the systemic risks posed to fundamental rights, recalling that States remain bound by their obligations even when acting through third countries or private actors.⁴² Specialised organisations, including the Tahrir Institute for Middle East Policy (TIMEP), have demonstrated that the EU-Tunisia and EU-Egypt agreements increase the vulnerability of migrants and tie funding to control practices that expose them to the risk of serious violations, such as summary refoulement, violence, and the absence of effective remedies.⁴³ Human Rights Watch has also documented, in Mauritania (2020 – early 2025), serious violations committed by security forces against migrants and asylum seekers, in the context of externalised migration control policies.⁴⁴

b) Missing Migrants

58. In recent months, several tragic events have highlighted the magnitude of the issue of missing migrants. In June 2025, a boat departing from Tunisia to Lampedusa sank: one woman died and two passengers were reported missing.⁴⁵ In August 2025, at least 26 migrants died in a shipwreck off the coast of Lampedusa, with hundreds of others presumed missing.⁴⁶ More recently, on the Libyan coast, 61 bodies of migrants were recovered west of Tripoli over the same period, though the exact circumstances remain unclear.⁴⁷

⁴⁰ Jeune Afrique – “Migrants in Mauritania: How European aid fuels repression?” (6 September 2025): <https://www.jeuneafrique.com/1719215/politique/migrants-en-mauritanie-comment-laide-europeenne-alimente-la-repression/>

⁴¹ Ministry of Foreign Affairs and International Cooperation of South Sudan, Statement of 8 July 2025. <https://mofaic.gov.ss/official-statement-on-the-arrival-of-third-country-nationals-and-south-sudanese-deported-from-the-united-states-of-america-to-south-sudan/>.

⁴² OHCHR – Contributions to the thematic report on externalization and the rights of migrants (2025): <https://www.ohchr.org/sites/default/files/documents/issues/migration/cfis/externalization/subm-ext-migr-impact-cso-59-picum.pdf>

⁴³ TIMEP — “Externalizing Migration Control to the MENA Region: Tunisia” (1 May 2025); “Beyond the EU’s Migration Pact and its Human Cost” (2 July 2025): <https://timep.org/2025/05/01/externalizing-migration-control-to-the-mena-region-tunisia/> ; <https://timep.org/2025/07/02/beyond-eus-migration-pact-and-its-human-cost/>

⁴⁴ Human Rights Watch – “Mauritania: Years of migration control abuses” (27 August 2025): <https://www.hrw.org/news/2025/08/27/mauritania-years-of-migration-control-abuses>

⁴⁵ Reuters, “One dead, more missing after migrant shipwreck off Italy’s Lampedusa” (30 June 2025)

⁴⁶ Al Jazeera, “At least 26 refugees and migrants die in shipwreck off Italy’s Lampedusa” (13 August 2025)

⁴⁷ <https://www.reuters.com/world/africa/61-bodies-migrants-recovered-west-libyas-tripoli-medics-center-says-2025-10-11/>.

59. Since the beginning of 2025, at least 743 people have lost their lives attempting to cross the Mediterranean to reach Europe, including 538 on the Central Mediterranean route alone. According to the IOM, this migration route remains the deadliest in the world, marked by increasingly dangerous smuggling practices, limited search and rescue capacity, and growing restrictions on humanitarian operations.⁴⁸
60. The eastern route from the Horn of Africa to the Gulf countries has also witnessed its share of tragedies during this intersession period, with 56 deaths and 132 migrants reported missing following a shipwreck off the coast of Yemen.⁴⁹
61. These cases form part of the tragedies documented by the IOM's Missing Migrants Project, which compiles data on deaths and disappearances linked to international migration.⁵⁰ It is essential to recall that ACHPR Resolution 486 (2021)⁵¹ affirms the responsibility of State Parties: it condemns violations that may lead to the disappearance of migrants and refugees, and calls on States to adopt measures for prevention, search, identification and support to the families of the missing, providing a solid legal basis for demanding greater transparency, solidarity and effective accountability mechanisms in response to the tragic phenomenon of missing migrants.
62. We call on the State Parties to the Charter and the African Union to intensify their efforts to combat irregular migration by addressing its root causes, notably youth unemployment, armed conflict, socioeconomic and political deterioration, and climate change, while developing regular pathways for legal migration and ensuring that migration management policies and practices are grounded in full respect for the human rights of all migrants.

c) Violence Against Migrants

63. During this intersession period, serious incidents at sea involving migrants were reported: gunfire allegedly attributed to the Libyan Coast Guard is said to have targeted the humanitarian vessel Ocean Viking in August.⁵² Testimonies have also reported violence, arbitrary detention, and transfers to unofficial detention centres.

⁴⁸ <https://news.un.org/fr/story/2025/06/1156516>

⁴⁹ <https://news.un.org/fr/story/2025/08/1157239>

⁵⁰ <https://missingmigrants.iom.int>.

⁵¹ <https://achpr.au.int/en/adopted-resolutions/486-resolution-missing-migrants-and-refugees-africa-and-impact-their-fa>

⁵² InfoMigrants – “SOS Méditerranée files complaint for attempted murder after Libyan coastguard fire on the Ocean Viking” (9 October 2025): <https://www.infomigrants.net/fr/post/67401/sos-mediterranee-depose-plainte-en-france-pour-tentative-dassassinat-apres-les-tirs-de-gardescotes-libyens-contre-locean-viking>; InfoMigrants – “Norway accuses Libya's coast guard of firing at Ocean Viking” (12 September 2025):

<https://www.infomigrants.net/en/post/66919/norway-accuses-libyas-coast-guard-of-firing-at-migrant-rescue-vessel>;

European Parliament – Parliamentary Question E-003371/2025, “Attack on the Norwegian rescue ship Ocean Viking”

(3 September 2025): https://www.europarl.europa.eu/doceo/document/E-10-2025-003371_EN.html

64. In Mauritania, organisations have denounced raids, discriminatory checks, including racial profiling, and violations of migrants' rights, calling for independent investigations and an end to practices contrary to the principle of non-discrimination.⁵³

3) Internally displaced persons

65. During this intersession period, the situation of internally displaced persons (IDPs) remains particularly concerning across the continent. In several regions, armed conflicts, growing insecurity, and natural disasters linked to climate change continue to cause massive displacement, further aggravating an already alarming humanitarian crisis.

A) Conflicts and Forced Displacement

66. Sudan remains one of the world's largest internal displacement crises⁵⁴. According to the UNHCR⁵⁵, Sudan currently has approximately 7.5 million internally displaced persons (IDPs). Most IDPs live in dire humanitarian conditions, with limited access to basic services and dependent on humanitarian aid. Recent cuts in international humanitarian aid funding are exacerbating the crisis and increasing suffering. More than half of the displaced persons are children, 27% of whom are under the age of five. Girls under the age of 18 account for approximately 28% of the displaced population⁵⁶.

67. In the Democratic Republic of Congo (DRC), more than 80,000 people have fled violence in the eastern part of the country, following a major deterioration of the security situation in the Djugu territory of Ituri Province. Between 11 and 13 August, a series of attacks carried out by armed groups in several villages, notably in Iga Barrière, left seven civilians dead and thirteen others injured.⁵⁷ These attacks targeted the internally displaced persons' sites of Lindji, Iga 1 and Mudhu, resulting in the looting and burning of several hundred homes.⁵⁸

⁵³ Jeune Afrique – “Migrants in Mauritania: How European aid fuels repression?” (6 September 2025): <https://www.jeuneafrique.com/1719215/politique/migrants-en-mauritanie-comment-laide-europeenne-alimente-la-repression/>; Human Rights Watch – “Mauritania: Years of migration control abuses” (27 August 2025): <https://www.hrw.org/news/2025/08/27/mauritania-years-of-migration-control-abuses>

⁵⁴ <https://reliefweb.int/report/sudan/urgence-au-soudan-plan-de-reponse-regional-pour-les-refugies-janvier-decembre-2025>

⁵⁵ <https://data.unhcr.org/en/situations/sudansituation>

⁵⁶ Ibid

⁵⁷ OCHA – Democratic Republic of Congo: New armed violence in the territories of Djugu and Irumu – Flash Update (15 August 2025): <https://www.unocha.org/publications/report/democratic-republic-congo/rd-congo-de-nouvelles-violences-armees-dans-les-territoires-de-djugu-et-irumu-flash-update-1-15-aout-2025>; <https://news.un.org/fr/story/2025/08/1157299>; <https://news.un.org/fr/story/2025/08/1157304>

⁵⁸ OCHA – “DR Congo – Ituri (Djugu/Fataki) Flash Update: Displacement and obstacles to humanitarian access” (27 March 2025). : <https://www.unocha.org/publications/report/democratic-republic-congo/democratic-republic-congo-flash-update-1-ituri-violence-fataki-djugu-territory-causing-displacement-and-hindering-humanitarian-access-27-march-2025>.

68. In Burkina Faso, violence attributed to jihadist groups has displaced nearly 230,000 people since the beginning of the year. The Boucle du Mouhoun region has been the most affected, with more than 106,000 displaced persons – including over 65,000 children – spread across 13 localities, notably Dédougou, Di and Tougan. This figure represents 45% of the total number of internally displaced persons. The deteriorating security situation is hindering humanitarian operations, restricting access to essential services, and increasing the affected populations’ need for assistance.⁵⁹

69. In South Sudan, political instability and the renewed outbreak of fighting, particularly in Upper Nile State, have triggered new massive displacements.⁶⁰ Nearly 165,000 internally displaced persons have fled the fighting and the worsening living conditions. Humanitarian access remains limited in several areas, hampering assistance to approximately 65,000 newly displaced persons. Malnutrition rates remain high, with 3.2 million children and women at risk, a 28% increase compared with 2024, according to the World Food Programme.⁶¹

70. In Somalia, persistent violence has led to the displacement of more than 15,000 people in the southwest, adding to the 100,000 displaced over the past two months in the central and southern parts of the country. Newly displaced families seek refuge in overcrowded sites, often without adequate access to decent shelter, food or essential healthcare.⁶²

B) Climate Change and Forced Displacement

71. Climate change acts as a multiplier of vulnerabilities and exacerbates displacement crises.

72. In Nigeria, flooding in Mokwa (north-central region) displaced more than 3,000 people, including 1,600 children and 380 breastfeeding mothers.⁶³

73. In South Sudan, deadly floods in Unity State have submerged homes, schools, health facilities and farmland, affecting more than 220,000 people. Seventy per cent

⁵⁹ UNICEF – “Burkina Faso – Humanitarian Situation Report (May 2025)” (Boucle du Mouhoun: 106,429 displaced persons, including 65,412 children): <https://www.unicef.org/media/171651/file/Burkina-Faso-Humanitarian-SitRep-May-2025.pdf.pdf>

⁶⁰ OCHA, South Sudan – Humanitarian Snapshot (July 2025): <https://www.unocha.org/publications/report/south-sudan/south-sudan-humanitarian-snapshot-july-2025>.

⁶¹ PAM/WFP, “Conflict, displacement and disease drive food insecurity and malnutrition...” (12 June 2025): <https://www.wfp.org/news/conflict-displacement-and-disease-drive-food-insecurity-and-malnutrition-alarming-level-parts>.

⁶² <https://news.un.org/fr/story/2025/08/1157293>

⁶³ Reuters, “Nearly 100 missing a week after floods tore through Nigerian town (Mokwa)” (4 June 2025); See also AP (30 May 2025) and The Guardian (30 May 2025) : <https://www.reuters.com/sustainability/climate-energy/nearly-100-missing-week-after-floods-tore-through-nigerian-town-2025-06-04/> ;
<https://apnews.com/article/c29db671f8b92972d8800a82adb2cd97> ;
<https://www.theguardian.com/world/2025/may/30/niger-central-nigeria-floods-death-toll>.

of the land was already under water from previous floods, and up to 400,000 additional people could be displaced by the end of the year if heavy rainfall persists.⁶⁴

74. In Niger, severe weather has affected more than 56,000 people, impacting 78 of the country's 265 communes and forcing hundreds of families to relocate.⁶⁵

75. Finally, in Somalia, nearly half of the population is affected by climate-related disasters. The IOM has highlighted a cycle of repeated displacements that is straining resources and fuelling tensions among communities.⁶⁶

V. HUMAN RIGHTS SITUATION IN COUNTRIES UNDER THE COMMISSIONER'S MANDATE

1) Libya

76. During the intersession period, Libya continued to suffer the effects of institutional and political divisions and fragmentation.⁶⁷ Security conditions and the economic situation remained unstable, with adverse repercussions on human rights and the persistence of impunity. However, the United Nations Support Mission in Libya (UNSMIL) launched a Roadmap aimed at advancing a Libyan-led and Libyan-owned political process. The Roadmap aims in particular to bring the transitional period to an end, work towards agreement on unified institutions, and lead the country towards free, fair, transparent and inclusive presidential and parliamentary elections, in line with Security Council Resolution 2755 (2024), within an 18-month timeframe. It also seeks to foster a structured dialogue with Libyan institutional stakeholders and the Libyan people.⁶⁸ Municipal elections were held in 34 Libyan municipalities on 16 and 23 August 2025, while those scheduled in a number of other municipalities were put on hold.⁶⁹

77. We encourage all Libyan actors to make progress towards establishing lasting peace, stability and security for the Libyan people, in full respect of the sovereignty, independence, territorial integrity and national unity of Libya.

⁶⁴ <https://fr.africanews.com/2025/09/19/soudan-du-sud-de-nouvelles-inondations-detruisent-les-terres-agricoles/>

⁶⁵ Anadolu Agency, "Floods in Niger kill at least 47, impact thousands" (21 August 2025); see also BNA (22 August 2025) : <https://www.aa.com.tr/en/africa/floods-in-niger-kill-at-least-47-impact-thousands/3665041> ; <https://www.bna.bh/en/news?cms=q8FmFJgiscL2fwlZON1%2BDuDICVz8hBemfdiWxGvXk1A%3D>.

⁶⁶ OIM/IOM, "Somalia's climate crisis demands global action" (31 July 2025); see also X/@UNmigration (1 August 2025) : <https://www.iom.int/news/somalias-climate-crisis-demands-global-action-says-iom-deputy-director-general> ; <https://x.com/UNmigration/status/1950858248954712559>; <https://news.un.org/fr/story/2025/07/1157216>

⁶⁷ On 20 February 2025, the new Special Representative of the Secretary-General for Libya and Head of the United Nations Support Mission in Libya (UNSMIL), Hanna Tetteh, took up her duties and held preliminary meetings in Tripoli and Benghazi with Libyan leaders to advance the political process.

⁶⁸ <https://press.un.org/fr/2025/cs16151.doc.htm>.

⁶⁹ <https://unsmil.unmissions.org/unsmil-welcomes-municipal-council-election-results>.

78. In terms of security, the intersession period was marked in particular by a deterioration of the security situation in Tripoli following the assassination, on 12 May, of the head of the Stability Support Apparatus. The ensuing armed clashes and demonstrations resulted in several civilian casualties, arrests, and damage to civilian infrastructure.
79. From a humanitarian and human rights perspective, the situation also remains of serious concern, with numerous allegations continuing to be reported of human rights violations, including extrajudicial executions, enforced disappearances, arbitrary arrests and detentions without due process, as well as cases of torture and ill-treatment.⁷⁰ Following the violence in Tripoli, several mass graves and human remains were discovered and reported at the Abu Salim Zoo, a site associated with an unofficial detention facility of the Stability Support Apparatus, as well as at Al Khadra Hospital and Abu Salim Hospital. A mass grave containing 30 unidentified bodies was discovered on the shores of Misrata.⁷¹
80. With regard to migrants and refugees, Libya remains both a major destination and a transit country for large mixed migratory flows comprising refugees and migrants. This is largely due to its strategic geographic location and the porosity of its land borders with neighbouring countries. According to the International Organization for Migration's Displacement Tracking Matrix (DTM), an estimated one million migrants of 44 nationalities are currently residing in Libya.⁷²
81. Despite the efforts undertaken by the Libyan authorities and their expressed commitment to promoting a human rights-based approach to migration governance⁷³ and the management of irregular migration, migrants, refugees and asylum seekers continue to face numerous challenges. These stem largely from limited access to their human rights (particularly in view of the increase in their numbers since the outbreak of the conflict in Sudan in April 2023),⁷⁴ as well as from widespread violations, including sexual and economic exploitation. During the intersession period, thousands of migrants and refugees were intercepted by Libyan border guards at land borders or while attempting to cross the Mediterranean from the Libyan coast, amid allegations of violence against them.⁷⁵

⁷⁰ Security Council, Doc. S/2025/509 (8 August 2025): <https://docs.un.org/en/S/2025/509>

⁷¹ Security Council, Doc. S/2025/509.

⁷² https://dtm.iom.int/sites/g/files/tmzbdl1461/files/reports/DTM_Libya_R57_Migrant_Report%20-%20Final.pdf?iframe=true.

⁷³ Trans-Mediterranean Forum on Migration in Tripoli, organized by the Government of National Unity.

⁷⁴ One of the main factors behind the recent migratory flows to Libya is the armed conflict that broke out in Sudan on 15 April 2023. According to UNHCR, as of 1 September 2025, the total population of Sudanese nationals in Libya, including those already present before April 2023 and those who arrived afterwards, was estimated at 323,000 persons.

⁷⁵ Excessive use of force in the context of border control measures, including summary returns, pullbacks, and interception operations. Abandoning vessels in distress, delaying the launch of search and rescue operations, returning people to the high seas without water or food, and relying on assistance to be provided by another State amount to life-threatening situations and constitute a violation of the right to life. United Nations General Assembly, Doc. A/80/302 (4 August 2025), Report of the Special Rapporteur on the human rights of migrants, Gehad Madi – The externalization of migration governance and its impact on the human rights of migrants: <https://docs.un.org/en/A/80/302> <https://www.infomigrants.net/fr/post/67181/mer-mediterranee--une-quarantaine-dong-reclament-une-nouvelle-fois-la-fin-du-partenariat-entre-lue-et-la-libye>

Hundreds have died and others remain missing,⁷⁶ largely as a result of the often extreme conditions along irregular migration routes. Those intercepted were reportedly transferred to facilities where they are being held in arbitrary detention.

82. In terms of good practices, Libya has recorded several positive developments, including:

- the establishment by the Presidential Council of two committees, composed of key stakeholders, to address security and human rights concerns. These efforts aim to strengthen security measures to prevent the outbreak of fighting and ensure the protection of civilians, while also addressing human rights concerns in detention centres and the widespread practice of arbitrary detention. These committees come at a critical moment, as Libyans are calling for meaningful reforms and for State institutions that are accountable and democratic.⁷⁷
- Consensus reached on the key elements of a draft law on missing persons during a meeting held in Tripoli on 17 and 18 September, as part of a joint initiative by the United Nations Support Mission in Libya (UNSMIL) and the United Nations Development Programme (UNDP) entitled “Addressing the Issue of Missing Persons in Libya.” During the meeting, participants agreed on the need to establish a unified national commission on missing persons, with a clear mandate to avoid duplication among existing institutions. They emphasized the need to align the law with international standards on enforced disappearances, to strengthen the protection of families, and to link the search for missing persons with transitional justice.⁷⁸ This represents a significant step forward in safeguarding the rights of missing persons and their families.
- Finally, on 12 May, Libya, in a declaration submitted to the Registry of the International Criminal Court under Article 12(3) of the Rome Statute, accepted the Court’s jurisdiction over alleged crimes committed on its territory between 2011 and 2027⁷⁹.

83. We encourage the Libyan Government to continue its efforts to improve the human rights situation in the country.

2) Niger

84. During the intersession period, Niger continued to face major challenges due to regional instability stemming from neighbouring countries such as Mali, Burkina Faso and Nigeria, as well as the activities of armed groups⁸⁰ and cross-border criminality, particularly in the regions of Tillabéri, Maradi, Diffa and Tahoua, where the security

⁷⁶ Security Council, Doc. S/2025/509.

⁷⁷ See official communiqué of the Government of National Unity (4 June 2025).

⁷⁸ <https://unsmil.unmissions.org/drafting-missing-persons-law-moves-forward-un-facilitation%C2%A0%C2%A0>

⁷⁹ <https://www.icc-cpi.int/fr/news/la-libye-accepte-la-competence-de-la-cpi-pour-des-crimes-presumes-entre-2011-et-fin-2027>

⁸⁰ Boko Haram, the Islamic State, and the Patriotic Movement for Freedom and Justice (MPLJ), a rebel movement fighting for the release of Nigerien President Mohamed Bazoum.

situation remains a source of concern. In Tillabéri, attacks attributed to the Islamic State in the Sahel resulted in casualties among both the Defence and Security Forces and the civilian population. There have also been allegations of insufficient protection measures prior to certain attacks, as well as incidents linked to operations conducted by national forces. For instance, on 22 September, an airstrike carried out in Injar (Kourfeye) in pursuit of armed groups reportedly caused several civilian casualties. Other reports refer to the deaths of hundreds of civilians in the Tillabéri region, notably as a result of drone strikes on markets, artisanal mining sites and public transport vehicles.⁸¹

85. With regard to rights and freedoms, the period was marked by the dissolution of four magistrates' unions,⁸² a decision taken by the authorities on the grounds that they had allegedly failed to contribute to the proper functioning of the justice system.⁸³ This measure, adopted in a context of structural crisis within the sector (marked by insufficient resources and persistent dysfunctions) raises concerns regarding the independence of the judiciary and the freedom of association guaranteed under the African Charter on Human and Peoples' Rights. The Commission recalls that any restriction on these rights must comply with the principles of legality, necessity and proportionality, and urges the State to prioritise institutional dialogue and the disciplinary mechanisms provided for by law.

86. The situation of many human rights defenders, such as Moussa Tchangari, is also a matter of concern, following numerous allegations of arbitrary arrests and detentions, as well as restrictions on the activities of certain humanitarian NGOs and the dissolution of others – measures that have affected the delivery of humanitarian aid and assistance on which many people depend, given the challenges Niger faces in this regard. We urge the Nigerien authorities to allow these NGOs to continue their humanitarian work freely, in accordance with national laws.

87. As a good practice, it is important to note that Niger, with the support of UNHCR, launched the Global Alliance to End Statelessness (October 2024, operationalised in August 2025 in Diffa) to accelerate national reforms, expand access to civil registration and nationality, and strengthen institutional coordination among the State, civil society and partners. "Statelessness" working groups are active in six regions, bringing services closer to the communities.⁸⁴

3) Senegal

⁸¹<https://www.hrw.org/fr/news/2025/09/10/niger-un-groupe-arme-islamiste-a-execute-des-civils-et-incendie-des-maisons>

⁸² The Autonomous Union of Magistrates of Niger (SAMAN), the Independent Union of Magistrates of Niger (SIMAN), the National Union of Judicial Officers (SNAJ), the Union of Senior Officials of the Justice Administration (SYNCAT), and the Union of Magistrates of Niger (UMAN).

⁸³ <https://www.anp.ne/le-ministere-de-la-justice-dissout-tous-les-quatre-syndicats-du-secteur/>

⁸⁴ UNHCR, 12 August 2025, <https://www.unhcr.org/africa/news/press-releases/niger-officially-launches-global-alliance-end-statelessness>

85. During the period under review, reports indicated an increasing number of prosecutions for opinion-related offences, including the conviction of journalist Doudou Coulibaly on charges of offending a foreign Head of State,⁸⁵ the imprisonment of several media personalities, and the growing number of police summonses issued to opposition figures.⁸⁶ These developments raise concerns about a backsliding in freedom of expression and of the press, as guaranteed by the Constitution and by Article 9 of the African Charter. The Commission recalls that any restriction on freedom of expression must meet the criteria of legality, necessity and proportionality, and urges the Senegalese authorities to adopt responses consistent with regional and international standards for the protection of journalists and human rights defenders.

86. At the same time, the Commission notes with satisfaction the adoption of four key pieces of legislation aimed at strengthening transparency, public integrity and accountability: (i) the protection of whistleblowers; (ii) the reform of the National Anti-Corruption Office (OFNAC); (iii) access to information; and (iv) asset declaration.⁸⁷ These laws represent a significant normative development and provide an enhanced framework for the prevention, detection and sanction of corruption. We encourage their effective implementation, the allocation of adequate resources to the competent institutions, and the establishment of independent monitoring mechanisms involving civil society and all other stakeholders.

4) Tunisia

87. This intersession period was marked by the dissolution of the National Authority for Access to Information (INAI) in August 2025,⁸⁸ a measure that may be seen as undermining one of the major achievements of the 2011 revolution. Established under the Organic Law of March 2016, this independent body enabled citizens and journalists to obtain information from public institutions. Its dissolution risks undermining freedom of expression and administrative transparency, both guaranteed by the Tunisian Constitution and by Article 9 of the African Charter.

⁸⁵https://www.seneneews.com/actualites/derniere-minute-doudou-coulibaly-finalement-place-en-garde-a-vue_556199.html.

⁸⁶https://www.lemonde.fr/afrique/article/2025/07/10/au-senegal-la-liberte-d-expression-mise-a-mal-par-la-multiplication-des-delits-d-opinion_6620458_3212.html

⁸⁷https://www.seneweb.com/fr/news/9/transparence-et-lutte-contre-la-corruption-bassirou-diomaye-faye-promulgue-quatre-lois_n_469068.html

⁸⁸<https://rsf.org/fr/tunisie-fermeture-de-l-instance-nationale-d-acc%C3%A8s-%C3%A0-l-information-un-nouveau-coup-port%C3%A9-au-droit-%C3%A0>; Statement by the National Union of Tunisian Journalists (SNJT) https://web.facebook.com/snjt.tunisie/posts/pfbid028CqzBdhH3NKbb6A9uKP1uta8bxjkdA4RzM87Bx3hJvtPXcXsyVgbAvqxAEB09pbl?locale=fr_FR&rdc=1&rd#.

88. The Commission urges the Tunisian Government to consider restoring independent mechanisms for access to information, cornerstones of good governance and public accountability, and to refrain from any measures that could weaken institutions safeguarding fundamental freedoms.
89. On another note, the arbitrary arrest and detention of Judge Mourad Messaoudi⁸⁹ raise serious concerns regarding the independence of the judiciary and judicial immunity, as guaranteed by the Tunisian Constitution and several provisions of the African Charter. The Commission urges the Tunisian Government to ensure that all alleged misconduct by members of the judiciary is investigated and prosecuted, where warranted by evidence and in accordance with the law, including with full respect for judicial immunity. It also calls for the restoration of an independent High Council of the Judiciary, entrusted with matters of discipline and the dismissal of judges and prosecutors.
90. Furthermore, the issue of migration remains a matter of concern in Tunisia, as in much of the Continent. While it is important to acknowledge the efforts undertaken by the Tunisian Government in facilitating voluntary return and reintegration operations, noting that in August 2025 the Tunis office of the International Organization for Migration (IOM) assisted in the voluntary return of 268 Guinean nationals,⁹⁰ the practice of refoulement and collective expulsions continues, albeit at a reduced scale. While commending these efforts, we urge the Tunisian authorities to ensure that return operations, migration control measures and the dismantling of informal camps are carried out in full compliance with international and regional human rights standards, with particular attention to the dignity, safety and access to healthcare of migrants, especially women and children. We also urge the Tunisian authorities to take the necessary measures to put an end to collective expulsions and to protect the human rights of all migrants, regardless of their migration status, while ensuring respect for their human dignity.
91. As another good practice, we commend the adoption of Law No. 2025-09 of 21 May 2025 on the regulation of employment contracts and the prohibition of subcontracting, which is broadly in line with human rights instruments. The law seeks to strengthen the protection and stability of workers, notably by establishing open-ended contracts as the general rule, prohibiting labour subcontracting, and ensuring better access to social rights.

VI. CONCLUSIONS AND RECOMMENDATIONS

⁸⁹ <https://www.icj.org/tunisia-cease-judges-arbitrary-prosecution-and-detention/>.

⁹⁰ <https://www.infomigrants.net/fr/post/66636/tunisie--plus-de-260-migrants-guineens-ont-beneficie-de-laide-au-retour-volontaire-en-aout>

92.I wish to reiterate the recommendations made in previous reports, several of which remain relevant, while adding new ones, in particular:

a) To States Parties to the African Charter:

- Endorse and implement the African Guiding Principles on the Human Rights of All Migrants, Refugees and Asylum Seekers, adopted in 2023 by the African Commission on Human and Peoples' Rights;
- Endorse and implement Resolution ACHPR/Res.486 (EXT.OS/XXXIII) 2021 on missing migrants and refugees in Africa and the impact on their families, as well as Resolution ACHPR/Res.565 (LXXVI) 2023 on the inclusion of refugees, asylum seekers, internally displaced persons and stateless persons in national socio-economic systems, services and economic opportunities in Africa;
- Ensure that refugees are able to fully enjoy all their human rights, including their economic and social rights, as well as certain freedoms guaranteed under national laws;
- Uphold the principles of the Geneva and OAU Conventions on the protection of refugees, which enshrine the fundamental principle of non-refoulement and the prohibition of collective expulsions;
- Ratify the Protocol to the African Charter on Human and Peoples' Rights on the Specific Aspects of the Right to Nationality and the Eradication of Statelessness in Africa, with a view to enabling its entry into force as soon as possible;
- Increase the assistance provided to States hosting large numbers of asylum seekers or refugees, on the basis of the principle of burden- and responsibility-sharing;
- End the detention of migrants solely on the basis of their migration status, and, wherever possible, replace it with alternatives to detention that are more humane and respectful of the dignity of migrants;
- Respond favourably to the Commission's requests for authorization to undertake promotion missions.

b) To all Member States of the African Union:

- Ratify the Protocol to the Treaty establishing the African Economic Community relating to Free Movement of Persons, Right of Residence and Right of Establishment;
- For those that have not yet done so, ratify the OAU Convention Governing the Specific Aspects of Refugee Problems in Africa (1969); and for those that have, ensure its effective implementation;
- Realise the objectives set out in the 2018 Global Compact on Refugees;
- Engage more actively in preventing the forced displacement of populations both within and beyond national borders, regardless of the causes of displacement (armed conflicts, climate change, large-scale development projects, natural disasters, etc.), and ensure protection for affected persons when prevention has failed;

- For those that have not yet done so, accelerate the process of ratifying the African Union Convention for the Protection and Assistance of Internally Displaced Persons in Africa (Kampala Convention); and for those that have ratified it, operationalise its provisions through policies and programmes in favour of internally displaced persons, and report to the Commission on their implementation in periodic reports, in accordance with Article 14(4) of the Convention;
- Commit to the implementation of the 2018 Global Compact for Safe, Orderly and Regular Migration;
- Take concrete measures to effectively address the challenges posed by the impact of climate change on forced population displacements across the continent;
- Take measures to ensure that xenophobic and racially motivated crimes against refugees, migrants and asylum seekers are effectively prosecuted, and that victims have access to remedies.

c) To the African Union:

- Advocate with Member States for the ratification of the Protocol to the African Charter on Human and Peoples' Rights on the Specific Aspects of the Right to Nationality and the Eradication of Statelessness in Africa;
- Encourage Member States to work towards lasting solutions to existing conflicts in order to address the root causes of forced displacement, which continue to generate refugees, internally displaced persons and migrants;
- Accelerate the operationalisation of the African Humanitarian Agency by providing it with substantial funding and effective means of action, enabling it to respond adequately to the various humanitarian situations across the continent;
- Adopt, in partnership with the Commission and other stakeholders, Guidelines on the issue of missing migrants.

d) To the Office of the UN High Commissioner for Refugees, other UN agencies and international organisations:

- Work with African States to identify durable solutions for refugees, asylum seekers and internally displaced persons, with particular attention to protracted refugee situations;
- Increase the financial resources allocated to humanitarian assistance for refugees, asylum seekers and internally displaced persons;
- Enhance collaboration with the African Commission on Human and Peoples' Rights on issues of common interest;
- Continue to support our advocacy for the eradication of statelessness in Africa, as well as the implementation of the recommendations contained in Resolution ACHPR/Res.565 (LXXVI) 2023 on the inclusion of refugees, asylum seekers, internally displaced persons and stateless persons in national socio-economic systems, services and economic opportunities in Africa.

e) To civil society actors and other partners:

- Develop strategies and action plans to promote the ratification of the Protocol on the Right to Nationality and the Eradication of Statelessness in Africa;
- Continue advocacy efforts towards the universal ratification of the Kampala Convention;
- Continue actions on the ground to keep us informed of the situation of refugees, asylum seekers, internally displaced persons and migrants, and provide support and assistance to the Special Rapporteur to enable her to effectively fulfil her mandate;
- To the ICRC: continue working with States and with the Mandate for the effective implementation of Resolution ACHPR/Res.486 (EXT.OS/XXXIII) 2021 on missing migrants and refugees in Africa and the impact on their families.

93. In conclusion, we wish to express our sincere appreciation to all States and partners, in particular the African Union Commission, the ICRC, UNHCR and IOM, national human rights institutions, and all civil society organizations, for their continued support to our Mechanism.

I thank you for your kind attention.