



African Policing Civilian Oversight Forum

**NGO Observer Status No. 372**

**Statement in response to the activity report of the Special Rapporteur  
on Refugees, Asylum Seekers, Internally Displaced Persons and  
Migrants in Africa**

**77<sup>th</sup> Ordinary Public Session of the African Commission on Human and  
Peoples' Rights  
20 October to 9 November 2023  
Arusha, Tanzania**

**Item 5: Activity Reports of the Members of the Commission & Special  
Mechanisms**

Honourable Chairperson and Commissioners.

All protocols observed.

The [African Policing Civilian Oversight Forum](http://www.apcof.org.za) (APCOF) welcomes the opportunity to make a statement in response to the activity report of the Special Rapporteur on Refugees, Asylum Seekers, Internally Displaced Persons and Migrants in Africa.

**African Policing Civilian Oversight Forum**

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APCOF had the privilege to engage with the former Special Rapporteur and Vice-Chairperson of the Commission, Honourable Commissioner Maya Sahli-Fadel on a range of issues. We join the echo of voices in appreciating her contribution to the protection and promotion of human and peoples' rights in Africa. Her dedication to this mandate was clear to all stakeholders, particularly in recent years with emergent human rights crisis related to migration within, and from, the African continent. As an organisation working on policing issues, we have been particularly appreciative of her efforts to raise the human rights challenges inherent in the policing of migrants in a forthcoming joint study with the Special Rapporteur on Prisons, Conditions of Detention and Policing in Africa. As a South African-based organisation, we are furthermore grateful for her willingness to spotlight issues of xenophobic violence in our country. We wish the Honourable Commissioner all the best in her new assignment.

APCOF looks forward to continuing its support to the mandate. The incoming Special Rapporteur inherits this important mandate at a time when the complexities of the human rights challenges associated with migration within and from our continent are an issue of global concern. Clear leadership from the African Commission, and this mandate, on measures to ensure the protection and promotion of human rights in this context has never been more urgent, or needed.

Specifically, APCOF looks forward to engaging the new Special Rapporteur as they continue the work to finalise the joint *Study on the human rights impact of law enforcement on asylum seekers, refugees and migrants in Africa*. The study has recently been disseminated for public comment. Amongst its key findings includes the need to strike a balance between the interests of the state in addressing the security and rights of migrants, while ensuring that the least restrictive options are implemented by law enforcement officials within a framework that protects and respects human rights. Through its partners at the Danish Institute for Human Rights (DIHR), APCOF has been providing technical support for the development and consultation of the draft study. The study will provide an important evidence-base for a range of

recommendations. Accordingly, we encourage the incoming Special Rapporteur to continue the work to finalise the study, and to ensure its broad dissemination to state parties to the African Charter.

**Submitted by:**

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