

IHRDA

INSTITUTE FOR HUMAN RIGHTS AND DEVELOPMENT IN AFRICA
INSTITUTO PARA OS DIREITOS HUMANOS E O DESENVOLVIMENTO NA AFRICA
INSTITUT POUR LES DROITS DE L'HOMME ET LE DEVELOPPEMENT EN AFRIQUE
معهد حقوق الإنسان والتنمية في إفريقيا



MAKING HUMAN RIGHTS DECISIONS MATTER

Regional Insights
and Best Practices
on Implementation
in Africa

APRIL 2026



Institute for Human Rights and Development in Africa

The Institute for Human Rights and Development in Africa (IHRDA) is a pan-African nonprofit organization that promotes the effective use of human rights instruments to advance and protect human rights and development in Africa. The organisation's strategic litigation interventions have established jurisprudence, stimulated legal and policy reform and provided direct support to victims of human rights violations to seek redress. It's mandate rests on three key pillars: defend, educate and inform.

Defend:

IHRDA offers pro bono legal counsel for victims of human rights abuses in Africa, representing victims of human rights violations in cases before national courts and African regional human rights bodies, such as the African Commission on Human and Peoples' Rights or the African Court on Human and People's Rights. The organization's main aim is to increase the application and enforcement of African human rights instruments to bring effective remedies to victims.

Educate:

IHRDA conducts training and other capacity building workshops, including country-specific litigation workshops, for human rights defenders on the African Human Rights System and other Human Rights issues.

Inform:

IHRDA publishes and distributes information on the African Human Rights System for lawyers and other human rights defenders. In addition, IHRDA developed the Case Law Analyser (CLA), a multilingual, free-to-access database of African human rights case law, as well as the SGBV Database, an English and French collection of national legislation and judgments on sexual and gender-based violence case in Africa.

Address:

Institute for Human Rights and Development in Africa (IHRDA)
949 Brusubi Layout, AU Summit Highway,
P.O. Box 1896 Banjul, The Gambia.

Contact us:

Tel: +220 44 10 413/4
Cell: +220 77 51 200
Email: ihrda@ihrda.org
Website: <https://www.ihrda.org/>

© Institute for Human Rights and Development in Africa

First published in April 2026



IHRDA National Implementation Dialogues in Africa

ACKNOWLEDGEMENTS

The Institute for Human Rights and Development in Africa (IHRDA) expresses its sincere appreciation to all individuals and institutions who contributed to the development of this publication.

This synthesis report is the product of a collaborative, multi-country effort involving government officials, representatives of regional and sub-regional human rights mechanisms, national human rights institutions, civil society organisations, academics, legal practitioners, and most importantly, victims and their representatives who shared experiences and insights during the national and regional implementation dialogues. Their openness, expertise, and commitment to advancing accountability and justice were invaluable to the richness and credibility of this work.

IHRDA is particularly grateful to the Open Society Foundation for funding this initiative. Appreciation also goes to the partners and stakeholders in Cameroon, Guinea, Malawi, Mali, Niger, Nigeria, and Sierra Leone who supported the organisation and facilitation of the national implementation dialogues and contributed to the identification of practical challenges and solutions for improving compliance with human rights decisions. We also acknowledge the participants of the regional inter-country dialogue held in Dakar in May 2025 whose reflections and exchanges helped shape the regional perspectives and strategic recommendations presented in this report.

Special appreciation is extended to the experts, facilitators, and presenters who provided technical guidance and analytical insights throughout the dialogue process, as well as to the institutions that provided logistical and technical support for the meetings and collaborations. We further recognise the dedication of IHRDA staff who led the research, documentation, analysis, and drafting processes that culminate in this report.

Finally, we acknowledge the courage and resilience of victims and survivors of human rights violations whose pursuit of justice continues to inspire efforts to strengthen the implementation of decisions across Africa. This report is dedicated to ensuring that their victories before regional and sub-regional mechanisms translate into meaningful change in their daily lives.

TABLE OF CONTENTS

ii	ACKNOWLEDGEMENTS
1	1. INTRODUCTION
2	2. METHODOLOGY
3	2.1 IN-COUNTRY IMPLEMENTATION DIALOGUES
3	2.2 REGIONAL CROSS-COUNTRY DIALOGUE (DAKAR, MAY 2025)
3	2.3 DESK REVIEW AND SUPPLEMENTARY RESEARCH
4	2.4 IN-HOUSE DRAFTING AND VALIDATION
5	3. THE IMPLEMENTATION GAP IN CONTEXT
6	3.1 THE SCOPE OF THE PROBLEM
7	3.2 CONTRIBUTING FACTORS TO NON-IMPLEMENTATION
8	3.3 A CONTINENTAL CRISIS WITH LOCAL MANIFESTATIONS
9	3.4 A MOMENT FOR CHANGE
10	4. LESSONS FROM THE FIELD: NATIONAL DIALOGUE INSIGHTS
11	4.1 CAMEROON
15	4.2 GUINEA
18	4.3 MALAWI
21	4.4 MALI
25	4.5 NIGER
29	4.6 SIERRA LEONE
33	4.7 NIGERIA
36	5. REGIONAL REFLECTIONS: THE DAKAR DIALOGUE
40	6. STRENGTHENING IMPLEMENTATION: PRACTICES AND STRATEGIC ACTIONS
43	CONCLUSION

INTRODUCTION

Across Africa, human rights litigation before regional and sub-regional mechanisms has achieved significant milestones, yielding landmark decisions that affirm the right and dignity of individuals and communities. Yet, for many victims of human rights violations, the promise of justice remains unfulfilled, not because decisions were not delivered, but because they were insufficiently or never implemented.



This persistent gap between judgment and justice continues to undermine the legitimacy of the African human rights system and deprives victims of meaningful redress.



Being one of the key organisations deploying strategic litigation as an instrument to seek accountability, redress for victims and enhancing the rule of law, democratic governance and inclusive development across Africa, the Institute for Human Rights and Development in Africa (IHRDA) has a stake in ensuring compliance with the decisions of regional and sub-regional human rights mechanisms. It is within this context that IHRDA launched a continent-wide initiative to promote the implementation of decisions issued by African regional and sub-regional human rights mechanisms, including the African Commission on Human and Peoples' Rights (ACHPR), the African Court on Human and Peoples' Rights (AfCHPR), the African Committee of Experts on the Rights and Welfare of the Child (ACERWC), and sub-regional courts such as the ECOWAS Community Court of Justice (ECCJ).

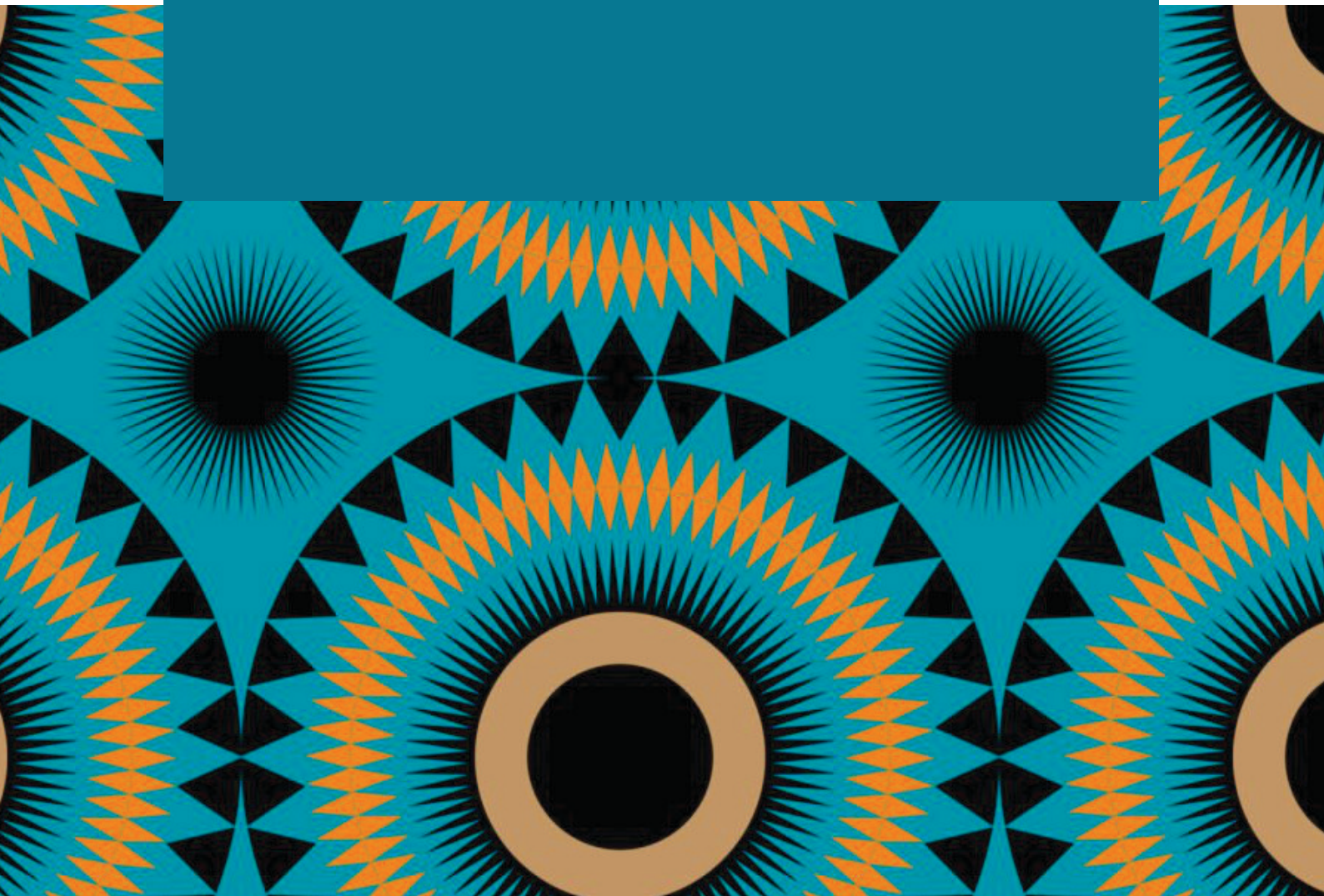
IHRDA convened a series of seven national dialogues in Cameroon, Guinea Conakry, Malawi, Mali, Niger, Nigeria, and Sierra Leone between 2023 and 2025. These dialogues were designed to bring together government actors, national human rights institutions (NHRIs), civil society organisations (CSOs), and victims to assess the status of implementation of specific decisions, discuss implementation challenges, and explore strategies on ensuring full implementation of decisions. Building on the insights and momentum generated through these national conversations, IHRDA hosted a regional inter-country dialogue in Dakar, Senegal in May 2025, to elevate the discussion to a cross-country level, foster peer learning, and collectively strategise towards better implementation.

This guide is a product of that multi-level engagement. It consolidates findings from the national and regional dialogues, supplemented by targeted research and stakeholder inputs. It is intended as a practical and evidence-based resource for member states of the African Union, regional human rights bodies, NHRIs, CSOs and other key actors working towards a more effective human rights accountability system on the continent.

By documenting challenges, showcasing success stories, and outlining strategic and actionable recommendations, this guide seeks to reframe implementation as not just a State obligation, but a shared responsibility. In doing so, it aims to contribute to the creation of sustainable structures, political incentives, and institutional coordination mechanisms that ensure that human rights decisions translate into real change for Africans. We hope it serves as a catalyst for renewed commitment and collective action across the African human rights landscape.

02

METHODOLOGY





METHODOLOGY

This guide was developed through a multi-stage, participatory process that combined direct stakeholder engagement, structured dialogue, and desk-based research to examine the state of implementation of decisions by African human rights mechanisms and sub-regional courts. The aim was to gather concrete evidence, practical insights, and context-specific experiences to inform policy, advocacy, and future implementation strategies.

2.1 IN-COUNTRY IMPLEMENTATION DIALOGUES

Between 2023 and 2025, IHRDA facilitated seven (7) national-level implementation dialogues in Cameroon, Guinea Conakry, Malawi, Mali, Niger, Nigeria, and Sierra Leone. These dialogues were held in partnership with NHRIs, CSO actors, government representatives, representatives of the human rights mechanisms and, where possible, victims of human rights violations whose cases had been litigated before the African regional or sub-regional mechanisms. These countries were selected based on several positive decisions obtained from a range of African human rights mechanisms in cases litigated by IHRDA, in partnership with local organizations or actors in each country. Each dialogue session focused on:

- Understanding the implementation requirements of each decision;
- Reviewing the implementation status of identified decisions;
- Identifying systemic and case-specific barriers to compliance;
- Understanding support needs for countries to fully implement decisions; and
- Developing tailored recommendations for follow-up at national and regional levels.

Outcomes from these dialogues were systematically documented and analysed to identify common patterns and distinct national dynamics.

2.2 REGIONAL CROSS-COUNTRY DIALOGUE (DAKAR, MAY 2025)

To consolidate the findings from national implementation dialogue and encourage regional exchange, IHRDA convened a two-day inter-country regional dialogue in Dakar,

Senegal in May 2025. The meeting brought together over 37 participants from across Africa, including:

- Representatives from the AfCHPR, ACHPR, ACERWC, ECOWAS Court of Justice, and the East African Court of Justice;
- Government officials and focal persons;
- Civil Society actors and legal practitioners;
- Experts, academics and representatives of NHRIs; and
- Victims or their representatives in selected cases.

Sessions included high-level reflection, expert-led presentations, comparative learning from regional and sub-regional mechanisms. Proceedings from this event provided deeper insights into the structural, political, legal and institutional barriers to implementation, as well as emerging good practices and innovative models from across the continent.

2.3 DESK REVIEW AND SUPPLEMENTARY RESEARCH

To complement the in-person engagements, IHRDA conducted a desk review of relevant literature, including:

- Jurisprudence from African and sub-regional human rights mechanisms;
- Policy reports and academic publications on implementation;
- Comparative materials from other regional systems including the European Court of Human Rights and Inter-American Court of human rights); and
- Previous IHRDA publications and legal analysis.

This review helped situate African experiences with a broader international context and supported the identification of replicable models and mechanisms.

2.4

IN-HOUSE DRAFTING AND VALIDATION

The content of this guide was developed by staff of IHRDA, drawing directly from:

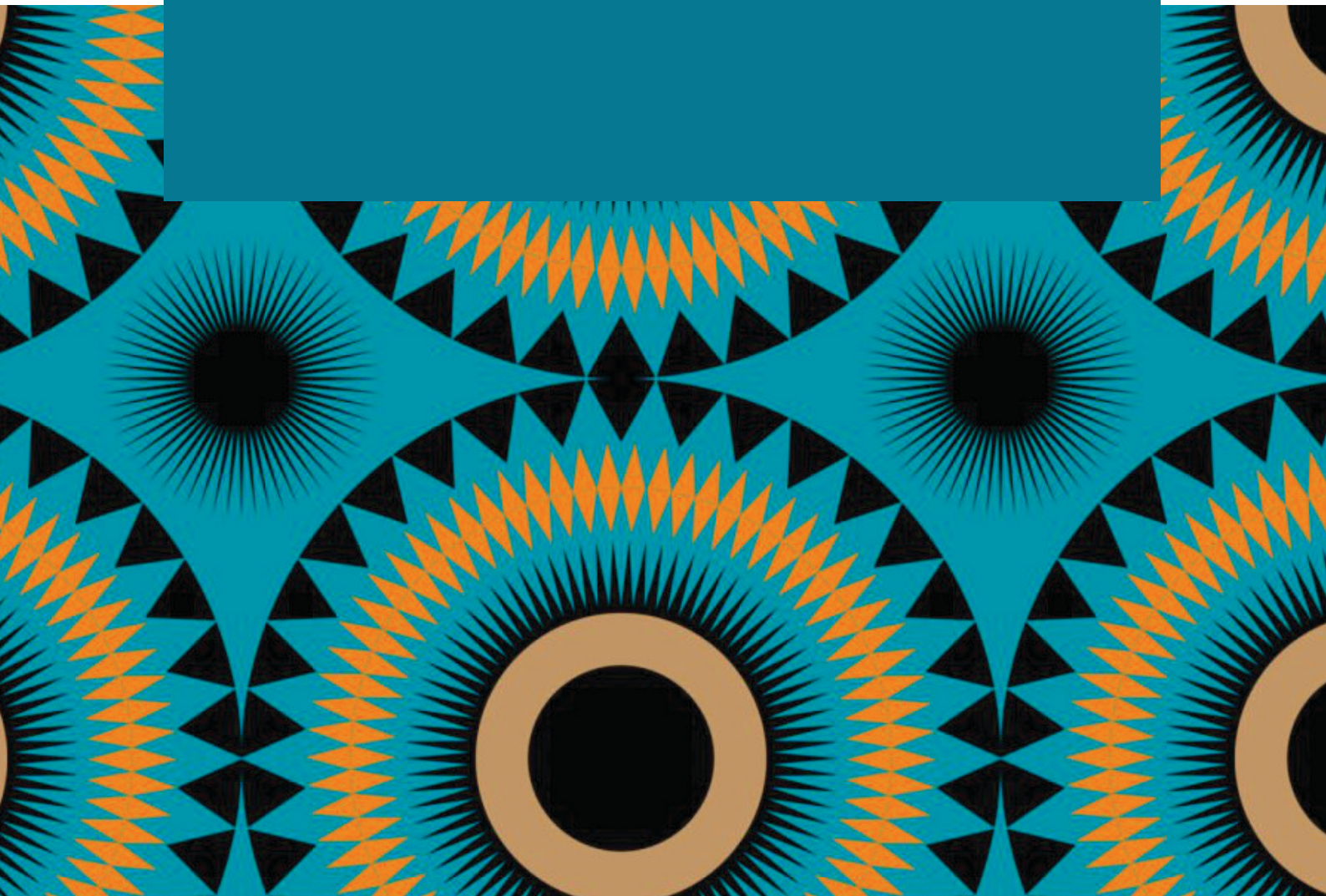
- National dialogue reports;
- Proceedings and recommendations from the Dakar regional workshop;
- Key stakeholder inputs and lived experiences; and
- Internal reflections and lessons from IHRDA's strategic litigation and advocacy.

The drafting process involved consolidating inputs into coherent thematic chapters and identifying cross-cutting findings. To ensure accuracy and relevance, preliminary drafts were shared internally for peer review and refinement.

The result is that we now have an evidence base dataset which allows us to better understand the implementation gap, and importantly, inform interventions going forward by both IHRDA and other actors.

03

THE IMPLEMENTATION GAP IN CONTEXT



THE IMPLEMENTATION GAP IN CONTEXT

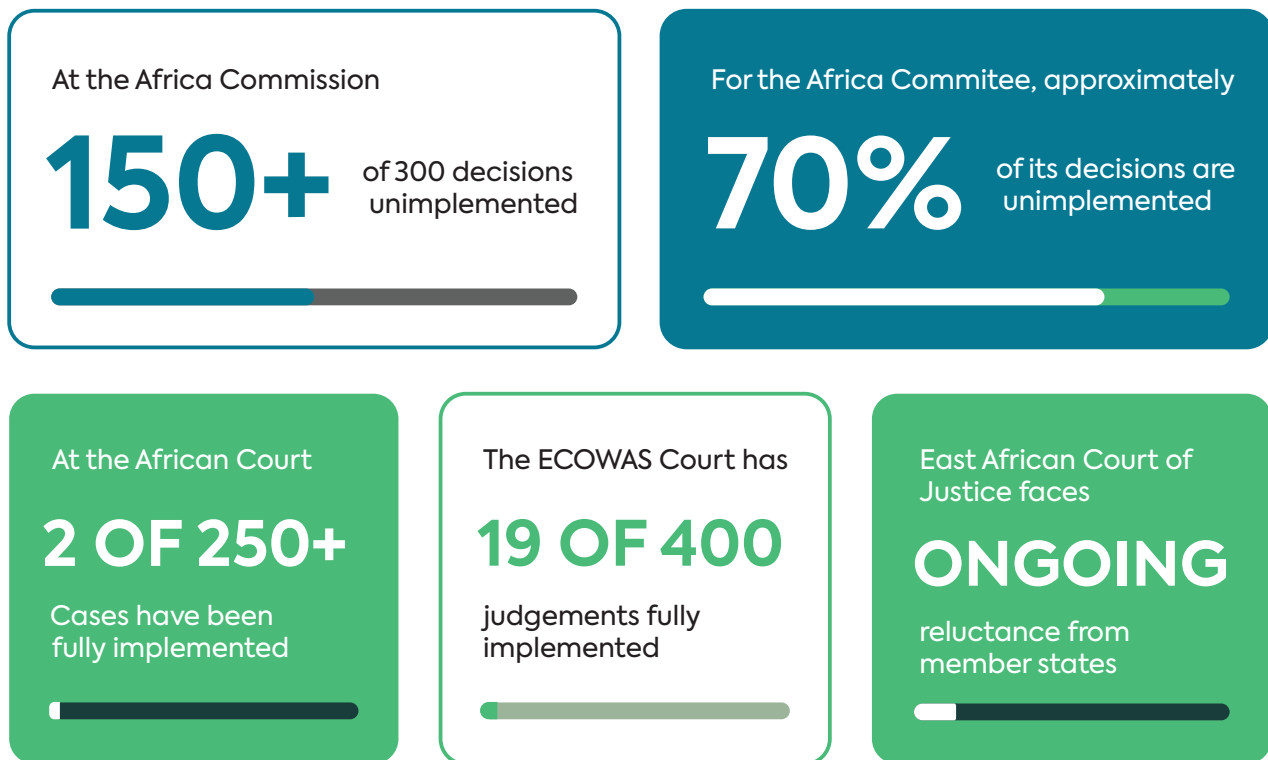
Over the past two decades, African human rights mechanisms and sub-regional courts have significantly shaped the continent's human rights landscape through progressive jurisprudence. These mechanisms, such as the ACHPR, AfCHPR, ACERWC, and sub regional courts such as the ECCJ and the EACJ, have issued hundreds of rulings and recommendations on violations ranging from unlawful detention and discrimination to child rights and freedom of expression.

Yet, despite these legal victories, implementation remains the Achille's heel of the African human rights system. For most victims, the journey from judgment to justice ends in frustration, with decisions languishing without follow-up or consequence.

3.1

THE SCOPE OF THE PROBLEM

Available data as of May 2025 shows a disturbing trend of partial or non-implementation:¹



Unlike other mechanisms, the East African Court of Justice is yet to develop a system to pursue implementation of its decisions. These figures highlight a systemic breakdown in the transition from legal ruling to real world change, which has significant consequences for the authority, credibility and legitimacy of these vital human rights mechanisms. Sustained non-implementation of their decisions will ultimately result in weakened trust from victims and their representatives. This in turn limits the utilisation of these mechanisms as avenues for peaceful resolution of disputes. It could also compel victims to resort to other self-help avenues such as political unrest and even violent conflicts, with their accompanying consequences of immense human suffering and stagnation of development.

1. Professor Robert Doya Nanima, Presentation on "The journey of implementation of decisions by ACERWC: Processes, trends and challenges." Delivered at the Regional Inter-Country Dialogue held in Dakar, May 2025.

This is an undesirable consequence that should be avoided, necessitating the urgent need to ensure that states take their obligations to comply with human rights treaties including the

decisions emanating from human rights mechanisms seriously, through prompt and full compliance.

3.2

CONTRIBUTING FACTORS TO NON-IMPLEMENTATION

From the dialogues and expert reflections, the implementation gap can be traced to a mix of legal, institutional, political, cultural and information barriers:

a) Lack of Political Will

States often perceive adverse decisions as political rather than legal, resulting in unwillingness to comply, more so when non-compliance invites no sanction(s) or overt consequence. Rather than constructively engaging with the processes and decisions from regional and sub-regional human rights mechanisms as opportunities for peaceful dispute resolution and norm development, most African states take a rather antagonistic approach to human rights accountability measures, often treating victims and their representatives as troublemakers whose only motivation is to embarrass the state or its officials. This antagonistic approach often results in situations where decisions are ignored or not fully implemented. This may be broadly linked to political signalling by member states through the ratification of treaties without the commensurate commitment to be bound by their provisions, which is a necessary precondition to voluntary compliance.

b) Absence of Enforcement Mechanisms

Regional and sub-regional human rights mechanisms, unlike national courts, lack formal mechanisms for enforcement and by design rely on State cooperation for enforcement, failing which the expectation is that the relevant political processes (such as diplomatic pressure and ultimately sanctions) will be activated by the political actors to ensure compliance. These political processes are rarely utilised by the African Union and regional economic communities, resulting in the current general state of non-compliance. Thus, the absence of diplomatic or political consequences further enables this trend.

Again, unlike foreign arbitral awards which may be enforced through national courts under the Convention on the Recognition and Enforcement of Foreign Arbitral Awards (New York Convention) of 1958 or foreign judgments

in civil and commercial matters which may be enforced through the Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters of 2019, legal frameworks do not currently exist for the enforcement of decisions of international, regional and sub-regional human rights mechanism through national courts. This presents a significant impediment to the implementation of these decisions in the absence of the cooperation of the respondent state.

c) Weak Domestic Incorporation

In dualist legal systems, where international law must be translated into national law, decisions are not directly enforceable unless domesticated, a step many countries have not taken. Even in monist states where there is often the formal recognition of international law as part of the national legal system, the lack of domestication of international law has often presented a challenge to the enforcement of the decisions of regional and sub-regional human rights mechanisms.

d) Institutional Fragmentation

There are limited formal avenues through which decisions from regional and sub-regional human rights mechanisms may be implemented. Most Member States lack a dedicated agency or focal point to receive, track, and implement decisions. Even where national implementation focal points or Inter-ministerial committees for implementation exist, these mechanisms are often not clothed with the necessary legal backing and or severely underfunded or inactive and therefore are generally ineffective.

e) Judicial Resistance and Capacity Gaps

The persistent lack of domestication of regional human rights instruments has resulted in a situation where some national court judges cite the lack of legal authority to enforce decisions from regional and sub-regional human rights

mechanisms. This is sometimes coupled with the lack of capacity of some national court judges to appreciate the relationship between international human rights treaty obligations and the national legal system resulting in open resistance against the decisions of regional human rights mechanisms.

f) Lack of Communication and Transparency

A recurrent issue is the lack of updates from States to the regional bodies. Without implementation reports or feedback, the mechanism cannot track compliance or apply pressure. Applicants and litigants equally do not always report back to the mechanisms on the state of implementation. The result is that many decisions are formally categorized as not implemented for want of status updates. There have been situations where some implementation has taken place, but that information is not known to the mechanism that rendered the decision.

g) Limited Role of Parliaments and NHRIs

Parliaments are rarely engaged in the implementation process, even where legislative reforms are required. Similarly, NHRIs which

usually are mandated by legislation to advise state actors on international and regional human rights obligations are often left out of conversations relating to the implementation of decisions emanating from regional and sub-regional mechanisms. This weakens the roles of these important national institutions in the implementation of decisions.

h) Public Awareness and Media Silence

Implementation continues to be a significant challenge because it has often been approached as a problem of the litigants or victims rather than as a national conversation towards enhancing the rule of law, human rights and democracy. As a result, there is often limited media attention and public awareness about decisions and their implications beyond the litigants, which could foster broader public debate and pressure towards implementation. Without public awareness, non-implementation is often not politically costly for respondent states, which reduces their incentive for compliance. Continuous public awareness and engagement is necessary to ensure visibility of decisions, their implications and to galvanize the pressure on states to comply with decisions of the regional human rights mechanisms.

3.3

A CONTINENTAL CRISIS WITH LOCAL MANIFESTATIONS

While these challenges are shared across the continent, their manifestations vary by country. In Guinea Conakry and Sierra Leone, for instance, court-ordered reparations remain unpaid for years. In Malawi, implementation of a decision required constitutional reform (which has been completed) and cross-sector collaboration for comprehensive review and harmonization of affected legislation (currently ongoing). In Niger, notable progress has occurred even during political transitions, showing that context-specific strategies matter.

At the heart of the gap is the failure to translate legal obligations into political priorities. This is not simply a legal or technical challenge; it is a political economy problem. Understanding who controls the levers of implementation, and why decisions are ignored or delayed, is central to any meaningful reform.

3.4

A MOMENT FOR CHANGE

Despite the sobering data, there are signs of progress:

Several mechanisms, including the African Court Commission and ACERWC, are beginning to institutionalise follow-ups and implementation hearings, and to meaningfully document and track implementation.

The ECOWAS Court, through its Registry, plays a central role in monitoring compliance and engaging national authorities on implementation timelines, thereby providing a structured institutional framework for follow-up on its decisions.

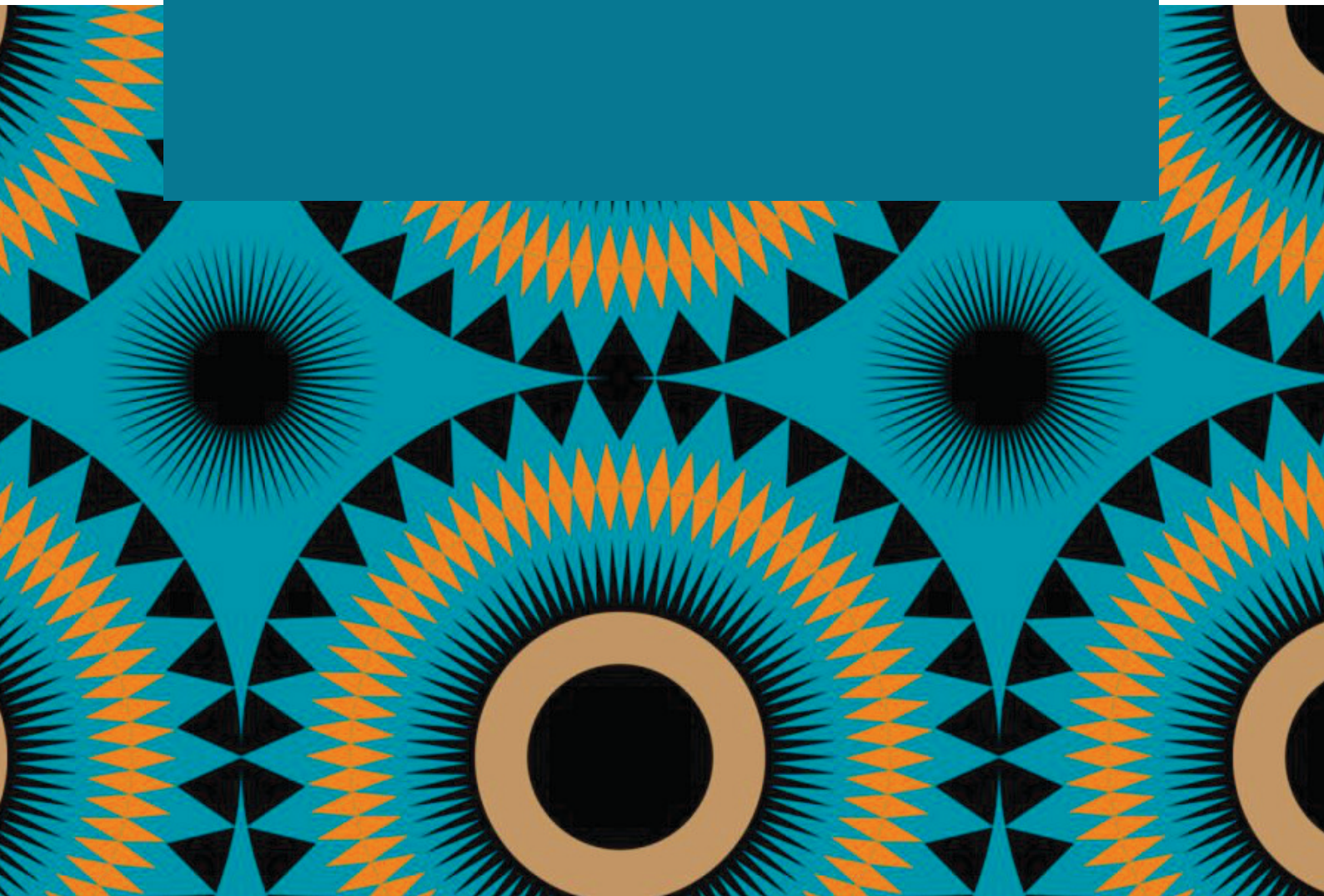
States like Malawi and Niger have shown that constructive engagement, coordination, and civil society pressure can produce results.

There is now an opportunity to build on the openings. As this guide will illustrate, effective implementation is achievable, but only when stakeholders across the spectrum collaborate, innovate, and persist in holding duty bearers accountable and building partnerships in support of implementation.



04

LESSONS FROM THE FIELD: NATIONAL DIALOGUE INSIGHTS





CAMEROON

4.1 CAMEROON

4.1.1

Overview of Implementation Dialogue

The public dialogue in Cameroon was held in Yaounde, on 15 May 2024 with the support of Finders Group Initiative (FGI). The dialogue sought to assess the level of implementation of the recommendations of the African Committee of Experts on the Rights and Welfare of the Child (ACERWC) in *IHRDA and FGI on behalf of TFA (A Minor) v Republic of Cameroon*, Communication No: 006/Com/002/2015 (Decision No:001/2018) made in September 2018. The dialogue was aimed at advocating and crafting strategies for the engagement of all stakeholders towards the full implementation of the recommendations.

The event brought together representatives of relevant government institutions (notably the Ministries for Justice, Social Affairs, Women's Empowerment and the Family, and the Judiciary), the National Human Rights Commission, international human rights institutions such as UNICEF, UNCHR-C, Civil Society Organizations, the media and representatives of the survivor's family.



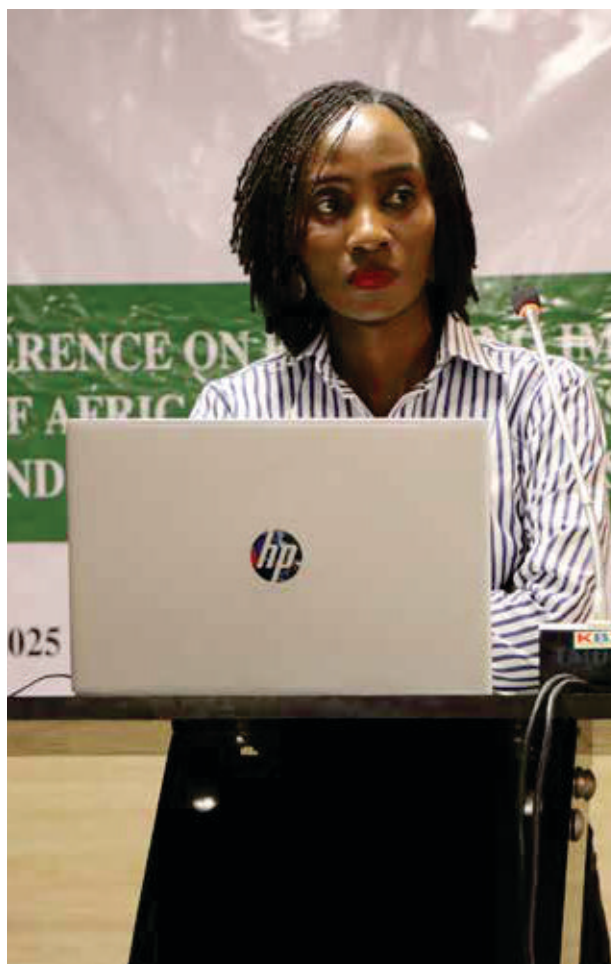
4.1.2

Overview of the Case and Judgment Presented for Dialogue

TFA, a minor, was severely raped in April 2012 by a prominent and influential figure in Amanda, North-West region of Cameroon. TFA's aunt lodged a complaint with the Police but the matter was neither properly investigated nor effectively prosecuted and was eventually dismissed by an Examining Magistrate for lack of evidence. All efforts to secure a copy of the Court's ruling for the purposes of appeal were not successful. The victim's aunt, feeling frustrated by this injustice sent a message to a radio station to express her frustration with the situation. The aunt and a representative from Finders' Group Initiative who supported her to seek justice on behalf of TFA were subsequently charged and arraigned for defamation and aiding and abetting, respectively.

IHRDA and FGI therefore approached the ACERWC on behalf of TFA alleging that the failure of Cameroon to effectively investigate, prosecute and punish the perpetrator violates TFA's rights to protection against abuse and torture, and non-discrimination, among other rights.

The ACERWC found that Cameroon failed to exercise due diligence by not investigating the violation, prosecuting and punishing the perpetrator, or ensuring an effective remedy for the victim. This informed the Committee's finding that Cameroon was in violation of its obligations under article 1 (obligation of states parties), article 3 (non-discrimination) and article 16 (protection against child abuse and torture) of the ACRWC. The Committee recommended for Cameroon to immediately prosecute and punish the perpetrator; pay TFA the sum of 50 million CFA for the moral damage suffered; enact and implement legislation to eliminate all forms of violence, including sexual violence against children; and train the police, prosecutors and judges on how to protect and advance children's rights, among other recommendations.



4.1.3

Status of Implementation

There has been partial compliance with the recommendations of the Committee especially in terms of the non-monetary recommendations.

Measures that have been taken by the Government of Cameroon include commencing the prosecution of the alleged perpetrator, as the initial ruling was eventually appealed and overturned by the Court of Appeal where an order for retrial was granted.

The government maintained that, because of the order for a retrial, the perpetrator was in fact retried before the Court of First Instance in Bamenda, convicted and sentenced to 12 years' imprisonment in judgment No 29/CRIM/22 of 30 August 2022.² The perpetrator has filed an appeal against the conviction and sentence. Thus, following the decision of the Committee the perpetrator has been retried, convicted and sentenced to an imprisonment term of 12 years which he is currently serving, even though he appealed the decision.

The award of 50 million CFA has not been paid to TFA. The government however maintained that, in collaboration with some CSOs, it has been supporting TFA's education and providing her with psycho-social support until she becomes an adult. The compensation therefore remains outstanding, although some support has been given to TFA to attend school and receive psychosocial support.

In terms of legislative reforms that were recommended by the Committee, relevant officials of the Government of Cameroon indicated that the new Penal Code which was enacted in 2016 includes offenses related to female genital mutilation (FGM), damage to the growth of an organ related to the phenomenon of breast ironing and rape of a minor. This legislative enactment/amendment was

2. Report of the Ministry of Justice of on Human Rights in Cameroon in 2022, Yaounde, December 2023. See page 270 – 271. Available here: https://www.spm.gov.cm/site/sites/default/files/rapport_minjustice_sddh_anglais_2022.pdf.



adopted before the Committee's decision in TFA's case and did not fully address the scope of the Committee's recommendation in this regard.

It therefore appears that no specific legislation has been enacted in compliance with the Committee's recommendations.

4.1.4

Challenges

Participants in the dialogue identified several challenges slowing down the implementation of the recommendations including:

(a) *Unclear Implementation Procedure*: The procedure for implementing decisions and recommendations emanating from the African regional human rights mechanisms is quite unclear and difficult to understand and navigate in Cameroon. This is because there are no specifically designated authorities in government ministries charged with the responsibility for the implementation of decisions of the regional human rights mechanisms. Family members of TFA indicated that they found it difficult to follow up for the payment of the compensation.

(b) While there is an *Inter-ministerial Committee for monitoring the implementation of the recommendations of human rights monitoring*

mechanisms, established in April 2021, which is housed in the office of the Prime Minister and chaired by the Prime Minister, participants complained that there were no clearly laid out procedures for accessing the Inter-Ministerial Committee and therefore it lacked transparency and consequently is not easily accessible for victims. Participants also expressed that despite its creation, the effectiveness of the Committee in implementing decisions has been questioned, with noted delays in implementing recommendations from human rights mechanisms.³

(c) Participants also expressed that because there are no deadlines or timeframes specified

3. This concern was also raised by stakeholders during their implementation dialogue on "Implementation of recommendations of human rights mechanisms: Cameroonian stakeholders poised to redynamise monitoring actions." Organized by the United Nations Centre for Human Rights and Democracy in Central Africa. Available here: https://cnudhd.com/img_documents/document55/bulletin-r-d-focus-n-66-du-29-aout-2014.pdf.

in the recommendations, it is difficult to determine when the State should have implemented the various recommendations and to identify milestones towards implementation.

(d) While the State identified several measures taken to address the violations, they were general actions that might not have been taken in response to the recommendations. They consequently do not address the specific conditions of TFA.

(e) The lack of dedicated funds or budget allocation to offset monetary awards from regional human rights mechanisms poses a challenge to implementation, a difficulty compounded by the government's limited financial resources due to the costs of ongoing conflicts in various regions of the country.



4.1.5

Recommendations

In respect of this case, the following recommendations emerged:

(a) There should be direct engagement with the appropriate ministries instead of the Interministerial Committee to avoid any further delay in implementation. Some government officials suggested that three Ministries are involved in the implementation process: the Ministry of Justice, Ministry of External Relations, and the Ministry of Social Affairs and Women Empowerment, and these should be directly engaged.

(b) Intensified advocacy is needed to revive and ensure the effective functioning of the Interministerial Committee for monitoring the implementation of the recommendations of human rights monitoring mechanisms, as it is the government's primary body for responding to decisions emanating from international human rights mechanisms.

(c) Applicants should coordinate with State authorities to follow up with contacts in the Ministry of Finance to determine from whose budget the payment of compensation will come; and which ministries are responsible for implementation of all other aspects of the decision.

(d) The State authorities, through proper coordination with and among relevant ministries, should develop a roadmap and plan of action for the full implementation of the Committee's recommendations in TFA's case.

(e) State authorities must ensure transparency of the implementation process through developing a specific database to track the measures taken to implement not only this decision but all recommendations emanating from regional and UN human rights bodies.

(f) The Commission des Droits de l'Homme du Cameroun (CDHC) should take up the role of advocating for the government to fully commit to implementing decisions from human rights monitoring bodies and should take the frontline role in coordinating stakeholders towards the revival and reactivation of the Inter-Ministerial Committee. Participants also recommended that the CDHC should mediate between victims and the relevant government authorities with the view to facilitating the full implementation of the Committee's recommendations.



GUINEA

4.2 GUINEA

4.2.1

Overview of the Implementation Dialogue

The national dialogue in Guinea was held in Conakry on 7 August 2024 in collaboration with Les Mêmes Droits pour Tous (MDT), with the aim to facilitate engagement amongst participants on the implementation of decisions in Guinea. Participants were from government bodies, the national human rights institution, civil society organizations, the media, and other relevant stakeholders.



The dialogue targeted the implementation of two decisions rendered by the ECOWAS Court of Justice (ECOWAS Court) against Guinea, namely:

- Bintou Cissé v. Republic of Guinea, ECW/CCJ/APP/34/16, ECW/CCJ/JUD/10/18; and
- Alhousseine Camara v. Republic of Guinea, ECW/CCJ/APP/30/2016 ECW/CCJ/JUD/18/19.

These judgments were delivered in April 2018 and May 2019, respectively.





4.2.2

Overview of cases

The first case *Bintou Cissé v. Republic of Guinea* involved the torture of the son of the applicant by Guinean police officers while in custody. Ms. Cissé filed the case at the ECOWAS Court alleging that the death of her son resulting from torture in police custody and the failure of the state to investigate, prosecute and punish the offenders was a violation of the right to life and right to fair trial.

The ECOWAS Court found in favour of Ms Cisse, concluding that the failure of Guinea to investigate the torture and death of her son amount to violations of the right to life as well as the right to a fair trial and ordered Guinea to pay a sum of 45,000,000 CFA as reparation. The court did not grant any non-monetary compensation.

The second case, *Alhousseine Camara v. Republic of Guinea*, involved a 21-year-old Mr. Camara who was arrested by police without being given a reason. He was then questioned about a bag stolen from a lady. When he refused to plead guilty to this alleged crime, the police brutally tortured him by tying him over a burning fire and beating him. He eventually broke the cords on his arm and fell into the fire resulting in his back being severely burned, and his left arm broken. In its judgment, the Court condemned Guinea for violating the right not to be subjected to torture and the right to liberty and security of person and ordered Guinea to pay compensation 940,000,000 GNF for the harm suffered and to present a public apology to the victim. Similar to the case of Bintou Cisse, the Court did not grant any monetary compensation.

4.2.3

Status of Implementation

During the dialogue, it was revealed that the monetary compensation awarded in both cases has not been paid by the government of Guinea to victims. All efforts to follow up with the appropriate authorities by victims, their family members and representatives have been unsuccessful as the government of Guinea has shown no commitment or seriousness to implement these decisions.



4.2.4

Challenges

The challenges expressed by participants during the dialogue include the following:

(a) Lack of proper coordination among the relevant State organs: full implementation of the judgments in both cases requires the input of the Ministry of Justice, Ministry of Interior, and the Ministry of Finance. The lack of coordination among them hampers efficient implementation.

(b) Lack of political will: Though Guinea has engaged in various stakeholder dialogues, there has been slower progress on actual implementation steps suggesting the absence of strong political commitment.

(c) Resource constraints: full implementation of the judgment requires mainly the payment of reparations, psycho-social support and investigating, prosecuting and punishing perpetrators, among others. Participants of the dialogue identified resource limitations as one of the reasons that may account for the failure to pay the compensation awarded as the government of Guinea has persistent struggles with budget constraints and competing priorities.

4.2.5

Recommendations

The following recommendations emerged pertaining to these cases:

(a) Applicants and CSOs in Guinea should identify and lobby key actors that can influence the implementation process. As part of this effort, it was recommended that a copy of the judgment should be shared with the Minister of Justice and a meeting held with the Minister of Justice to discuss the modalities and action plan for the full implementation of the judgements.

(b) CSOs in Guinea were encouraged to facilitate more political engagements and optimise the use of media to pressure authorities responsible for implementation

(c) The government should adopt legislative reforms that empower national human rights organs to follow up and engagement the State and higher authorities to implement decisions of regional mechanisms.

(d) The Guinean Supreme Court should be enabled, through necessary reforms, to enforce decisions of regional human rights mechanisms, including decisions on compensation for victims of human rights violations.





MALAWI

4.3 MALAWI

4.3.1

Overview of the Implementation Dialogue

The dialogue in Malawi was held in Lilongwe on 25th September 2024 with the support of Eye of the Child Malawi to facilitate engagement amongst participants on the implementation of the Amicable Settlement agreement reached between IHRDA and the Government of Malawi in *Institute for Human Rights and Development in Africa vs The Republic of Malawi*, Communication No.004/Com/001/2014, and proposed solutions on enhancing the full implementation of the amicable settlement agreement.





4.3.2

Overview of the case

In this case filed before the African Committee of Experts on the Rights and Welfare of the Child in 2014 on behalf of all Malawian children between the ages of 16 and 18 years, IHRDA alleged that the definition of a child under section 23 (5) of the Malawian Constitution as anyone below the age of 16 years was in violation of article 2 of the African Charter of the Rights and Welfare of the Child as it excluded all Malawian children from ages 16 to 18 from the Constitution's regime on children's rights, notably the rights to equal treatment before the law, the right to a name and nationality, the right to know and be raised by their parents, the right to protection from exploitation or any treatment, work or punishment that is, or is likely to be, hazardous, interfere with their education, or be harmful to their health or to their physical, mental or spiritual

or social development, and exposed girls to the risk of child marriage.

The case was concluded through an amicable settlement between the parties, and the settlement terms were adopted by the Committee as its recommendations. The Respondent State (Malawi) committed "to do everything within its power to amend its Constitution and all other relevant laws to be in compliance with article 2 of the African Charter on the Rights and Welfare of the Child by 31 December 2018", and to report every three years to the ACERWC on "the progress it has made to implement this Agreement". Notably, Malawi also committed to taking interim, administrative and other measures to protect children in Malawi during the law reform process.

4.3.3

Status of Implementation

Following the signing of the amicable settlement agreement in October 2016, the Parliament of Malawi amended the Constitution on 14th February 2017⁴ to provide for a child to be anyone below the age of 18 years. The Government of Malawi was to accordingly harmonise all the provisions on the age of a child in Malawian laws by December 2018 and report to the Committee every 3 months on the progress made in that regard. Consequently, Malawi submitted about eight (8) reports between 2017 to 2020. It was gathered from the reports that the Government of Malawi kickstarted the harmonisation process, held several stakeholders' engagements, and conducted an initial audit on all laws on the

definition of a child. The Penal Code, Taxation laws, Inheritance laws, and many more were slated for amendments. With the complementary efforts of organisations such as the Eye of the Child, hundreds of children have been freed from prisons in Malawi. The Committee during the 31st Ordinary Session (April – May 2018) recognized and commended Malawi for the efforts it has put into implementing the recommendations of the Committee. Engagements during the inter-country dialogue in May 2025 revealed that while the constitutional amendment was affected, the harmonization process is still on-going with stakeholders being consulted for a comprehensive overhaul of all affected legislation.

4.3.4

Challenges

The major challenge identified by participants, especially, members of the CSOs was that the harmonization process of legislation with the revised Constitution was unnecessarily slow given that the timeline originally given by the Committee – December 2018 – and the extension granted – December 2019 – have long expired

while discussions around the process were still ongoing. CSOs also complained about their limited level of participation and inclusion in the process as most engagements seemed to mostly involve key government stakeholders. While there were efforts on the part of the government to sensitise its stakeholder and the public on

4. African Child Policy Forum and African Committee of Experts on the Rights and Welfare of the Child, "State of Harmonisation of Laws on Children in Africa." Available here: <https://africanchildforum.org/resourcecentre/wp-content/uploads/2025/07/Harmonisation-of-Laws-Mar.2021.pdf>.

children's rights, a lot more needed to be done to ensure wider coverage. Lastly, participants expressed deep concerns about the number of children still being detained in adult prisons rather than in specialized homes or as diversion suitable for children in conflict with the law.

4.3.5

Recommendation

To address the foregoing challenges and ensure full implementation of the recommendations, participants of the national dialogue made the following recommendations:

(a) Members of CSOs advocated for better coordination between and among the government and CSOs and more inclusive stakeholders' engagements in the harmonisation process to enable wider participation and sustain the legitimacy of the process.

(b) The Ministry of Justice (MOJ) and other relevant ministries and stakeholders should expedite the amendment process in the cabinet especially those provisions in the Miscellaneous Amendment Bill of 2021.

(c) The Ministry of Justice and other relevant stakeholders should periodically capacitate law enforcement officers on children's rights and adopt child rights-based approaches in law enforcement and criminal justice processes.

(d) The government of Malawi should establish a national implementation mechanism in the MoJ that specifically oversees the implementation of decisions and recommendations from regional



and international human rights mechanisms. Similarly, the government should adopt a national implementation policy to ensure a more effective implementation process, accountability and solidify the government's commitment to live up to its international human rights obligations.

(e) There should be better collaboration among the government ministries to avoid duplication of efforts.

(f) The government should prioritise proper documentation of children in prisons across Malawi and urgently facilitate their release or diversion process and prioritise building more specialized homes for children in conflict with the law.



MALI

4.4 MALI

4.4.1

Overview of the Implementation Dialogue

The public dialogue in Mali was held in Bamako on 2nd December 2024 with support from Association pour le Progrès et la Défense des droits des Femmes (APDF).



The dialogue focused on the implementation of decisions in three cases:

- *Judgment No. ECW/CCJ/JUD/15/21 in Kidiatou Siby and Others v. Mali;*
- *Judgment No. ECW/CCJ/14/18, Aminata Diantou Diane Samassa (represented by IHRDA and APDF) v. Mali; and*
- *Communication No: 0013/com/001/202 APDF & IHRDA (on behalf of AS, a minor) v Mali, decided by the ACERWC.*

4.4.2

Overview of the Cases



Judgment No. ECW/CCJ/14/18, Aminata Diantou Diane Samassa (represented by IHRDA and APDF) v. Mali⁵

Decided by the ECOWAS Court of Justice, the applicant, represented by IHRDA and Association pour le Progrès et le Defense des Droits des Femmes (APDF), challenged the failure of the authorities of Mali to investigate the disappearance of her husband and to provide judicial remedies.

Following a stroke, Mr. Samassa disappeared under suspicious circumstances allegedly orchestrated by his brothers, who subsequently seized the family's assets; despite sustained efforts by the applicant and her children. He had not been seen for over a decade, and repeated attempts to obtain justice before national courts proved ineffective. The ECOWAS Court found that the State had violated Article 7 of the African Charter on Human and Peoples' Rights, specifically the right to a fair trial and effective remedy, due to its failure to conduct a prompt and diligent investigation and to

5. IHRDA Case Law Analyser, Judgment No. ECW/CCJ/JUD/14/18. Available here: <https://caselaw.ihrda.org/entity/59xsbpftc1k?file=1584012886590an21ni187d7.pdf&page=1>.

ensure access to justice. As reparation, the Court ordered the State of Mali to pay 15 million FCFA in compensation to Mrs. Samassa and directed authorities to take concrete steps to locate Mr. Samassa and clarify his whereabouts.

Status of Implementation

At the time of the implementation dialogue, the State had neither paid the compensation granted by the Court nor complied with the obligation to undertake an effective search, and the status remains the same.



Judgment No. ECW/CCJ.JUD/15/21 in Kidiatou Siby and Others v. Mali⁶

The applicants, represented by IHRDA, brought a case before the ECOWAS Court against the State of Mali following violations arising from discriminatory customary practices after the death of Mrs. Diaby's husband. Upon his death, Mrs. Diaby was compelled by her in-laws to marry her brother-in-law, Souleymane, in accordance with traditional practices; when she refused the forced marriage, she was violently dispossessed, expelled from her matrimonial home together with her children, and stripped of all property documents relating to her late husband's estate. Her repeated attempt to seek recourse before national courts proved ineffective, leaving her and her children destitute and in deteriorating health conditions. In its judgment delivered in 2021, the Court found that the State had failed to protect the applicant from harmful traditional practices and had violated her right to dignity, right to be heard within reasonable time, and right to protection of the family as guaranteed under the African Charter on Human and Peoples' Rights. As remedies, the Court ordered the State to undertake a proper liquidation of the deceased's estate in accordance with applicable law and to pay 100 million FCFA in compensation to the applicants.

Status of Implementation

The State has not complied with the Court's orders to undertake proper liquidation of the deceased's estate neither has it paid the 100 million FCFA compensation awarded to the applicants, leaving the victims without effective restitution or remedy.



Communication No: 0013/com/001/202 APDF & IHRDA (on behalf of AS, a minor) v Mali⁷

In APDF & IHRDA (on behalf of AS, a minor) v. Mali, decided by the African Committee of Experts on the Rights and Welfare of the Child against the State of Mali, for failing to protect AS, an 11-year-old girl,

6. IHRDA Case Law Analyser, Judgement No. ECW/CCJ/JUD/15/21. Available here:

<https://caselaw.ihrda.org/entity/16tp7b9q7l7h?page=1&file=1625047755340gtyqc5vbir7.pdf>.

7. IHRDA Case Law Analyser, 001/202- APDF & IHRDA (on behalf of AS) v. Mali. Available here:

<https://caselaw.ihrda.org/en/entity/4kha3olygw5/relationships?page=3>

raped by a 36-year-old man while returning from the market. Although medical evidence confirmed the assault and she received initial treatment, her family lacked the financial means to pursue justice or sustain ongoing care, and prolonged judicial delays exacerbated her trauma, prompting the need to seek redress at the regional level. The Committee found the State responsible for failing to ensure effective protection and access to justice for the victim and recommended the following:

- i. That the perpetrator be prosecuted and punished;
- ii. That the State pay 50 million FCFA in compensation to the victim;
- iii. That comprehensive medical, psychosocial, and educational support be provided to the victim.

Status of Implementation

Participants during the implementation dialogue reported that implementation is ongoing, with evidence of constructive engagement by national authorities. Stakeholders reported that government representatives have maintained communication with CSOs including APDF regarding follow-up actions and have expressed willingness to facilitate victim's continued access to services and to consider measures necessary to comply with the Committee's recommendations. Notwithstanding this engagement, full implementation remains pending, particularly with respect to the payment of the 50 million FCFA compensation and the institutionalisation of sustained medical, psychosocial and educational support to the victim, requiring continued monitoring and advocacy to secure complete compliance.

4.4.3

Challenges

Legal gaps that include lack of criminalization of certain offenses such as enforced disappearance are an issue. Enforcement mechanisms are weak, with no clear domestic procedures for enforcing decisions of the ECOWAS Court and the African Committee. Judicial inertia continues to be a problem, as cases are often delayed or face resistance in national courts. Participants also noted

political reluctance, with limited will to prioritize victims' rights or to implement financial reparations. In addition, socio-cultural barriers, particularly traditional and religious norms, continue to obstruct women's inheritance rights and contribute to impunity. Victims themselves remain highly vulnerable, lacking access to legal aid, psychosocial support, and the resources needed to pursue lengthy legal procedures.

4.4.4

Recommendations

During the dialogue several recommendations were formulated by the participants:

a) Advocacy actions such as issuing open letters to the interim transitional government and religious leaders urging enforcement of the decision and accountability for perpetrators in the Aminata Diantou Diane Samassa case.

b) As it was reported that Ms Diane's husband may be in Germany, it was also recommended that CSOs should explore the possibility of seizing a German court to enforce the ECOWAS Court's decision, thereby applying additional pressure on the State.

c) The establishment of a national mechanism for implementation or designation of courts empowered to enforce ECOWAS Court decisions and to amend the Civil, Commercial, and Social Procedure Code to facilitate such a judicial enforcement process.

d) Political advocacy consisting of including writing formally to the Minister of Justice requesting the prioritisation of the decisions' implementation.

e) On legal and judicial reforms, there is need to adopt the draft Penal Code to criminalise enforced disappearance and enhance victim protection, and to amend the Criminal Procedure Code so that domestic courts are explicitly empowered to enforce decisions of the ECOWAS Court and other human rights bodies.

f) Institutional mechanisms should be strengthened by designating a national body or chamber to monitor and enforce regional decisions, and by ensuring the prompt processing and payment of reparations ordered by regional mechanisms.

g) CSOs must systematically monitor compliance with decisions, and encouraging stronger synergies between NGOs, bar associations, and victims' groups to maintain pressure on authorities.



NIGER

4.5 NIGER

4.5.1

Overview on the Implementation Dialogue

The dialogue aimed at fostering discussion on the implementation of two judgments delivered by the ECOWAS Court of Justice against the State of Niger, namely *Hassane Abdou Nohou (represented by IHRDA & TIMIDRIA) v Niger*, ECW/CCJ/JUD/30/23 concerning land rights of 260 families formerly subjected to slavery-related practices and *Fodi Mohamed & Others (represented by IHRDA & TIMIDRIA) v Niger*, ECW/CCJ/JUD/19/21 concerning a woman victim of slavery who was trafficked and denied access to fair judicial proceedings. The workshop brought together government officials, judges, lawyers, civil society leaders, and international partners. It provided a unique platform to review the state of implementation, highlight obstacles, and explore possible solutions.



4.5.2

Overview of the Cases



Hassane Abdou Nouhou (represented by IHRDA & TIMIDRIA) v Niger⁸

Slavery and slavery-like practices are criminalised under national law in Niger, notably through Law NO. 2003-025 of 13 June 2003, which amended the Penal Code to explicitly prohibit slavery and provide criminal penalties for perpetrators. However, despite this legal prohibition, enforcement challenges have persisted, particularly in rural areas where customary practices continue to influence social relations.

This case concerned 260 families who are descendants of formerly enslaved persons who were dispossessed of their ancestral lands after refusing to continue giving annual tributes, commonly referred to as “gifts” to descendants of their former masters. Despite the applicants’ longstanding occupation and use of the land, national courts ruled in favour of the former slave masters, resulting to the eviction and loss of livelihoods of the affected families.

In its judgment, the ECOWAS Court found that the State of Mali had failed to protect the applicants from discrimination, servitude related practices, denial of fair hearing, and violations of their right to economic and social development, thereby breaching Articles 3 (equality before the law), 5 (dignity and prohibition of degrading treatment), 7 (fair trial), and 22 (right to development) of the African Charter on Human and Peoples’ Rights. As reparations, the Court ordered the State to pay 500,000.00 FCFA to each family head.

Status of Implementation

The process of paying the reparation sum of 500,000.00 FCFA to affected families has been initiated through the Ministry of Justice and competent finance authorities. However, full implementation remains outstanding, as the central issue of land restitution and secure tenure falls within the mandate of land administration and local government structures, and has not yet been resolved. As a result, the affected families continue to experience insecurity in the enjoyment of their land rights, underscoring the need for coordinated action by judicial, administrative, and land management authorities to achieve full compliance with the Court’s orders.

8. <https://caselaw.ihrda.org/api/files/1693920959503q9u4lv4myo9.pdf>.



Fodi Mohamed & Others (represented by IHRDA & TIMIDRIA) v Niger⁹

In the State of Niger, practices linked to descent-based slavery have persisted in certain communities despite the formal abolition and criminalisation of slavery under national law. It is against this backdrop that the main applicant in this case, Mr. Fodi Mohamed filed this case before the ECOWAS Court of Justice. Fodi Mohamed, a woman born into slavery, who from childhood, was subjected to servitude and forced marriage to her master's son. She was later trafficked to Burkina Faso and subsequently repatriated. Upon her return, she initiated legal proceedings before the Tribunal de Grande Instance (High Court) of Birni N'konni in 2014.

However, the case was mismanaged at the prosecutorial, where the conduct amounting to slavery was trivialised and treated as a minor offence, resulting in prolonged delays and denial of effective judicial protection. This case remained pending at the High Court until 2019.

The case was eventually brought before the ECOWAS Court which on 24 June 2021 found that Niger had violated her right to dignity, protection from slavery, and fair trial under the African Charter on Human and Peoples' Rights, and order the State to guarantee her right to a fair trial before the High Court and to pay 63 million FCFA in compensation to her and her children.

Status of Implementation

Participants during the dialogue also expressed that the State has shown political commitment although Niger is no longer a member of ECOWAS. Specifically, the Ministry of Justice and Human Rights expressed openness to dialogue and recognise the importance of respecting regional judicial decisions.

Following the ECOWAS Court decision, investigations were initially commenced by the 7th Chamber of the Niamey High Court but ultimately ended up before the Niamey I District Court (TAC), following a reclassification that downgraded the offense from a crime to a small offence (misdemeanour).

Implementation of the Court's orders remains partial and ongoing. Niger has taken steps towards compliance with the monetary component of the judgment, having paid 30 million FCFA towards the total award of 63 million FCFA, leaving an outstanding balance of 30 million FCFA yet to be settled.¹⁰ However, the non-monetary component of the judgement remains unimplemented, particularly the obligation to guarantee the victim's rights to a fair trial before the High Court.

9. <https://caselaw.ihrda.org/entity/pcaiwdsd5?page=12&file=16250513642940pe8e7wnborq.pdf>.

10. https://www.ihrda.org/2021/10/niger-begins-implementing-ecowas-court-decision-in-f-m-slavery-case-pays-reparation-worth-30-million-fcfa/?utm_source=chatgpt.com

4.5.3

Challenges

Hassane Abdou Nouhou and Others v. Niger

- i. National courts have upheld the claims of former masters and recognised their rights over the disputed lands, creating tension with the binding judgment of the ECOWAS Court.
- ii. The sensitivity of land ownership makes execution of the ruling complex, hence making judicial enforcement difficult.
- iii. No clear political or administrative framework has yet been prioritised to facilitate land restitution, compensation, or alternative resettlement for the affected families.
- iv. Victims remain without secure land tenure and continue to face economic insecurity and vulnerability.

Fodi Mohamed & Others v Niger

- i. The case was downgraded from a serious criminal offense to a minor offense and transferred to a lower court thereby undermining the gravity of the violations and delaying effective prosecution.
- ii. The national judicial process has not progressed in a manner consistent with the Courts's order to guarantee the victim's right to a fair trial
- iii. Although partial compensation has been paid, the victim continue to face barriers in obtaining full judicial redress and protection at the national level.
- iv. Limited coordination among judicial and administrative actors slowed the effective execution of the court's non-monetary orders.

4.5.4

Recommendations

The participants in the dialogue made recommendations which can be classified as follows:

Proactive prosecution and judicial follow-up

The Public Prosecutor's Office should actively revive stalled cases and ensure that court orders are executed. Mechanisms should be introduced for regular reporting by prosecutors to the Ministry of Justice on the progress of slavery-related cases.

Creation of a permanent monitoring committee

An inter-institutional body should be established to monitor compliance with regional courts decisions, publish annual reports, and recommend corrective measures. This body should include the Ministry of Justice, Ministry of Finance, Timidria, a non-governmental organisation for the promotion of human rights in Niger, the Niger Bar Association, and possibly international observers.

Access to justice and victim support

A pool of lawyers within the Niger Bar must be trained to handle slavery-related cases and mechanisms pro bono work, with state or donor-funded subsidies where possible. State-supported legal aid must be expanded to cover slavery-related cases, including court and legal fees, ensuring that indigent victims are not barred from seeking justice.

Recommendation specific to the Abdou Nouhou case

Given the complexity of enforcing mass expropriation, the State should adopt a pragmatic political solution consisting of acquiring the disputed land through public purchase or negotiated settlement with landowners or alternatively, to proceed with expropriation for public utility, followed by redistribution of land to the 260 affected families.



SIERRA LEONE

4.6 SIERRA LEONE

4.6.1

Overview on the Implementation Dialogue

The dialogue held in March 2024 centred on the implementation of the ECOWAS Court decisions in *Women Against Violence and Exploitation in the Society (WAVES)*, *Child Welfare Society of Sierra Leone v Sierra Leone (Judgment No. ECW/CCI/JUD/37/19)* and *Adama Vandj v Sierra Leone (Judgment No ECW/CCJ/JUD/32/2022)*¹¹. The dialogue aimed at identifying and fully appreciating the measures taken towards implementation of the decision, the orders that are yet to be implemented, in order to identify the gaps, challenges and impediments with a view to design strategies toward full implementation of the decisions.



11. <https://www.ihrda.org/2024/03/stakeholders-commit-to-strengthen-measures-for-effective-implementation-of-ecowas-court-decisions-on-womens-rights-in-sierra-leone/>

4.6.2

Overview of the Cases



Women Against Violence and Exploitation in the Society (WAVES) & Child Welfare Society of Sierra Leone (On behalf of pregnant adolescent school girls in Sierra Leone) v Sierra Leone (Judgment No. ECW/CCI/JUD/37/19)¹²

In response to a decade long official policy of separating pregnant teenage girls from mainstream schools in Sierra Leone, the ECOWAS Court in *WAVES, Child Welfare Society of Sierra Leone v Sierra Leone* made landmark pronouncements regarding the education of pregnant girls in Sierra Leone, as well as the rights to dignity, protection from cruel, inhuman, and degrading treatment or punishment, right to access justice, and right to remedies.

The Court found that the policy of prohibiting pregnant girls from attending mainstream schools constituted an unacceptable form of discrimination. This policy deprived many Sierra Leonean girls and young women of their fundamental human right to education at a pivotal juncture in their lives.

The Court ordered Sierra Leone to revoke the policy, abolish the separate school system, and to develop strategies, programmes, and campaigns to keep pregnant teenage girls in schools and integrate sexual and reproductive health into school curricula with a view to stemming the tide of high teenage pregnancies in Sierra Leone.

Status of Implementation

Updates presented during the dialogue indicated that the Government of Sierra Leone has partially implemented the decision in the *WAVES & Child Welfare Society* by revising the policy that prohibited pregnant school girls from being able to join mainstream schools. The Government of Sierra Leone was commended for the strides it has recorded in developing “radical inclusion policy” which seeks to promote and provide support for all marginalised children.

The policy aims at removing all systemic policy and practice impediments that limit learning for any child, specifically emphasizing the inclusion of historically marginalised groups: pregnant girls and parent learners, children with disabilities, children from rural and underserved areas, and children from low-income families.¹³ The Chief Minister was also commended for publishing statistics on girls’ enrolment in schools, which was a positive initiative.

12. <https://caselaw.ihra.org/entity/1i7yfu3qr0cj?page=1&file=1613739111353xd6st5nlwl.pdf>.

13. National Strategy for the Reduction of Adolescent Pregnancy and Ending Child Marriage 2025 – 2030. Available here: https://sierraleone.unfpa.org/sites/default/files/pub-pdf/2025-04/Sierra%20Leone_National%20Strategy%20for%20the%20Reduction%20of%20Adolescent%20Pregnancy%20and%20Ending%20Child%20Marriage_final%20%284%29.pdf



Adama Vandi v Sierra Leone (Judgment No ECW/CCJ/JUD/32/2022)¹⁴

This case involves an influential traditional Paramount Chief of Nongoba-Bulum Chiefdom of Bonthe District who allegedly raped the applicant in 2019 but was never effectively investigated, prosecuted nor punished. The ECOWAS Court, in its landmark decision found that Sierra Leone failed in its obligation to investigate and prosecute the perpetrator. The Court also held that the state failed to guarantee Vandi's right to dignity; right to be protected from cruel, inhuman, and degrading treatment or punishment; right to access justice; and right to remedies. Following these findings, the Court awarded Vandi monetary reparation in the sum of \$10,000 USD.

Status of Implementation

With respect to Adama Vandi's case, it was gathered from her family members that the perpetrator died in April 2022, a few months before the judgment was delivered by the ECOWAS Court. He had not been formally charged with the offence nor prosecuted at the time of his death. It was also revealed that the government of Sierra Leone is yet to pay the monetary compensation awarded to Adama.

4.6.3

Challenges

The key challenges identified during the discussion include:

- (a) Frustrations regarding the gaps in the level of awareness of communities which limits the benefits of the policy. The Ministry of Basic and Secondary was thus encouraged to create awareness of the radical inclusion policy in all communities throughout the country.
- (b) The persistence of stigma surrounding pregnant girls attending school was identified to be slowing down, if not sabotaging the policy implementation measures. Without deliberate government effort to combat stigma implementation may be significantly hampered.
- (c) The political will to implement: Implementation is both a legal and a political process. Indeed, the politics of implementation carries more weight, and the government has not fully demonstrated the will to implement the Court's decisions.
- (d) There is no data from the Ministry of Basic Education on the number of pregnant girls in school or who have been turned away from school as a benchmark to assess the revoked ban. Available data has been mostly compiled by CSOs that collect such information on individuals.
- (e) Representatives of the Ministry of Social Welfare, Gender and Children's Affairs expressed that they have inadequate funds and limited staff capacity to roll out their protection programs. As a result they have had to work with civil society partners like Save the Children International to be able to implement some of their programs.

14. <https://caselaw.ihrda.org/api/files/165874615924060jeel99yen.pdf>

4.6.4

Recommendations

The following consolidated recommendations emerged:

- a) Stakeholders must utilise opportunities provided by Sierra Leone's appearance before international human rights bodies and regional political institutions such as the State reporting process to demand full implementation of these and other human rights decisions made against the Government of Sierra Leone.
- b) For local CSOs to initiate a media campaign to maintain public attention on the issues and ensure their ongoing relevance, especially where there is little or no political will to implement a decision.
- c) "Hands off our girls", an initiative of the First Lady of Sierra Leone, provides another opportunity to keep case implementation on the front burner, consistent with the government's plans and agenda in protecting women and girls' rights. For local initiatives to tap into this initiative and sustain the advocacy and engage with Government to lobby for full implementation of regional human rights decisions including the case of Adama Vandi.
- d) The Human Rights Committee of the Parliament of Sierra Leone could be approached jointly with the National Human Rights Commission as institutions that must take a keen interest in ensuring that the Government of Sierra Leone implements decisions from regional and international human rights mechanisms.
- e) Representatives of the Human Rights Committee of the Sierra Leone Parliament proposed translating these case rulings into policies aimed at safeguarding the rights of girls.
- f) Representatives of the National Human Rights Commission (NHRC) recommended that they be notified of such cases which could be litigated as a human rights issue locally or they could file amicus interventions in future cases. They also indicated that they have capacity to follow up on the implementation of such cases and could engage other mechanisms like the Universal Periodic Review to ensure compliance with human rights standards and norms by Sierra Leone. The NHRC requested that CSOs that represent victims of abuse before the ECOWAS Court should notify the NHRC of decisions when delivered to enable the Commission to perform their role in following up on implementation.
- g) Civil society organisations have a role to play in engaging with the Attorney General and other State actors towards the payment of the compensation of \$10,000 US Dollars awarded in favour of Adama Vandi.
- h) The Law Reform Commission should lead a process towards the drafting of legislation, regulations or guidelines on the process of implementation decisions of international and regional human rights mechanisms.
- i) The Ministry of Finance and or Ministry of Justice need to set up a fund specific to compensating any monetary awards given to survivors of any human rights violations.



NIGERIA

4.7 NIGERIA

4.7.1

Overview of the Implementation Dialogue

The IHRDA, in collaboration with Dorothy Njemanze Foundation and Women Advocates Research and Documentation Centre (WARDC) held a dialogue on the implementation of two decisions of the Court of Justice of ECOWAS *Dorothy Chioma Njemanze & 3 Ors v Federal Republic of Nigeria* (Judgment No. ECW/CCJ/JUD/08/17) and *IHRDA & WARDC (on behalf of Mary Sunday) v Federal Republic of Nigeria* (Judgment no. ECW/CCJ/JUD/11/18) in Abuja, Nigeria on 4th December 2024. Participants were drawn from civil society organizations, the media, the national human rights institution, and the Nigeria Police Force. The dialogue discussed the status of implementation of the two cases and proposed solutions on strengthening the implementation of decisions.

4.7.2

Overview of the Cases



Dorothy Chioma Njemanze & 3 Ors v Federal Republic of Nigeria (Judgment No. ECW/CCJ/JUD/08/17)¹⁵

The case was brought before the ECOWAS Court in 2017. The four plaintiffs are Nigerian women residing in large cities. They alleged separate incidents of unlawful arrests and abductions by officers of the Abuja Environmental Protection Board (AEPB). The abductions were conducted under the pretext of enforcing laws against sex work.[2] All plaintiffs were physically abused. Some were sexually assaulted, raped, and received death threats. The abductions of Plaintiffs 1 and 3 were unsuccessful because passer-by's intervened to stop the law enforcement officers. Following their abductions, Plaintiffs 2 and 4 were held at police stations. There, they were subjected to further abuse and humiliating treatment. Officers released them the next day without charges, an explanation for the arrests, or an apology.

Even though the Government of Nigeria denied nearly all the allegations, the ECOWAS Court held that Nigeria breached its obligations under international law by failing to investigate the Plaintiffs' allegations, which were brought through formal complaints. The Court found that there were multiple violations of articles 1, 2, 3 and 18 (3) of the African Charter on Human and

15. <https://caselaw.ihrda.org/entity/0h6sf6nakud8ntpr39gdabrzfr?file=151023562549689zeym9rs982iu86cx2m7k3xr.pdf&page=42>.

Peoples' Rights; and articles 2, 3, 4, 5, 8 and 25 of the Protocol to the African Charter on the Rights of Women in Africa (Maputo Protocol); among other provisions of relevant international human rights treaties. By way of remedies, the Court awarded N6,000,000 (approx. 18,000 USD in 2017) as compensation to each plaintiff (except Plaintiff 2).

Status of Implementation

The decision of the Court is yet to be implemented with full implementation very rear in Nigeria as shared by participants during the regional dialogue.



IHRDA & WARDC (on behalf of Mary Sunday) v Federal Republic of Nigeria (judgment no. ECW/CCJ/JUD/11/18)¹⁶

Mary Sunday was a victim of domestic violence. In August 2012. Her fiancé, a police officer, during a violent altercation, severely beat her before scalding her with hot stew from a cooking stove in the kitchen of her neighbour's apartment where she had taken refuge. Despite filing a formal complaint with the police, the perpetrator was never prosecuted. The ECOWAS Court found the Federal Republic of Nigeria to have violated Mary Sunday's rights to fair hearing and access to court. and awarded her 15 million Naira in compensation.

Status of Implementation

Similar to the Dorothy Chioma Njemanze case, the decision is yet to be implemented by the State.

4.7.3

Challenges

The main challenge that came out very clearly and persistently throughout the dialogue was the lack of commitment on the part of relevant government stakeholders to engage with the applicants, provide necessary information and updates, or respond to their follow up enquiries and request for roadmaps towards implementation.

Victims and their representatives maintained that no concrete steps have been taken to specifically address the violations they have suffered, given that the monetary compensations they were awarded have not been paid, neither have they received any psychosocial support, nor have their perpetrators been effectively investigated, prosecuted and brought to account.

Participants generally noted that whilst there might have been steps taken towards implementing the judgments in terms of relevant legislative reforms, policy and administrative measures, there was a lack of clarity on the progress towards implementation of the orders of the ECOWAS Court.

Participants identified some of the key issues which may have hampered implementation to include:

(a) The absence of clear timeframes set out in the decisions for implementation.

(b) The lack of clarity on the relevant government department or agency responsible for the implementation of the decisions (despite the designation of the Attorney General of the

16. <https://caselaw.ihrda.org/entity/yd90f23pyim?page=1&file=1584011747594uc7nur78iw.pdf>.



Federation as the focal point for implementation), was also perceived to have contributed to tardiness in the government of Nigeria in implementation of the decisions.

(c) Weaken enforcement mechanisms, as there was no clear domestic procedure for enforcing decisions emanating from the African regional human rights mechanisms including the ECOWAS Court.

Some participants maintained that any legislative or policy changes made so far might not have been in response to both decisions and

therefore did not appear to address the specific circumstances of the victim.

It is worth mentioning that during the dialogue, most of the government stakeholders invited, including those from the Federal Ministry of Justice, Ministry of Women Affairs, and the Ministry of Foreign Affairs did not honour the invitation. That made it difficult to understand the government's perspective on the challenges clogging implementation of decisions and their thoughts around concrete steps that could and should be taken towards full implementation of the judgements.

4.7.4

Recommendations

Designate a lead implementing Authority:

The Government of Nigeria should formally designate a specific department within the Federal Ministry of Justice as the coordinating body responsible for the implementation of judgments from regional mechanisms.

Establish an inter-ministerial implementation task force:

Following the designation of a lead implementing authority, the Government should establish a standing taskforce comprising representatives from Federal Ministry of Justice, Nigeria Police Force, Ministry of Women's Affairs, National Human Rights Commission, and CSOs to oversee and monitor compliance with regional human rights decisions.

Provide psychosocial and medical support to victims:

The Ministry of Women's Affairs, in collaboration with the National Human Rights Commission and

CSOs, should facilitate access to psychosocial counselling, medical care, and social support services for victims affected by violence and abuse.

Strengthen engagement with CSOs and Victims:

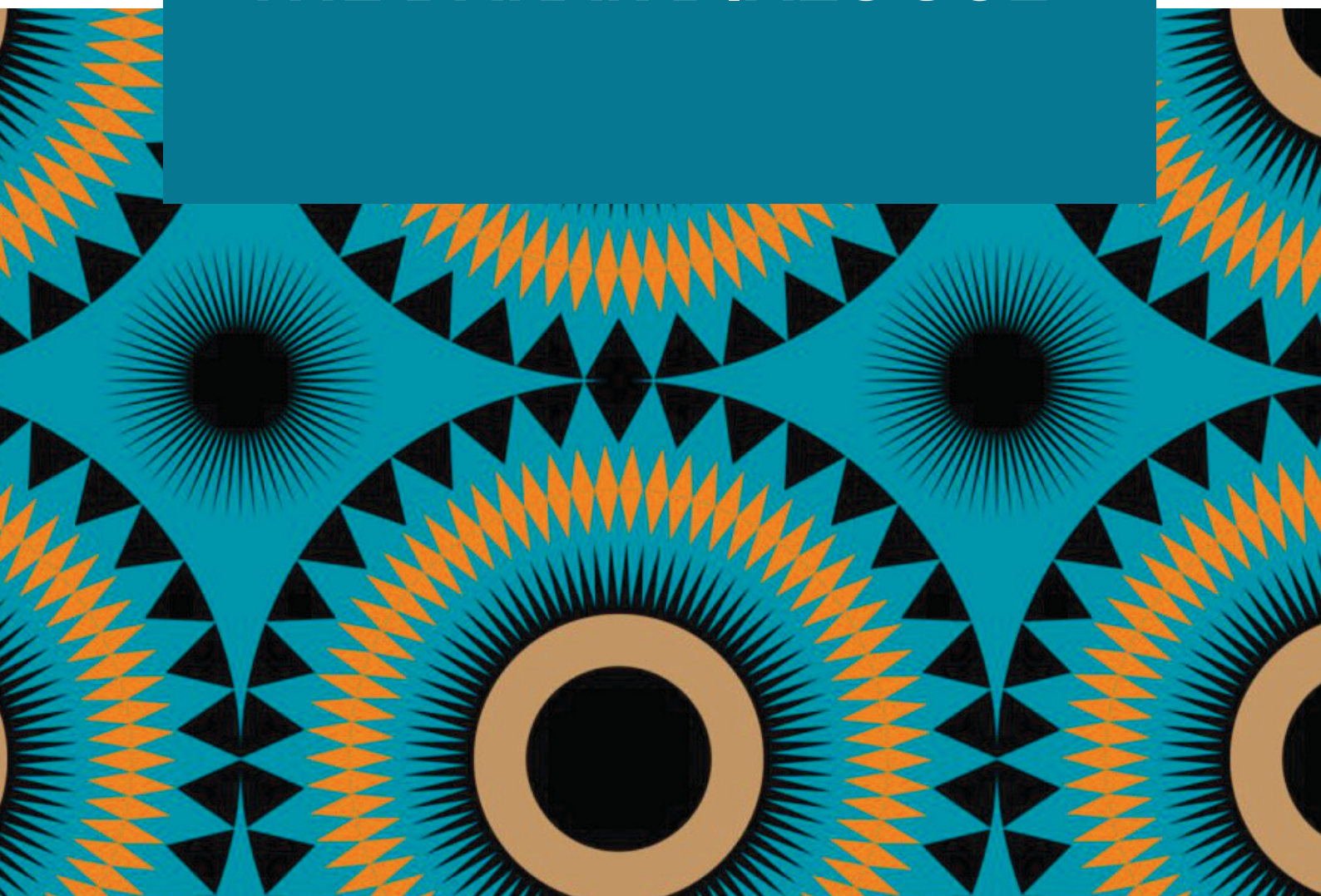
Relevant government institutions should establish formal communication channels with victims and their representatives to provide regular updates on implementation progress and respond to follow-up requests in a timely manner.

Ensure government participation in implementation dialogues:

The Government should honour invitations to participate in implementation dialogues on the execution of judgments and to present official updates on progress and challenges.

05

REGIONAL REFLECTIONS: THE DAKAR DIALOGUE



REGIONAL REFLECTIONS: THE DAKAR DIALOGUE

The regional inter-country dialogue on implementation of decisions of African human rights mechanisms and sub-regional courts held in Dakar in May 2025 marked a pivotal moment in the push to close the implementation gap in Africa's regional human rights system. The dialogue provided a unique space for cross-country peer learning, experience sharing, and strategic reflection focused on how to move from judgments to real change for victims of human rights violations. The regional dialogue brought together representatives of the African Court on Human and Peoples' Rights, African Commission on Human and Peoples' Rights, African Committee of Experts on the Rights and Welfare of the Child, ECOWAS Court, East African Court of Justice, National Human Rights Institutions, state representatives, civil society

organisations, academics, victims and their representative organisations from the seven (7) countries which were subjects of the national dialogues.

Over the course of two days, five major reflections crystallised, each of them echoing across mechanisms, country delegations, civil society and expert voices. Together, they revealed the complexity of the implementation gaps and the urgency of building a more cohesive, accountable, and politically savvy human rights ecosystem.

This section synthesises five (5) key analytical reflections from the dialogue, each enriched by country specific examples that ground the lessons in practice.

i Implementation is Political, Not Just a Legal Obligation

A central reflection from Dakar was the recognition that the enforcement of human rights decisions is fundamentally political. While courts and human rights treaty bodies render legal decisions, their implementation often hinges on political will, bureaucratic interest, and national level power dynamics.

Expert facilitator, Dr Tarisai Mutangi summed it up succinctly: *“Political will is not a concept. It is a person. We must identify who they are and understand their interests.”* This challenged participants to move beyond technical recommendations and think strategically about actors, incentives, and institutional influence.

In Nigeria, for example, several ECOWAS Court decisions remain unimplemented not because of lack of legal clarity, but due to institutional inertia and absence of internal champions within government. Victims continue to await remedies years after favourable rulings.^[4] Engagement strategies in such contexts must identify and

influence the real decision-makers whether they sit in the Ministry of Justice or other departments within the Executive or the legislature.

By contrast, in Niger, decisions from both the ECOWAS Court and the ACERWC have been implemented within months, often through proactive engagement by the country's judicial agent who liaises directly with victims' lawyers. This suggests that when political actors and lawyers are aligned, implementation can be swift even in resource constrained or transitional contexts.

There was consensus that legal strategies must be complemented by political economy analysis. Participants agreed that identifying and engaging the specific individuals who hold the levers of implementation, be they ministers, technocrats, or parliamentarians, is essential. This calls for a shift in how advocacy is conceptualised: not as a confrontation, but as relationship binding and negotiation.

ii Fragmentation Undermines Impact

The African human rights system remains institutionally fragmented. Courts issue judgments; the Commission and the Committee recommend measures; CSOs litigated and advocate, yet coordination among these actors remains inconsistent and often absent.

In Guinea Conakry for instance, the absence of a designated focal point within government has created a vacuum. Regional decisions arrive with no clear recipient or mandate for follow-up and implementation. Similarly, CSOs in Mali noted that although they engaged with victims and regional bodies, they are excluded from national implementation processes, limiting their influence and oversight.

Participants emphasised that a piecemeal approach undermines implementation. Successful enforcement requires coherent follow-up frameworks, regular information exchange, and joint advocacy by courts, commissions, NHRIs, and CSOs. Without synergy, decisions fall through the cracks, forgotten in bureaucratic silos or buried in procedural fatigue.

Several concrete proposals emerged from this reflection, including:

- Establishing dedicated implementation units within each human rights mechanism;
- Adoption of a shared continental reporting and tracking tool by the African Union; and

- Institutionalised joint hearings and stakeholder forums on compliance.

Example included:

- The establishment of the Enforcement and Compliance Unit at the ECOWAS Court of Justice, which is responsible for monitoring and supporting the implementation of the Court's judgments in collaboration with Competent National Authorities (CNAs).
- The annual meeting of the ECOWAS Court of Justice with Competent National Authorities responsible for implementing judgments.
- The creation of an implementation unit and compliance tracking matrix by the African Commission on Human and Peoples' Rights.
- The introduction of implementation hearings procedures by the African Court and ACERWC, as structured follow-up proceedings convened after a judgment or decision to assess the status of implementation by the State concerned. These hearings typically require States to submit written reports on measures taken to comply with decisions and to appear before a respective body to provide oral updates, respond to questions from members, and clarify outstanding implementation challenges.

iii National Interface Structures Are Missing or Weak

Most countries lack a formal domestic mechanism to track and act on regional decisions. Where such structures exist, they are often underfunded or dormant. It became clear that many States lack a domestic framework to receive, track and respond to regional human rights decisions. In some cases, a ministry may serve as a focal point in theory, but in practice no agency or unit is responsible for implementation.

In Cameroon, CSOs shared that there is no institutionalised follow-up on African Commission or Committee decisions. Compliance depends on ad-hoc responses by ministries. In Sierra Leone, while the government revoked its discriminatory policy on pregnant girls, following an ECOWAS Court ruling, the absence of a compliance mechanism has meant delays in implementing related reforms such as

This absence of national level interface structures was widely acknowledged as a bottleneck. Participants stressed the need for:

- Formal focal persons or departments mandated to coordinate compliance.
- Multi-stakeholder national implementation task forces, including NHRIs, civil society, and relevant ministries.
- Enabling legislation or administrative procedures to domesticate regional obligations.

Malawi's example of a coordinated law reform process following an ACERWC facilitated amicable settlement agreement was highlighted as a positive model: a national task force established in 2014 and led by the Ministry of Justice and Constitutional Affairs and the Ministry of Gender, Children, Disability and



Social Welfare led supported by CSOs resulted in a constitutional amendment and ongoing legislative harmonisation.

iv) Visibility, Advocacy and Public Accountability Matter

Many regional decisions remain invisible to the public, and this contributes to the lack of enforcement. Media coverage is limited, victims' voices are not amplified, and government narratives often go uncontested.

Without public awareness and pressure, political cost for inaction remains low. States can ignore decisions with little domestic accountability. This is especially true for quasi-judicial decisions from bodies like the ACHPR and ACERWC, which are already perceived as “recommendatory.”

In response, participants urged:

- Greater use of media advocacy and strategic storytelling;
- Publication of implementation scorecards or compliance dashboards;
- Training and engaging journalists to report on African human rights decisions;
- Supporting victims to organise and speak publicly about their cases.

The call was clear: “We need to humanise these decisions. People need to know that real lives are at stake when implementation fails”

v) There Are Pockets of Progress to Build On

Despite the overwhelming challenges, the dialogue was not without hope. Several positive developments and institutional innovations were shared, providing that implementation is possible with the right political engagement, technical support, and strategic pressure.

In Malawi, a constitutional amendment and law reform followed ACERWC recommendations, driven by a national taskforce and technical support from CSOs.

In Niger, State Counsels coordinated directly with courts and victims to ensure rapid enforcement of reparations even in the face of resource constraints and political transitions.

In Burkina Faso, the Konate decision by the African Court led to the decriminalisation of defamation and full payment of compensation.

At the ECOWAS Court, an enforcement and follow-up unit has been established and is working with CNAs to improve tracking.

These examples show that implementation is possible when legal rulings are met with institutional ownership, political buy-in and multi-actor coordination.

06

STRENGTHENING IMPLEMENTATION: PRACTICES AND STRATEGIC ACTIONS



STRENGTHENING IMPLEMENTATION: PRACTICES AND STRATEGIC ACTIONS

Experiences across several African States demonstrates that implementation of decisions issued by regional human rights mechanisms improves when responsibility for follow-up is clearly assigned, coordination mechanisms are institutionalised, and implementation measures are integrated into existing government systems rather than treated as ad hoc obligations. Discussions in Dakar consistently emphasised that implementation failures are rarely caused by lack of legal authority alone; they are more often the result of fragmented institutional responsibility, weak coordination across ministries, and the absence of structured monitoring processes.

In Malawi, legislative reform following a regional decision on the definition of a child progressed only after the Government established a multi-sectoral taskforce chaired by the Ministry of Justice and Constitutional Affairs and the Ministry of Gender, Children, Disability and Social Welfare. The taskforce was supported by technical officers from Malawi Law Commission, Malawi Human Rights Commission, NGO Coalition on Child Rights and UNICEF. The taskforce developed a timeline for reviewing conflicting provisions in the Constitution and statutory law, assigned drafting responsibilities to specific institutions, and maintained regular consultation meetings to resolve technical disagreements. This structured coordination mechanisms reduced delays that had previously stalled reform efforts. Similar coordination arrangement should therefore be formally established within national governments, with clear terms of reference, designated leadership, and authority to convene relevant institutions. Locating this responsibility within the Ministry of Justice or an equivalent central authority has proven particularly effective in ensuring continuity and accountability.

Niger's experience in implementing regional decisions involving payment of compensation demonstrates the importance of maintaining direct communication between government legal representatives, finance authorities, and

affected individuals. In cases where compensation was paid promptly, government officials confirmed payment procedures in writing, communicated timeliness to beneficiaries, and followed up with relevant ministries to secure budget releases. These practices reduced uncertainty for victims and prevented disputes arising from administrative delays. Government should therefore introduce written notification procedures for implementation steps, including confirmation of payment timeline, designation of responsible officials and documentation of completed actions. Embedding these procedures within existing public financial management systems ensures that implementation obligations are recognised as routine government expenditure rather than exceptional liabilities.

Implementation of decisions requiring legislative reform progressed more effectively when the required amendments were incorporated into existing law reform or policy review processes rather than treated as stand-alone obligations. This alignment enables the Ministries responsible for implementation of decisions to secure parliamentary support and allocate drafting resources within an existing reform programme. Where implementation measures are integrated into established legislative or policy review processes, governments are more likely to sustain political commitment and avoid delays associated with competing priorities. National authorities should therefore ensure that implementation obligations are reflected in annual legislative planning cycles and sectoral reform agendas.

Institutional reforms within regional mechanisms have also demonstrated that implementation improves when compliance monitoring is supported by structured tracking systems.¹⁷ Registry officials within regional bodies should introduce, and where available, strengthen internal procedures to record outstanding obligations, schedule follow-up communication with States, and maintain updated case status information. These procedures enables

17. OHCHR, Framework in Practice Implementing and Monitoring Rights, Available here:

https://www.ohchr.org/sites/default/files/documents/issues/HRIIndicators/AGuideMeasurementImplementationChapterV_en.pdf

institutions to identify delays early and engage relevant authorities before implementation is stalled. Regional mechanisms should therefore maintain dedicated implementation registers that record deadlines, actions taken by States, and pending measures, and should regularly communicate this information to national focal points to support coordinated follow-up.

Experience from Sierra Leone demonstrates that implementation of policy-related decisions requires sustained engagement between government authorities and CSOs beyond the initial judgment. Following the revocation of a policy restricting access to education for pregnant girls, government officials worked with education sector stakeholders to review administrative guidelines, train school administrators, and monitor compliance at local level. Continued collaboration between government institutions and CSOs ensured that policy reforms translated into operational changes within schools. Government should therefore establish formal consultation mechanisms with CSOs during the implementation phase, particularly where decisions require changes in administrative practice or service delivery.

Across all countries engaged with during the national dialogues, CSOs and victims' groups have played a decisive role in sustaining attention to unresolved implementation obligations. In situations where implementation was delayed, advocacy organisations monitored government commitments, documented progress, and engaged media institutions to maintain public awareness of outstanding obligations. This sustained monitoring created external accountability and encouraged government authorities to prioritise compliance. CSOs should therefore be supported to participate in structured implementation monitoring processes, including access to implementation information and opportunities to provide feedback to government institutions.

A recurring challenge identified during the dialogues was the absence of a clearly designated institutional focal point responsible for coordinating implementation across government ministries. In countries where responsibility was dispersed across multiple institutions without central oversight, implementation actions were often delayed or duplicated. Conversely, where a single institution was formally mandated to coordinate

implementation, typically within the Ministry of Justice, communication between ministries improved, reporting obligations were met more consistently. Governments should therefore adopt formal administrative directives designating a lead institution responsible for coordinating implementation of decisions issued by regional human rights mechanisms, with authority to request information from other ministries and to report progress to national leadership.

Regional dialogue participants also highlighted the importance of parliamentary oversight in sustaining implementation efforts. In jurisdictions like Malawi where parliament reviewed government reports on implementation, the task force responsible for the harmonisation of laws was required to provide evidence of progress and justify delays. This oversight strengthened accountability and ensured that implementation obligations remained visible within national governance processes. Parliamentary bodies should therefore integrate review of implementation status into their routine oversight functions, including budget hearings and legislative review sessions.

Finally, the dialogues confirmed that implementation requires predictable financial planning. In several countries, implementation obligations were delayed because funding for compensation payments, training activities, or institutional reforms had not been allocated in advance. Where governments incorporated implementation costs into annual budgets, compliance actions proceeded more efficiently and without interruption. Ministries responsible for finance and justice should therefore collaborate during budget preparation cycles to identify anticipated implementation obligations and allocate sufficient resources to support timely execution.

Taken together, these experiences demonstrate that implementation of regional human rights decisions is most effective when responsibility is clearly assigned, coordination mechanisms are institutionalized, implementation actions are integrated into existing government systems, and progress is monitored through structured oversight processes. Strengthening these institutional practices will significantly improve compliance with decisions issued by regional human rights mechanisms and enhance the credibility of the regional human rights system across African States.

CONCLUSION

Implementation of decisions issued by regional human rights mechanisms depends less on the existence of legal obligations and more on the strength of national coordination systems, clarity of institutional responsibility, and sustained oversight of implementation actions.

Experiences documented across participating States show that implementation progressed when governments designated a lead institution to coordinate follow-up, integrated implementation measures into existing legislative and administrative processes, and maintained regular communication with regional bodies and affected individuals. Where these structures were absent, implementation actions were delayed, responsibilities were duplicated, and reporting obligations remained incomplete.

Strengthening implementation therefore requires deliberate institutionalization of coordination mechanisms within government, routine monitoring of compliance through parliamentary and administrative oversight, and predictable allocation of financial resources to support implementation activities. Regional institutions can reinforce these efforts by maintaining structured follow-up systems and ensuring that implementation status information is communicated regularly to national authorities. Sustained engagement by civil society organisations and national oversight bodies remains essential to maintaining visibility of implementation obligations and ensuring continuity beyond the delivery of judgments.

The measures outlined in this report are practical, administratively feasible, and grounded in documented implementation experiences. Their consistent application across States will significantly improve compliance with regional human rights decisions and strengthen confidence in the regional human rights system.



IHRDA

INSTITUTE FOR HUMAN RIGHTS
AND DEVELOPMENT IN AFRICA



949 Brusubi Layout, AU Summit Highway,

P.O. Box 1896 Banjul, The Gambia

Tel: +220 44 10 413/4

Cell: +220 77 51 200

Email: ihrda@ihrda.org

www.ihrda.org

