

Note on the Observer Status for CSOs



What is observer status?

Observer status affords certain privileges to NGOs allowing them to participate and contribute more to the work and proceedings of the African Commission. It recognizes their important role in the promotion and protection of human rights on the continent. The African Commission has been granting observer status to NGOs since 1988. As of 2023, the observer status is governed by the [Resolution on the Criteria for Granting and Maintaining Observer Status to Non-Governmental Organizations Working on Human and Peoples' Rights](#) (the 'Observer Status Resolution').

At the 79th ordinary session (2024), 9 NGOs were [granted observer status](#), bringing the total number of NGOs with observer status to 571.

Why should I seek observer status?

Observer status affords, among others, the following privileges to observer NGOs:

- Make an oral statement on a given human rights situation or issue at public ordinary sessions of the African Commission;
 - Have access to any African Commission documents that are not confidential and that are relevant to the observer NGO's interests;
 - Be invited to be present at closed sessions dealing with issues of specific interest to the observer NGO in question;
 - Be given the floor by the Chairperson of the Commission to respond to questions directed at them by participants;
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- Request to have issues of a specific interest to them included in the provisional agenda of the African Commission, in accordance with the provisions of the Rules of Procedure.

Bear in mind that some other forms of engagement with the African Commission - including simply attending the sessions of the African Commission, making written submissions as part of the state periodic review, or engaging with the communications procedure - do *not* require observer status. See our [online module](#) on ACHPR.

Bear in mind that observer NGOs must also submit **activity reports to the African Commission every two years**.

How do I apply for observer status?

As per the Observer Status Resolution, the general criteria for the granting and maintaining of observer status are the following:

1. Have objectives and activities in consonance with the fundamental principles and objectives enunciated in the African Union Constitutive Act, the preamble of the African Charter on Human and Peoples' Rights, and the Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (the 'Maputo Protocol');
2. Work in the field of human rights in Africa;
3. Declare their financial resources;
4. Be registered in a State Party to the African Charter; and,
5. Have a regional office or presence in an African country (for foreign NGOs only).

In particular, **to apply** for observer status, an NGO must provide the following:

- A letter of application addressed to the Secretariat requesting Observer Status with the African Commission;
- A list of the Board of Members, and other members of the NGO;
- The signed and authenticated Constitutive Statute of the NGO;
- The Certificate of Legal Status of the NGO issued by the relevant Government authority, in the country in which the NGO is based;
- The sources of funding of the NGO;
- The latest independently audited financial statement of the NGO;
- The latest Annual Activity Report of the NGO; and

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- A current Strategic Plan for the NGO, signed or approved by the relevant members of the NGO, which covers a minimum of two years, and which contains the objectives of the NGO during the specified period, the list of activities to be carried out, the timeline for their realisation, the places of implementation, the strategies to implement them and the target groups.

How will my application be assessed ?

Granting of observer status is decided by the eleven Commissioners of the African Commission during ordinary sessions. While this process is normally independent and impartial, it has also been known to [lack transparency](#). Moreover, on a very small number of occasions, the African Commission has been under political pressure to not grant observer status to certain NGOs, for example during the so-called '[Decision 1015 case](#)', when the African Union Executive Council directly instructed the African Commission to not grant observer status to the Coalition of African Lesbians, claiming they 'impose[d] values contrary to African values'. The African Commission ultimately reversed course, but only after intense civil society mobilization.

How will I know when my application has been approved or rejected?

The Observer Status Resolution states that the African Commission's decision on granting observer status 'shall be notified without delay to the applicant NGO'. This usually occurs during ordinary sessions of the African Commission. Applications may be rejected for 'failure to submit additional files for consideration', i.e. missing documents. You can still reapply for observer status if your initial application was rejected.

What are some tips to apply?

Complete applications (see list and requirement above) should be addressed to the Secretariat of the African Commission at au-banjul@africa-union.org, in one of the official languages of the African Commission (English, French, Arabic, Portuguese, Swahili, or Spanish), at least three months before the session when you want your application to be considered.