

**MEMORANDUM OF UNDERSTANDING TO ESTABLISH A SOUTHERN AFRICAN
DEVELOPMENT COMMUNITY (SADC) ALLIANCE OF NATIONAL HUMAN
RIGHTS INSTITUTIONS AND OMBUDSMAN**

WE, the Representatives of National Human Rights Institutions and Ombudsman from the Southern African Development Community (SADC) member states, meeting in Pretoria, the Republic of South Africa on 21 and 22 November 2017,

REASSERTING the role of a human rights approach to development in line with the Sustainable Development Goals (SDGs) and Agenda 2063.

BEING AWARE of our respective mandates to promote and protect human rights, and enhance the respect for rule of law and democratic governance in our respective countries,

RECOGNISING that hitherto we have not adequately and effectively coordinated our activities and hence the urgent need to establish a framework for cooperation that will enable our respective institutions to share experiences, provide mutual assistance aimed at capacity building, coordinate our activities, influence human rights developments in the SADC region and adopt common positions at regional and international fora,

BEING DESIROUS of working together in a regional framework to enhance cooperation between and amongst our institutions, ensuring that we remain faithful to the objectives set out in our respective constitutive instruments, and uphold the fundamental principles and objectives of the regional and international institutions to which we are affiliated,

CONSCIOUS of the fact that in-spite of our different institutional and national characteristics we share challenges and experiences that are by and large similar, such as material and capacity constraints in our respective institutions, and witness cases of human rights violations and impunity in some of our jurisdictions;

NOW THEREFORE AGREE AND RESOLVE as follows:

1. Adopt this Memorandum of Understanding and henceforth constitute ourselves into a framework to be known as the Southern African

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Development Community Alliance of National Human Rights Institutions and Ombudsman (hereinafter "Alliance").

2. The Alliance shall be an association, inclusive in character, whose members shall be the independent National Human Rights Institutions and in those countries without NHRIs the Ombudsman that is responsible for the human rights mandate or working towards achieving a human rights mandate. Each SADC member state shall be represented by only one institution. Membership shall be voluntary.

3. The main objectives of the Alliance are to;

- (i) promote cooperation that will enable our respective institutions to share experiences and information,
- (ii) promote the creation of human rights institutions where none exist, and provide mutual assistance to strengthen the capacity of already existing institutions,
- (iii) promote solidarity and provide mutual support among human rights institutions,
- (iv) coordinate our activities and adopt common positions at regional and international fora,
- (v) seek Observer status with the SADC Policy organs with a view to influencing developments in SADC organs that have an impact on human rights,
- (vi) urge SADC member states to increase support and strengthen institutional capacity for their national human rights institutions.
- (vii) ensure that members states adopt a human rights based approach to development in line with the SDGs and Agenda 2063

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4. (i) The Alliance shall act through a Bureau consisting of a Chairperson and two deputy chairpersons (one of the deputies will be the representative of the southern African region in Network of African National Human Rights Institutions). The chairperson and other deputy chairperson will be on the same rotation basis as the SADC Chairperson and deputy chairperson.
 - (ii) The Bureau shall be charged with working towards realisation of the objectives of the Alliance
 - (iii) The Bureau shall represent the Alliance when engaging the SADC structures, in particular the SADC Secretariat, the Justice Sectoral Council, the Council of Ministers and the SADC Summit, on matters relating to human rights, democracy and rule of law, and any matter arising from the broad mandate of its membership.
5. The members of the Alliance shall constitute the Assembly which will be the highest decision-making body.
 6. The Assembly shall convene at least once in every calendar year on a date to be determined by the Chairperson in consultation with members of the Alliance. Each member shall bear the cost of its participation in the Alliance activities unless other sources of funding are available.
 7. Decisions of the Assembly should preferably be by consensus but where this is not possible then decisions will be by a simple majority.
 8. The Bureau shall be supported by a Secretariat. The Secretariat shall be hosted by the member that is Chairing the ^{Alliance} Forum. The member that shall perform the functions of the Secretariat shall designate one of its members of staff to coordinate the activities and affairs of the Alliance.
 9. Consultations and decisions between meetings will be by round robin which will be communicated by electronic means.

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KT. A. M

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WLSK M

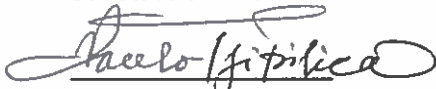
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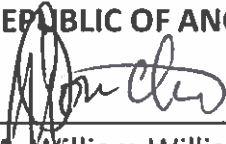
10. Participation in the Alliance is without prejudice to the membership of, or any obligations assumed by any member in any other regional or international forum, association or organisation.

DONE on this 22nd DAY OF NOVEMBER 2017 at PRETORIA, Republic of South Africa.

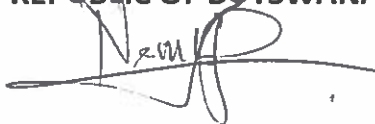
SIGNATORIES:



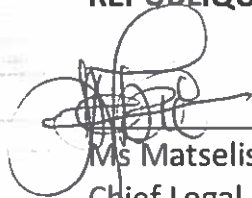
Mr Paulo Tjipilica
Ombudsman
Provedor de Justiça de Angola (Ombudsman of Angola)
REPUBLIC OF ANGOLA



Mr William William Seatle Moncho
Deputy Ombudsman
Office of Ombudsman
REPUBLIC OF BOTSWANA



Ms Mamy-Prudence Nembita Nembuzu
Advisor
Commission Nationale des Droits de l'Homme de la République Démocratique
du Congo
RÉPUBLIQUE DÉMOCRATIQUE DU CONGO



Ms Matseliso Machai-Ndumo
Chief Legal Officer
Office of Ombudsman
KINGDOM OF LESOTHO

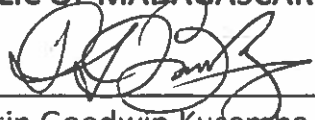


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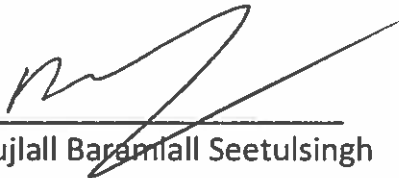




Ms Mireille Francoise Rabenoro
Chairperson
Commission Nationale Indépendante des Droits de l'Homme
REPUBLIC OF MADAGASCAR



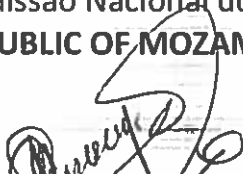
Mr Justin Goodwin Kusamba Dzonzi
Chairperson
Malawi Human Rights Commission
REPUBLIC OF MALAWI



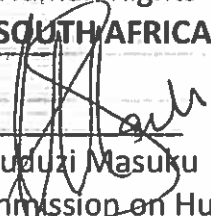
Mr Dheerujall Baramall Seetulsingh
Chairperson
National Human Rights Commission
REPUBLIC OF MAURITIUS



Mr Luis Bitone Nahe
Chairperson
Comissão Nacional dos Direitos Humanos
REPUBLIC OF MOZAMBIQUE

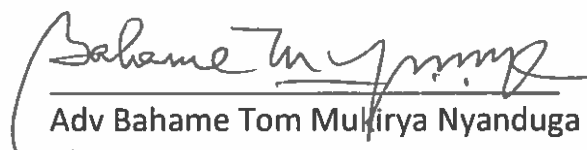


Adv Bongani Majola
Chairperson
South African Human Rights Commission
REPUBLIC OF SOUTH AFRICA



Mr Sabelo Mduuzi Masuku
Swaziland Commission on Human Rights and Public Administration/Integrity
KINGDOM OF SWAZILAND





Adv Bahame Tom Mukirya Nyanduga
Chairperson

Commission for Human Rights and Good Governance
UNITED REPUBLIC OF TANZANIA



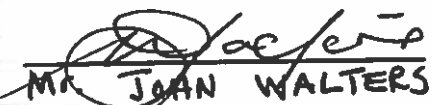
Mr Mudford Zachariah Mwendenga
Chairperson

Zambian Human Rights Commission
REPUBLIC OF ZAMBIA



Mr Elasto Hilarious Mugwadi
Chairperson

Zimbabwe Human Rights Commission
REPUBLIC OF ZIMBABWE



MR JOAN WALTERS

OMBUDSMAN

OFFICE OF OMBUDSMAN

NAMIBIA