

8. References

Table of Cases

African Commission on Human and Peoples' Rights

- Civil Liberties Organisation V. Nigeria*, Comm. No. 129/94 (ACmHPR 1995)
- Free Legal Assistance Group and Others V. Zaire (Drc)*, Comm. Nos. 25/89, 47/90, 56/91, 100/93 (ACmHPR 1996)
- Media Rights Agenda, Constitutional Rights Project, Media Rights Agenda and Constitutional Rights Project V. Nigeria*, Comm. Nos. 105/93, 128/94, 130/94 and 152/96 (ACmHPR 1998)
- Amnesty International, Comité Loosli Bachelard, Lawyers' Committee for Human Rights, Association of Members of the Episcopal Conference of East Africa V. Sudan*, Comm. Nos. 48/90, 50/91, 52/91 and 89/93 (ACmHPR 1999)
- Sir Dawda K. Jawara V. Gambia (the)*, Comm. No. 147/95-149/96 (ACmHPR 2000)
- Mouvement Burkinabé Des Droits De L'homme Et Des Peuples V. Burkina Faso*, 204/97 (ACmHPR 2001)
- Social and Economic Rights Action Center and Center for Economic and Social Rights V. Nigeria*, Communication No. 155/96 (ACmHPR 2001)
- Purohit and Moore V. Gambia*, 241/01 (ACmHPR 2003)
- Prince V. South Africa*, Comm. No. 255/2002 (ACmHPR 2004)
- Zimbabwe Human Rights NGO Forum V. Zimbabwe*, 254/02 (ACmHPR 2006)
- Sudan Human Rights Organisation & Centre on Housing Rights and Evictions V. Sudan*, Comm. Nos. 279/03, 296/05 (ACmHPR 2009)
- Egyptian Initiative for Personal Rights & Interrights V. Egypt* Comm. No. 323/06 (ACmHPR 2011)
- Egyptian Initiative for Personal Rights and Interights V. Egypt*, Comm. No. 323/2006 (ACmHPR 2013)
- Monim Elgak, Osman Hummeida and Amir Suliman V. Sudan*, Communication 379/09 (ACmHPR 2014)
- Groupe De Travail Sur Les Dossiers Judiciaires Stratégiques V. Democratic Republic of Congo*, Comm. No. 259/2002 (ACmHPR 2015)
- The Nubian Community in Kenya V. The Republic of Kenya*, 317/06 (ACmHPR 2015)

African Committee of Experts on the Rights and Welfare of the Child

- Institute for Human Rights and Development in Africa and Other on Behalf of Children of Nubian Decent in Kenya V. Kenya*, No. 002/Com/002/2009 (ACmERWC 2011)
- Michelo Hunsungule and Others (on Behalf of Children in Northern Uganda) V. Uganda*, Communication No. 1/2005 (ACmERWC 2013)
- Centre for Human Rights, University of Pretoria and La Rencontre Africaine Pour La Defense Des Droits De L'homme V. Senegal*, (ACmERWC 2014)

European Court of Human Rights

- Golder V. United Kingdom*, Application no. 4451/70 (ECtHR 1975)
- X and Y V. The Netherlands*, 8 EHRR 235, 8978/80 (ECtHR 1985)

Inter-American Court of Human Rights

- Velasquez Rodriguez V. Honduras*, (Ser. C) No. 4 (IACrtHR 1988)

International Cases

- Case Concerning Ahmadou Sadio Diallo (Republic of Guinea V. Democratic Republic of the Congo)*, 2010 I.C.J. Rep. 639, (ICJ 2010)
- Idg V. Spain*, U.N. Doc. E/C.12/55/D/2/2014, Communication No. 2/2014 (CESCR 2015) (U.N.)
- Rodríguez V. Spain*, U.N. Doc. E/C.12/57/D/1/2013, Communication No. 1/2013 (CESCR 2016) (U.N.)
- Ben Djazia and Bellili V. Spain*, U.N. Doc. E/C.12/61/D/5/2015, Communication No. 5/2015 (CESCR 2017) (U.N.)

National Cases

Germany

- B 8 So 22/07 R*, 102 1, (BSG 2008) (Germany)

8. References

South Africa

- Government of the Republic of South Africa and Others V. Grootboom and Others*, 1 SA 46, CCT 11/00 (CC 2000) (South Africa)
- National Association of Welfare Organisations and Non-Governmental Organisations and Others V. Mec of Social Development, Free State and Others*, 2010 ZAFSHC 73, 1719/2010 (Free St. High Ct. 2010) (South Africa)
- National Association of Welfare Organization and Non-Governmental Organizations and Others V. Mec for Social Development, Free State and Others* 2011 ZAFSHC 84, 1719/2010 (Free St. High Ct. 2011) (South Africa)
- National Association of Welfare Organisations and Non-Governmental Organisations and Others V. Mec for Social Development, Free State and Others* 2013 ZAFSHC 49, 1719/2010 (Free St. High Ct. 2013) (South Africa)
- National Association of Welfare Organisations and Non-Governmental Organisations and Others V. Mec for Social Development, Free State and Others* 2014 ZAFSHC 127, 1719/2010 (Free St. High Ct. 2014) (South Africa)
- Mokoena and Others V. Mec Gauteng Department of Health: Mahlangu N.O.*, 2016 ZALCJHB 98, J 352/16 (Labour Ct. Johannesburg 2016) (South Africa)

Uganda

- Centre for Health Human Rights & Development & Others V. Attorney General*, UGCC 4, Petition No. 16 of 2011 (CC 2012) (Uganda)
- Bank of Uganda V. Caring for Orphans, Widows & Elderly Ltd.*, 2009 UGCA 36, Civil Appeal No.35 of 2007 (UGCA 2009) (Uganda)
- Kaggwa Andrew & 5 Others V. Hno Minister of Internal Affairs*, 2002 UGHC 21, HCT-00-CV-MC-0105 OF 2002 (UGHC 2002) (Uganda)
- Balikowa & Anor V. Uganda*, 2012 UGHCCRD 2, Criminal Appeal No. 003 of 2011 (UGHC 2012) (Uganda)
- Cowe (U) & Cowe Ltd V. Attorney General*, 2015 UGHCCD 78, HCT-00-CV-CS-0194-2004 (UGHC 2015) (Uganda)

United States

- Pierce V. Society of Sisters*, 268 U.S. 510, (Supreme Ct. 1925) (United States)
- Griswold V. Connecticut*, 381 U.S. 479, (Supreme Ct. 1965) (United States)

Table of Laws

Treaties

International

- Covenant on the Elimination of All Forms of Racial Discrimination (adopted Dec. 21, 1965, entered into force Jan. 4, 1969) 660 UNTS 195 (CERD)
- International Covenant on Civil and Political Rights (adopted 16 December 1966, entered into force Mar. 23, 1976) 999 UNTS 171 (ICCPR)
- International Covenant on Economic, Social and Cultural Rights (adopted 16 December 1966, entered into force Jan. 3, 1976) 993 UNTS 3 (ICESCR)
- Vienna Convention on the Law of Treaties (adopted May 23, 1969, entered into force Jan. 27, 1980) 1155 UNTS 331 (VCLT)
- International Covenant on the Elimination of All Forms of Discrimination Against Women (adopted Dec. 18, 1979, entered into force Sept. 3, 1981) 1249 UNTS 13 (CEDAW)
- International Covenant on the Rights of the Child (adopted Nov. 20, 1989, entered into force Sept. 2, 1990) 1577 UNTS 3 (ICRC)
- Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (adopted 10 Dec. 2008, entered into force May 5, 2013) 2922 UNTS 27 (OP-ICESCR)

Regional

- African Charter on Human and Peoples' Rights (adopted 27 June 1981, entered into force Oct. 21, 1986) 21 ILM 58 (ACHPR)
- African Charter on the Rights and Welfare of the Child (adopted 11 July 1990, entered into force Nov. 29, 1999) OAU Doc. CAB/LEG/24.9/49 (ACRWC)
- Protocol to the African Charter on Human and Peoples' Rights on the Rights of Women in Africa (adopted July 11, 2003, entered into force Nov. 25, 2005) AU Doc. CAB/LEG/66.6 (P-ACHPRWA)

Resolutions and Declarations

International

- UNGA, Draft International Covenant on Human Rights and Measures of Implementation: Future Work of the Commission on Human Rights (Dec. 4, 1950) UN Doc. A/RES/421(V)

8. References

- UNGA, Inclusion in the International Covenant or Covenants on Human Rights of an Article to the Right of Peoples to Self-Determination (Feb. 5, 1952) UN Doc. A/RES/545 (VI)
- UNGA, World Conference on Human Rights (Dec. 20, 1993) UN Doc. A/RES/48/121
- UNGA, Universal Declaration of Human Rights (December 10, 1948) UN Doc A/810 (UDHR)
- UNGA, Protection of Persons with Mental Illness and Improvement of Mental Health Care (Dec. 17, 1991) U.N. Doc. A/RES/46/119
- UNCHR, The Limburg Principles on the Implementation of the International Covenant on Economic, Social and Cultural Rights (Jan. 8, 1987) UN Doc. E/CN.4/1987/17 (The Limburg Principles)
- Vienna Declaration and Programme of Action (July 12, 1993) U.N. Doc. A/CONF.157/23

Regional – African Commission on Human and Peoples' Rights

- ACmHPR, Pretoria Declaration on Economic, Social and Cultural Rights in Africa, ACHPR/Res. 73 (Dec. 7, 2004)
- ACmHPR, Resolution on the Health and Reproductive Rights of Women in Africa (May 16-30, 2007) ACHPR/Res. 110
- ACmHPR, Resolution on Access to Health and Needed Medicines in Africa (Nov. 24, 2008) ACHPR/Res. 141
- ACmHPR, Resolution on the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (May 2, 2012) ACHPR/Res. 223
- ACmHPR, Resolution on the Right to Adequate Housing and Protection from Forced Evictions (Oct. 9-22, 2012) ACHPR/Res. 231
- ACmHPR, Resolution on the Right to Water Obligations (Feb. 28, 2015) ACHPR/Res. 300
- ACmHPR, Resolution on the Right to Education in Africa (Apr. 20, 2016) ACHPR/Res. 346
- ACmHPR, Resolution on the Situation of Human Rights Defenders in Africa (May 22, 2017) ACHPR/Res. 376 (LX)

Other International Authorities

- ACmHPR, Guidelines on Freedom of Association and Assembly in Africa <<http://www.icnl.org/news/2017/ACHPR%20Guidelines%20english.pdf>>

- ACmHPR, Principles and Guidelines on the Implementation of Economic, Social and Cultural Rights in the African Chart on Human and Peoples' Rights <http://www.achpr.org/files/instruments/economic-social-cultural/achpr_instr_guide_draft_esc_rights_eng.pdf>
- CESCR, General Comment No. 1: Reporting by States Parties (UN 1989) U.N. Doc. E/C.12/1989/5, Annex III
- CESCR, General Comment No. 3: The Nature of States Parties' Obligations (UN 1990) U.N. Doc. E/1991/23
- CESCR, General Comment No. 4: The Right to Adequate Housing (UN 1991) U.N. Doc. E/1992/23
- CESCR, General Comment No. 5: Persons with Disabilities (UN 1994) U.N. Doc. E/1995/22
- CESCR, General Comment No. 6: The Economic, Social and Cultural Rights of Older Persons (UN 1995) U.N. Doc. E/C.12/1995/16
- CESCR, General Comment No. 7: The Right to Adequate Housing - Forced Evictions (UN 1997) U.N. Doc. E/1998/22, annex IV
- CESCR, General Comment No. 8: The Relationship between Economic Sanctions and Respect for Economic, Social and Cultural Rights (UN 1997) U.N. Doc. E/C.12/1997/8
- CESCR, General Comment No. 9: The Domestic Application of the Covenant (UN 1997) U.N. Doc. E/1998/24
- CESCR, General Comment No. 12: The Right to Adequate Food (UN 1999) U.N. Doc. E/C.12/1999/5
- CESCR, General Comment No. 13: The Right to Education (UN 1999) U.N. Doc. E/C.12/1999/10
- CESCR, General Comment No. 14: The Right to the Highest Attainable Standard of Health (UN 2000) U.N. Doc. E/C.12/2000/4
- CESCR, General Comment No. 15: The Right to Water (UN 2003) U.N. Doc. E/C.12/2002/11
- CESCR, General Comment No. 18: The Right to Work (UN 2006) U.N. Doc. E/C.12/GC/18
- CESCR, General Comment No. 19: The Right to Social Security (UN 2007) U.N. Doc. E/C.12/GC/19
- CESCR, General Comment No. 21: The Right of Everyone to Take Part in Cultural Life (UN 2009) U.N. Doc. E/C.12/GC/21
- CESCR, General Comment No. 22: The Right to Sexual and Reproductive Health (UN 2016) U.N. Doc. E/C.12/GC/22
- CRC, General Comment No. 5: General Measures of Implementation of the Covenant on the Rights of the Child (UN 2003) U.N. Doc. CRC/GC/2003/5
- HRC, General Comment No. 31: The Nature of the General Legal Obligation Imposed on States Parties to the Covenant (UN 2004) U.N. Doc. CCPR/C/21/Rev. 1/Add.13

8. References

UNGA, Responsibility of States for Internationally Wrongful Acts (Jan. 28, 2002)
U.N. Doc. A/RES/56/83 (Annex)

National Constitutions

Constitution of Uganda (1995; rev. 2005)
Constitution of South Africa (1996)

National Legislation, Regulations and Bills

Angola

Decreto Presidencial No. 74/15, Lei No. 74/15 (Angola 2015)
Lei Das Associações Privadas, Lei No 6/2012 (Angola 2012)

Eritrea

A Proclamation to Determine the Administration of Non-Governmental Organizations, Proclamation No 145/2005 (Eritrea 2005)

Ethiopia

Charities and Societies Proclamation No 621/2009 (Ethiopia 2009)

Kenya

Non-Governmental Organizations Co-Ordination Act, No 19 of 1990 (Kenya 1990)
The Statute Law (Miscellaneous Amendemendments) Act, 1991, No 14 of 1991 (Kenya 1991)
The Statute Law (Miscellaneous Amendemendments) Act, 1992, No 11 of 1992 (Kenya 1992)
The Statute Law (Miscellaneous Amendments) Bill. 2013, Bill No 32 (Kenya 2013)

Portugal

Associações Secretas, Lei No 1901 (Portugal 1935)

Sierra Leone

Non-Government Organisations Policy Regulations (Sierra Leone 2009)

Uganda

The Non-Governmental Organisations Registration (Amendment) Act, No 25 of 2006 (Uganda 2006)

The Non-Governmental Organisations Act, No 5 of 2016 (Uganda 2016)

The Non-Governmental Organisations Registration Regulations, 2009 No. 19 (Uganda 2009)

The Non-Governmental Organisations Registration Regulations, 2017 No. 22 (Uganda 2017)

The Non-Governmental Organisations Regulations, No. 22 of 2017 (Uganda 2017)

The Non-Governmental Organisations Bill, 2015, Bill No 10 (Uganda 2015)

Official Government Documents

International

CESCR, An Evaluation of the Obligation to Take Steps to the "Maximum of Available Resources" under an Optional Protocol to the Covenant: Statement (UN 2007) U.N. Doc E/C.12/2007/1

CESCR, Concluding Observations on the First through Third Period Reports on Ethiopia (UN 2012) UN Doc. E/C.12/ETH/CO/1-3

CESCR, Concluding Observations on the Initial and Second Period Report of Djibouti (UN 2013) UN Doc. E/C.12/DJI/CO/1-2

CESCR, Concluding Observations on the Third Period Report on Angola (UN 2008)

CESCR, Concluding Observations on the Fourth and Fifth Period Report of Angola (UN 2015) UN Doc. E/C.12/UGA/CO/4-5

CESCR, Concluding Observations on the Initial Period Report of Uganda (UN 2015) UN Doc. E/C.12/UGA/CO/1

CESCR, Human Rights Defenders and Economic, Social and Cultural Rights (UN 2017) U.N. Doc. E/C.12/2016/2

8. References

- CRC, Concluding Observations on the Fifth Periodic Report of the United Kingdom of Great Britain and Northern Ireland (UN 2016) U.N. Doc. CRC/C/GBR/CO/5
- Commission for Social Development, UNESC, Emerging Issues: Social Protection (UN 2010) UN Doc. E/CN.5/2011/8
- International Human Rights Instruments of the UN, Core Document Forming Part of the Reports of States Parties: Angola (UN 2008) UN Doc. HRI/CORE/AGO/2008
- Third Committee, UNGA, Summary Record of the 1185th Meeting (UN 1962) UN Doc. A/C.3/SR.1185
- Third Committee, UNGA, Summary Record of the 1206th Meeting (UN 1962) UN Doc. A/C.3/SR.1206
- Third Committee, UNGA, Summary Record of the 363rd Meeting (UN 1951) UN Doc. A/C.3/SR.363
- UNCHR, UNESC, Report to the Economic and Social Council on the Seventh Session of the Commission on Human Rights (UN 1951) UN Doc. E/CN.4/640
- UNCHR, UNESC, Report to the Economic and Social Council on the Eighth Session of the Commission (UN 1952) UN Doc. E/CN.4/669
- UNCHR, UNESC, Summary Record of the 234th Meeting (UN 1951) UN Doc. E/CN.4/SR.234
- UNCHR, UNESC, Summary Record of the 235th Meeting (UN 1951) UN Doc. E/CN.4/SR.235
- UNCHR, UNESC, Summary Record of the 236th Meeting (UN 1951) UN Doc. E/CN.4/SR.236
- UNCHR, UNESC, Summary Record of the 237th Meeting (UN 1951) UN Doc. E/CN.4/SR.237
- UNCHR, UNESC, Summary Record of the 306th Meeting (UN 1952) UN Doc. E/CN.4/SR.306
- UNCHR, UNESC, Summary Record of the 307th Meeting (UN 1952) UN Doc. E/CN.4/SR.307
- UNCHR, UNESC, Summary Record of the 308th Meeting (UN 1952) E/CN.4/SR.308
- UNCHR, UNESC, United States Proposal Relating to the General Clause Concerning Economic, Social and Cultural Rights (UN 1951) UN Doc. E/CN.4/610/Add.2
- UNGA, Draft International Covenants on Human Rights: Report of the Third Committee (UN 1955) UN Doc. A/3077
- UNGA, Draft International Covenants on Human Rights: Report of the Third Committee (UN 1962) UN Doc. A/5365
- UNGA, Draft International Covenants on Human Rights: Report of the Third Committee (UN 1963) UN Doc. A/5655

UNHCHR, UNESCO, Economic, Social and Cultural Rights (UN 2017) UN Doc. E/2017/70

UNSG, UNGA, Draft International Covenants on Human Rights: Annotations (UN 1955) UN Doc. A/2929

Regional

AU, Social Policy Framework for Africa (AU 2008) AU Doc. CAMSD/EXP/4(1)

AU, Common African Position (CAP) on the Post-2015 Development Agenda (AU 2014)

Regional Committee for Africa, World Health Organization, The Role of the Community in Improving Maternal, Newborn and Child Health in the Who Africa Region (UN 2007) UN Doc. AFR/RC57/16 (b)

National

Department of Social Development, Ministry of Social Development, Policy on Financial Awards to Service Providers (South Africa 2003) <http://www.dsd.gov.za/index2.php?option=com_docman&task=doc_view&gid=34&Itemid=39>

Independent Commission for Aid Impact, DFID's Education Programmes in Three East African Countries (United Kingdom 2012) <<https://icai.independent.gov.uk/wp-content/uploads/DFIDs-Education-Programmes-in-Three-East-African-Countries-Final-Report-3.pdf>>

