

**ADDRESS BY MRS. JULIA DOLLY JOINER
COMMISSIONER FOR POLITICAL AFFAIRS OF THE
AFRICAN UNION COMMISSION DELIVERED**

BY

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AFRICAN UNION COMMISSION AT THE OPENING OF THE FORTY SIXTH
ORDINARY SESSION OF THE AFRICAN COMMISSION ON HUMAN AND
PEOPLES' RIGHTS**

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Mr. Chairperson,
Mme. the Representative of the Government of the Republic of The Gambia,
Honourable Members of the African Commission on Human and Peoples' Rights,
Representatives of the Diplomatic Corps,
Distinguished Delegates,
Excellencies, Ladies and Gentlemen,

It is my pleasure to deliver the following contents of the address which was to have been made by H.E. Mrs. Julia Dolly Joiner, Commissioner of Political Affairs of the Commission of the African Union, who was to have participated in the present ceremony but had been unable to do so due to a very busy schedule.

I would first of all like to express our pleasure, as members of the Commission of the African Union, to be here in The Gambia, this country which has become so familiar to us and for which we have, over the years, developed certain affection.

We have always viewed the regular holding of the sessions of the Commission in The Gambia as a testimony of the commitment of the Gambian Authorities to give their contribution to the human rights promotion effort on the Continent. I therefore wish to reiterate, on behalf of the Commission, our profound gratitude to the Government and people of The Gambia, for the generous hospitality which they are once again providing for us on this occasion.

The hosting of the sessions of the Commission by the various member countries contributes to the increased knowledge of the Commission's mandate by giving visibility to its activities and by bringing it closer to the African populations. We are convinced that the human rights cause can only become stronger through this interaction.

I would also like to express our warm thanks to the African Commission on Human and Peoples' Rights for its kindness in inviting us to this meeting. We appreciate it, more so in that each day we feel the imperative need to resolutely combine our activities for the promotion and protection of human rights with its own. Such collaboration is, for us, both natural and decisive if we are to realize our collective effort. Our presence here today is in line with this logic. I congratulate the Commissioners who have been recently elected and assure them of our unequivocal collaboration.

I also wish to seize this opportunity to pay tribute to all the participants, those who came from abroad as well as those who came from here, who honoured this rendez-vous.

Your Excellencies, Ladies and Gentlemen,

This 46th Session of the African Commission on Human and Peoples' Rights is being held in a special context from the point of view of the human rights

situation in Africa. We note with regret the current human rights situation in Africa. We note with regret that, despite the undeniable achievements registered in civil, political and economic rights, social and cultural rights, the phantom of human rights violations continues to live with us. Without trying to be exhaustive, we know that these violations, which can be noted almost everywhere in Africa today, can be referred to as: poverty, dehumanization, arbitrary detentions, discrimination against women, discrimination or xenophobia against enforced migration, persecution or harassment of human rights defenders such as media professionals, violations of the right to vote, sexual and sexist abuse, impunity with regard to economic, socio-cultural and political crimes which have a serious negative impact on the lives of thousands of people. In most of these situations, it is the civil, political, economic, cultural and social rights which are the object of negation.

The conflicts which continue to bathe the Continent in blood create the conditions for this. But more and more, the thirst and intoxication for power nurture intolerance and are the root cause of human rights violations.

In this context therefore, the task is enormous and our collective commitment is a categorical imperative if we are to effectively check this tidal wave. This is where, in our view, lies the importance of these deliberations.

Your Excellencies, Ladies and Gentlemen,

As a prelude to this session, the African Union Commission had successfully organized, from 8th to 10th November, the third session of the National Human Rights Institutions. In organizing this meeting, we had been inspired by the legitimate concern to strengthen these Institutions in the current context, to guarantee their interaction as well as their independence, to put in place a genuine forum for collaboration with the competent Organs of the African Union and with our traditional partners, in particular the Office of the High Commissioner for Human Rights. Such an undertaking can only be realized if the National Human Rights Institutions benefit from the necessary technical and financial support from the Authorities, which is often lacking.

This, moreover, is what emanated from the recommendations formulated during these deliberations, the pertinence and timeliness of which I must emphasize here. Among other recommendations, the need for a greater participation in the activities of the African Commission on Human and Peoples' Rights was also stressed. This is a fundamental requirement since the Commission needs to rely, more than ever, on these actors on the ground in order to accomplish its mandate. The active participation of a large number of Commissioners at this meeting and their significant contributions to the discussions strengthened our view that the African Commission on Human and Peoples' Rights accords a special interest to this collaboration for which we all crave.

This task could not be accomplished successfully as expected had our meetings not received diverse inputs. Indeed, such an exercise can only be realized through a collaborative approach.

Thus, we shall be mindful of the need for closer and sustained collaboration with our various partners and constantly ensure genuine and open dialogue regarding the challenges confronting us including the best possible strategy to be adopted to rise above these challenges.

It is within this framework that the African Union Commission, in collaboration with the competent organs of the African Union and in partnership with the United Nations, initiated a dynamic and in-depth brainstorming on a process towards the formulation of a human rights strategy for Africa.

In this introductory presentation, I would not venture into outlining the major orientations of the strategy simply because it is still in its formative stages. I would state that the establishment and consolidation of such a strategy is based on a number of guidelines and conceptual pillars. These consist of:

- Strengthening the capacity of the African Union as a catalyst to the promotion and protection of human rights throughout the African continent;
- Establishing effective synergies between the various institutional and non-institutional actors ;
- Promoting the linkages at different levels (local, national, regional and continental) ;
- Establishing institutional mechanisms that will enhance continual exchange of information ; a systematic dialogue among the various actors

Beyond that,

- Creating the conditions for fruitful dialogue with our partners concerned on the basis of a clearly defined African position and under the leadership of the African Union.

Such a strategy should also be based on legal foundations- such as the African Charter on Human and Peoples' Rights and the different related Protocols; the institutional pillars; the African Union Commission, the African Commission on Human and Peoples' Rights, the African Court on Human and Peoples' Rights , the African Court of Justice, Human and Peoples' Rights.

The brainstorming initiated shall be pursued at different fora. Our fervent hope is that it would lead to the formulation of a genuine strategy likely to provide the most appropriate antidote to the herculean task of Human rights promotion and protection on the continent.

Your Excellencies, Ladies and Gentlemen,

It is important to underscore the fact that promotion and protection of human rights can only thrive within an enabling environment or context. Such an environment can only materialize as a result of good social, economic and political governance. From this standpoint, it seems that several Member States have not yet fully committed themselves to the political will of creating such an environment. The African Charter on Democracy, Elections, and Governance is yet to come into force. We would therefore seize this opportunity to urge Member States that have not yet signed nor ratified this crucial instrument to do so. This appeal is also applicable to the last instrument for the protection of the rights of vulnerable people such as internally displaced persons. Indeed, with this instrument, Africa has just demonstrated to the world, its commitment not to marginalize any person in the area of human rights.

But this battle for human rights is basically a relentless and constant one as well as a collective endeavour. Human rights are not a one-off conquest achieved by mankind. In this field, actors continually engage in the battle and never get their hands off the wheels. There is always an element of unfinished business. But these feelings of unfinished business and the constant re-enactment should never be seen as roadblocks in our efforts to battle on. As these feelings motivate us to constantly go back and hold the bull by the horns, we must always be inspired by and draw the vital energy from the nobleness of the cause to go forward to engrave in letters of gold in the hearts of our fellow citizens and in public squares in our cities these momentous values which underlie the indivisible and universal human rights.

As this work cannot be successfully accomplished without the cooperation of the various actors coupled with wielding specific mandates for the promotion and protection of human rights, there is the need for coordination of efforts of each and every one. It is incumbent on the African Union to promote such coordination. It will not spare any effort in doing this. It may expect that such coordination is carried out through the established architecture and mechanisms that it has already put in place. Based on the fulfilment of the agenda of the African Union, the latter operates through organs of the Commission such as the African Commission on Human and Peoples' Rights, the Member States, National Human Rights Institutions, Civil Society Organizations and bilateral and multilateral actors, concurrent partners in the promotion and protection of human rights in Africa. May the consciousness of our separate but complementary responsibilities enable us to move forward for the service of the cause of human rights in Africa.

Your Excellencies Ladies and Gentlemen,

In conclusion, I would like to express the hope that this session will contribute, among others, in defining the horizon for more fruitful collaboration between the

African Union Commission and the African Commission on Human and Peoples' Rights. I know that your deliberations will be fruitful and successful. I express my delight about that in anticipation.

I thank you for your kind attention.